



# **AGENDA**

## **Ordinary Council Meeting Tuesday, 18 March 2025**

**Date: Tuesday, 18 March 2025**

**Time: 5pm**

**Location: Council Chambers, Market Street Balranald**

**Peter Bascomb  
Interim 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**

<b>Honesty:</b>	We will be transparent, frank and truthful to ourselves, each other and with other people we deal with.
<b>Respect:</b>	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.
<b>Enjoyment:</b>	We will create a pleasant and enjoyable working environment with satisfying jobs.
<b>Teamwork:</b>	We will cooperate and support each other to achieve common goals.
<b>Openness:</b>	We will collaborate openly and provide opportunities to communicate and network regularly with each other.
<b>Leadership:</b>	We will provide a clear strategy and direction and support all to achieve organisational and community goals.
<b>Customer Focus:</b>	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:  
Tuesday, 18 March 2025 at 5pm

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## 1 OPENING OF MEETING

### Chapter 3. Principles for Local Government

#### *8 Object of principles*

The object of the principles for councils set out in this Chapter is to provide guidance to enable councils to carry out their functions in a way that facilitates local communities that are strong, healthy and prosperous.

#### *8A Guiding principles for councils*

- (1) Exercise of functions generally.

The following general principles apply to the exercise of functions by councils--

- (a) Councils should provide strong and effective representation, leadership, planning and decision-making.
  - (b) Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
  - (c) Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.
  - (d) Councils should apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements.
  - (e) Councils should work co-operatively with other councils and the State government to achieve desired outcomes for the local community.
  - (f) Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
  - (g) Councils should work with others to secure appropriate services for local community needs.
  - (h) Councils should act fairly, ethically and without bias in the interests of the local community.
  - (i) Councils should be responsible employers and provide a consultative and supportive working environment for staff.
- (2) Decision-making The following principles apply to decision-making by councils (subject to any other applicable law)--
- (a) Councils should recognise diverse local community needs and interests.
  - (b) Councils should consider social justice principles.
  - (c) Councils should consider the long term and cumulative effects of actions on future generations.
  - (d) Councils should consider the principles of ecologically sustainable development.
  - (e) Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.
- (3) Community participation Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

**Principles of sound financial management***8B Principles of sound financial management*

The following principles of sound financial management apply to councils:

- (a) Council spending should be responsible and sustainable, aligning general revenue and expenses.
- (b) Councils should invest in responsible and sustainable infrastructure for the benefit of the local community.
- (c) Councils should have effective financial and asset management, including sound policies and processes for the following--
  - (i) performance management and reporting,
  - (ii) asset maintenance and enhancement,
  - (iii) funding decisions,
  - (iv) risk management practices.
- (d) Councils should have regard to achieving intergenerational equity, including ensuring the following--
  - (i) policy decisions are made after considering their financial effects on future generations,
  - (ii) the current generation funds the cost of its services.

**Integrated planning and reporting principles that apply to councils***8C Integrated planning and reporting principles that apply to councils*

The following principles for strategic planning apply to the development of the integrated planning and reporting framework by councils:

- (a) Councils should identify and prioritise key local community needs and aspirations and consider regional priorities.
- (b) Councils should identify strategic goals to meet those needs and aspirations.
- (c) Councils should develop activities, and prioritise actions, to work towards the strategic goals.
- (d) Councils should ensure that the strategic goals and activities to work towards them may be achieved within council resources.
- (e) Councils should regularly review and evaluate progress towards achieving strategic goals.
- (f) Councils should maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals.
- (g) Councils should collaborate with others to maximise achievement of strategic goals.
- (h) Councils should manage risks to the local community or area or to the council effectively and proactively.
- (i) Councils should make appropriate evidence-based adaptations to meet changing needs and circumstances.

**2 PRAYER & ACKNOWLEDGEMENT OF COUNTRY**

**Prayer**

**ALMIGHTY AND ETERNAL GOD, GIVE US THE GRACE TO FAITHFULLY FULFIL  
THE DUTIES OF OUR OFFICE.**

**SHED THE LIGHT OF YOUR WISDOM AND COUNSEL UPON US SO THAT,  
STRENGTHENED BY THESE GIFTS, WE WILL, IN THE ADMINISTRATION OF  
THE AFFAIRS OF THE COUNCIL, ALWAYS DO WHAT IS RIGHT AND JUST.**

**WE ASK THAT OUR DELIBERATIONS WILL BE BOTH FRUITFUL AND WISE.**

**AMEN**

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**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.

**3 APOLOGIES**

**4 CONFIRMATION OF MINUTES****4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 18 FEBRUARY 2025**

**File Number:** D25.105069

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

**Responsible Officer:** Peter Bascomb, Interim General Manager

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**OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Council Meeting held on Tuesday, 18 February 2025 be received and noted.**

**REPORT**

Council held its Ordinary Council Meeting on Tuesday 18 February 2025. The Minutes of that meeting are now attached for the review and approval of Council as being a true and correct copy of that meeting.

**ATTACHMENTS**

- 1. Minutes of the Ordinary Council Meeting held on Tuesday, 18 February 2025**



# MINUTES

**Ordinary Council Meeting  
Tuesday, 18 February 2025**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

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	Nil	
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	Nil	

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

**MINUTES OF BALRANALD SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MARKET STREET BALRANALD  
ON TUESDAY, 18 FEBRUARY 2025 AT 5PM**

**1 OPENING OF MEETING****2 PRAYER & ACKNOWLEDGMENT OF COUNTRY****Prayer**

Almighty and eternal God, give us the grace to faithfully fulfil the duties of our office.

Shed the light of your wisdom and counsel upon us so that, strengthened by these gifts, we will, in the administration of the affairs of the council, always do what is right and just.

We ask that our deliberations will be both fruitful and wise.

**AMEN**

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**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.

**PRESENT:**

Mayor Louie Zaffina, Deputy Mayor Dwaine Scott, Cr Leigh Byron, Cr Iain Lindsay-Field, Cr Alison Linnett, Cr Tracy O'Halloran, Cr Phillip Pippin and Cr German Ugarte

**IN ATTENDANCE:**

Peter Bascomb (Interim General Manager), Glenn Carroll (Director of Governance, Business and Community Services), David McKinley (Director of Infrastructure and Planning Services) and Carol Holmes (Senior Executive Officer)

Laurie Knight and Edna Mendes (Finance Consultants) attended via zoom.

**3 APOLOGIES**

Nil

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ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

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4 CONFIRMATION OF MINUTES

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4.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON TUESDAY, 17 DECEMBER 2024

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## RESOLUTION 2025/1

Moved: Member Dwaine Scott

Seconded: Cr Phillip Pippin

That the Minutes of the Ordinary Council Meeting held on Tuesday, 17 December 2024 be received and noted.

CARRIED

## 5 DISCLOSURE OF INTEREST

Nil

## 6 MAYORAL/COUNCILLOR REPORT

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6.1 MAYORAL MINUTE - FIRE RISK IN YANGA NATIONAL PARK

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## RESOLUTION 2025/2

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

That Council write to the National Parks and Wildlife Service Area Manager requesting information on plans for fuel load reduction in Yanga National Park with specific reference to whether there's any opportunity for the First Nations People helping to mitigate the fire risk.

CARRIED

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6.2 MAYORAL MINUTE - NOMINATION FOR WILLANDRA LAKES REGION WORLD HERITAGE ADVISORY COMMITTEE

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## RESOLUTION 2025/3

Moved: Mayor Louie Zaffina

Seconded: Cr Iain Lindsay-Field

That Council also nominate Cr Tracy O'Halloran as the local government representative on the Willandra Lakes Region World Heritage Advisory Committee.

CARRIED

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

**7 COMMITTEE REPORTS****7.1 EUSTON PROGRESSIVE ADVISORY COMMITTEE MEETING HELD ON MONDAY, 9 DECEMBER 2024****RESOLUTION 2025/4**

Moved: Cr Leigh Byron  
Seconded: Cr Tracy O'Halloran

**That:**

1. the Minutes of the Euston Progressive Advisory Committee meeting held on Monday 9 December 2024 be received and noted.
2. Council include toilet facilities at Anderson Park in future grant funding.

**CARRIED**

**7.2 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY 18 DECEMBER 2024****RESOLUTION 2025/5**

Moved: Cr Iain Lindsay-Field  
Seconded: Cr Alison Linnett

**That the Minutes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on Wednesday 20 November 2024 be received and noted.**

**CARRIED**

**7.3 AUSTRALIA DAY COMMITTEE MEETINGS HELD ON FRIDAY 20 DECEMBER 2024, TUESDAY 7 JANUARY AND TUESDAY 21 JANUARY 2025****RESOLUTION 2025/6**

Moved: Cr Tracy O'Halloran  
Seconded: Deputy Mayor Dwaine Scott

**That the Minutes of the Australia Day Committee meetings held on Friday 20 December 2024, Tuesday 7 January 2025 and 21 January 2025 be received and noted.**

**CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

**7.4 BIDGEE HAVEN RETIREMENT HOSTEL MANAGEMENT COMMITTEE MEETING  
HELD ON THURSDAY 30 JANUARY 2025****RESOLUTION 2025/7**

Moved: Cr Tracy O'Halloran  
Seconded: Cr Iain Lindsay-Field

**That Council**

1. **Note the unconfirmed Minutes of the Bidgee Haven Retirement Hostel Management Committee Meeting held on Thursday 30 January 2025.**
2. **Establish a Quality Care Advisory Board for the Bidgee Haven Retirement Hostel, with a membership comprising General Manager, Facility Nurse Manager and a community member to represent the residents and their families.**
3. **Endorse the draft Terms of Reference**

**CARRIED****8 NOTICE OF MOTION****8.1 NOTICE OF MOTION - GARREFFA PARADE MEDIAN STRIP****RESOLUTION 2025/8**

Moved: Mayor Louie Zaffina  
Seconded: Cr Iain Lindsay-Field

**That Council install sprinklers and establish lawn on Garreffa Parade median strip in the new development at Euston.**

**CARRIED****8.2 NOTICE OF MOTION - INSTALLATION OF PLAYGROUND****RESOLUTION 2025/9**

Moved: Mayor Louie Zaffina  
Seconded: Cr Leigh Byron

**That Council build a children's play area on a council owned lot that fronts Garreffa Parade and Tayla Court.**

**CARRIED**

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ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

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8.3 NOTICE OF MOTION - TOILETS AT ANDERSON PARK

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**RESOLUTION 2025/10**

Moved: Mayor Louie Zaffina

Seconded: Deputy Mayor Dwaine Scott

**That Council investigate the construction of a toilet block on Anderson Park in Euston.****CARRIED**

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8.4 NOTICE OF MOTION - HARBEN ST KERB AND GUTTERING.

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**RESOLUTION 2025/11**

Moved: Mayor Louie Zaffina

Seconded: Deputy Mayor Dwaine Scott

**That Council investigate the installation of kerb and guttering in Harben St Balranald.****CARRIED**

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8.5 NOTICE OF MOTION - MEDICAL FACILITY IN EUSTON

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**RESOLUTION 2025/12**

Moved: Mayor Louie Zaffina

Seconded: Cr Tracy O'Halloran

**That Council investigate a possible building or building site to install a portable building office-rooms for the Doctor to use in Euston****.CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

## 9 NOTICE OF RESCISSION

## GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)

## PART A – ITEMS REQUIRING DECISION

## 10 GENERAL MANAGER'S REPORTS

## 10.1 CONSIDERATION OF MINISTER'S DRAFT CODE OF MEETING PRACTICE

## RESOLUTION 2025/13

Moved: Cr Tracy O'Halloran

Seconded: Cr Alison Linnett

**That Council provide the attached submission, as amended by this meeting, to the Minister for Local Government and the Office of Local Government.**

CARRIED

## 10.2 COUNCILLOR AND STAFF INTERACTION POLICY UPDATE

## RESOLUTION 2025/14

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr Leigh Byron

**That Council adopt the Councillor and Staff Interaction Policy 2025 as attached, noting that the General Manager may vary the table of authorised staff in Schedule 1 from time to time.**

CARRIED

## 10.3 INTEGRATED PLANNING &amp; REPORTING (IP&amp;R) - BALRANALD SHIRE COMMUNITY STRATEGIC PLAN (CSP) 2035

## RESOLUTION 2025/15

Moved: Cr Alison Linnett

Seconded: Cr Iain Lindsay-Field

**That Council place the draft Community Strategic Plan (CSP) 2035 on public exhibition for a period of twenty-eight (28) days for comment prior to it being submitted to the April 2025 Council meeting for endorsement.**

CARRIED

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

**10.4 PERFORMANCE IMPROVEMENT ORDER NO.1 ACTION PLAN****RESOLUTION 2025/16**

Moved: Cr Leigh Byron

Seconded: Deputy Mayor Dwaine Scott

**That Council endorse the Performance Improvement Order No. 1 Action Plan as at 31 January 2025.****CARRIED****10.5 PERFORMANCE IMPROVEMENT ORDER NO. 2 ACTION PLAN****RESOLUTION 2025/17**

Moved: Cr Iain Lindsay-Field

Seconded: Deputy Mayor Dwaine Scott

**That Council endorse the Performance Improvement Order No. 2 Action Plan as at 31 January 2025.****CARRIED****10.6 BIDGEE HAVEN RETIREMENT HOSTEL - ENGAGEMENT OF ARCHITECTS****RESOLUTION 2025/18**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Alison Linnett

**That Council authorise the appointment of C4 Architects Pty Ltd (ABN 50 110 660 985) for the following reasons:**

- 1. Delays with, and the uncertainty about, the project has created a risk that Council could lose the funding grant that was first awarded in 2019 and it is critical for Council to quickly demonstrate that it will make constructive use of the funds**
- 2. C4 Architects completed the design for the originally planned 15-bed dementia facility and hence are already familiar with the site**
- 3. C4 Architects have successfully worked with Council on other recent projects.**

**CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

**10.7 DONATION REQUEST – MILDURA HEALTH FOUNDATION LIMITED ON BEHALF OF THE DR JULIA ZRNA CENTRE****RESOLUTION 2025/19**

Moved: Cr Iain Lindsay-Field

Seconded: Cr Alison Linnett

**That Council:**

1. Donate \$20,000 to the Mildura Health Foundation to support the building and furnishing of the Dr Julie Zrna Centre.
2. Source the funding from the Voluntary Planning Agreement (VPA) funds paid by Iluka Resources Ltd.

**CARRIED****10.8 DONATION REQUEST - BALRANALD PONY CLUB****RESOLUTION 2025/20**

Moved: Cr Alison Linnett

Seconded: Cr Leigh Byron

**That Council donate \$500 to the Balranald Pony Club towards the garbage charges incurred during their annual camp held in 2023-2024.****AMENDMENT**

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

**That Council donate \$1059 to the Balranald Pony Club towards the garbage charges incurred during their annual camp held in 2023-2024.****CARRIED****10.9 DONATION REQUEST - BALRANALD EARLY LEARNING CENTRE****RESOLUTION 2025/21**

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

**That Council donate \$500 towards the purchase of a new vacuum cleaner for the Balranald Early Learning Centre.****CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

## 10.10 VARIATION OF LEASE AGREEMENT - DISCOVERY CENTRE CAFE

## RESOLUTION 2025/22

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

**That Council authorise the Interim General Manager to vary the Discovery Centre Café lease to reflect the request to vary the operating hours.**

## AMENDMENT

Moved: Cr Tracy O'Halloran

Seconded: Cr Alison Linnett

**That Council authorise the Interim General Manager to vary the Discovery Centre Café lease to reflect the request to vary the operating hours subject to the lessee reimbursing Council for any legal costs incurred in altering the lease or alternatively wait until the original lease is renewed in December 2025 to vary the lease.**

CARRIED

## 10.11 DRAFT COMMUNITY ENGAGEMENT AND COMMUNICATIONS STRATEGY

## RESOLUTION 2025/23

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

**That Council:**

- i) **Receive and note the information contained in this report**
- ii) **Endorse the Draft Community Engagement and Communications Strategy be placed on public exhibition for 28 days**
- iii) **Deem the Community Engagement and Communications Strategy as being endorsed if there is no community feedback during the public exhibition period.**

CARRIED

## 10.12 QUARTERLY BUDGET REVIEW FOR THE PERIOD ENDING 31 DECEMBER 2025

## RESOLUTION 2025/24

Moved: Cr Alison Linnett

Seconded: Cr Iain Lindsay-Field

**That Council:**

1. **Receive the Quarterly Budget Review statement for the quarter ending 31 December 2024 and approve the proposed alterations to the Budget and endorse that the projected financial position of the Balranald Shire Council for the year ending 30 June, 2025 is considered to be less than satisfactory; and**
2. **Forward the Quarterly Budget Review statement to the Office of Local Government, in accordance with Schedule 2, item 10 of the Performance Improvement Order received by Council at its Extraordinary Meeting held on 6 September, 2024.**

CARRIED

Initials:

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12

## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

## 10.13 PRESENTATIONS AND WORKSHOPS FOR ELECTED MEMBERS

## RESOLUTION 2025/25

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

**That Council confirm the proposed dates and times for the presentations and workshops.**

Workshops	Suggested Date	Time
Review CSP Feedback and draft Delivery Program – Workshop 1	27 March 2025	3:30pm
Review the structure and membership of Councils Committees	27 March 2025	3.30pm
Draft Delivery Program & other IP&R documents – Workshop 2	1 April 2025	3:30pm
Draft Delivery Program & other IP&R documents – Workshop 3	8 April 2025	3:30pm
Housing Strategy	30 April 2025	9:00am
Caravan Park Management	30 April 2025	9:00am
Waste Management Strategy	23 May 2025	3.30pm
Draft Policy – Public Gates & Stock Grids	To be Confirmed	

CARRIED

## 10.14 BALRANALD RESERVOIR REMEDIATION UPDATE

## RESOLUTION 2025/26

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr German Ugarte

**That Council receives this report.**

CARRIED

## PART B – ITEMS FOR INFORMATION

## 11 GENERAL MANAGER'S REPORTS

## 11.1 MONTHLY INVESTMENTS REPORT

## RESOLUTION 2025/27

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**ORDINARY COUNCIL MEETING MINUTES****18 FEBRUARY 2025**

Moved: Cr Leigh Byron  
Seconded: Cr Iain Lindsay-Field

**That Council receives and notes the information provided in this report.**

**CARRIED**

---

**11.2 OUTSTANDING RATES AND USAGE CHARGES AS AT 31 JANUARY 2025****RESOLUTION 2025/28**

Moved: Cr Iain Lindsay-Field  
Seconded: Cr German Ugarte

**That Council receives and notes the information contained within this report.**

**CARRIED**

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**11.3 OUTSTANDING DEBTORS AS AT 31 JANUARY 2025****RESOLUTION 2025/29**

Moved: Cr Iain Lindsay-Field  
Seconded: Cr Tracy O'Halloran

**That Council receives and notes the report.**

**CARRIED**

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**11.4 AUSTRALIA DAY CELEBRATIONS 2025****RESOLUTION 2025/30**

Moved: Cr Tracy O'Halloran  
Seconded: Deputy Mayor Dwaine Scott

**That Council receives and notes the report.**

**CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

## 11.5 SUBMISSION TO OLG - INFRASTRUCTURE ASSET VALUATION METHODOLOGY

## RESOLUTION 2025/31

Moved: Cr Iain Lindsay-Field

Seconded: Cr Phillip Pippin

## That Council

1. note the information contained in this report and
2. support a submission to the Office of Local Government recommending that the current mandate for valuation of infrastructure assets on a Fair Value basis, as outlined in the NSW Code of Accounting Practice and Financial Reporting, be replaced with a methodology based on 'Historical Cost', as permitted by AASB116 – Property, Plant & Equipment.

CARRIED

## 11.6 GRANT FUNDED PROJECTS STATUS UPDATE

## RESOLUTION 2025/32

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr German Ugarte

That Council receives and notes the report.

CARRIED

## 11.7 A YEAR IN REVIEW 2024 - TOURISM, ECONOMIC DEVELOPMENT &amp; STRATEGIC ACTIVITIES

## RESOLUTION 2025/33

Moved: Cr Iain Lindsay-Field

Seconded: Deputy Mayor Dwaine Scott

That Council receives and notes the report.

CARRIED

## 11.8 INFRASTRUCTURE UPDATE FOR DECEMBER 2024 &amp; JANUARY 2025

## RESOLUTION 2025/34

Moved: Cr Leigh Byron

Seconded: Deputy Mayor Dwaine Scott

That the report be received and noted.

CARRIED

Initials:

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ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

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11.9 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT**RESOLUTION 2025/35**

Moved: Cr Tracy O'Halloran

Seconded: Deputy Mayor Dwaine Scott

**That Council receives and notes the report.****CARRIED**

---

## 11.10 OUTSTANDING ACTIONS AS AT THURSDAY 6 FEBRUARY 2025

**RESOLUTION 2025/36**

Moved: Cr Leigh Byron

Seconded: Cr Iain Lindsay-Field

**That Council receives and notes the report.****CARRIED**

---

## 11.11 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT

**RESOLUTION 2025/37**

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

**That Council receives and notes the report.****CARRIED**

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## 11.12 MEETINGS ATTENDED BY THE MAYOR, THE INTERIM GENERAL MANAGER AND DIRECTORS

**RESOLUTION 2025/38**

Moved: Cr Leigh Byron

Seconded: Cr Iain Lindsay-Field

**That Council receive and note the information.****CARRIED**

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## ORDINARY COUNCIL MEETING MINUTES

18 FEBRUARY 2025

## 11.13 REPORT ON FINANCIAL INFORMATION AS AT 31 JANUARY 2025

## RESOLUTION 2025/39

Moved: Deputy Mayor Dwaine Scott

Seconded: Cr Iain Lindsay-Field

**That Council receives and notes the financial information contained in this report for the period ending, 31 January 2025.**

CARRIED

## 12 NOTICE OF MOTION / QUESTIONS ON NOTICE

Nil

## 13 CONFIDENTIAL MATTERS

Nil

**The Meeting closed at 6.35pm.**

**The minutes of this meeting were confirmed at the Council Meeting held on 18 March 2025.**

.....  
MAYOR.....  
INTERIM GENERAL MANAGER

Initials:

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**5 DISCLOSURE OF INTEREST**

**6 MAYORAL/COUNCILLOR REPORT**



**7 COMMITTEE REPORTS****7.1 GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE MEETING  
HELD ON WEDNESDAY 19 FEBRUARY 2025**

**File Number:** D25.104813

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

**Responsible Officer:** Peter Bascomb, Interim General Manager

---

**COMMITTEE RECOMMENDATION****That Council**

- 1. Note the Minutes of the Growing Business Industry & Tourism Advisory Committee (GBITAC) meeting held on Wednesday 19 February 2025.**
- 2. Continue to investigate expanding the Balranald airfield with the committee providing advice on facilitating aircraft refuelling.**
- 3. Seek grant funding to develop a “Reflect” Reconciliation Action Plan (RAP) for the Balranald Shire and refer the matter to the Strengthening Community Access, Inclusion & Well-being Advisory Committee for their pursuit.**

**REPORT**

The Growing Business Industry & Tourism Advisory Committee held a meeting on Wednesday 19 February 2025 in the Council Chambers.

There were 2 (two) additional recommendations made by the committee to Council in addition to the Minutes being noted by Council from this meeting.

**ATTACHMENTS**

- 1. Minutes - GBITAC - February 2025**

**MEETING MINUTES****GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE****19<sup>th</sup> February 2025**

CHAIR: Iain Lindsay-Field

MINUTES OFFICER: Simone Carmichael

AGENDA ITEM	DISCUSSION														
1.	Meeting Open: 5:35pm Attendees:														
	<p><b>COMMITTEE MEMBERS (Quorum = 5, half plus one)</b></p> <table> <tr> <td>✓ Iain Lindsay-Field (Chair)</td><td>✓ Sam Papa</td></tr> <tr> <td>✓ Simone Carmichael (Secretary)</td><td>✗ Eyan Ingles</td></tr> <tr> <td>✗ Guy Fielding</td><td>✓ German Ugarte</td></tr> <tr> <td>✓ Dianne Williams</td><td>✗ John Winch</td></tr> <tr> <td>✓ Peter Lawler</td><td></td></tr> </table> <p><b>COUNCIL</b></p> <table> <tr> <td>✓ Peter Bascomb (Interim General Manager)</td><td>✓ Glenn Carroll (Director of Governance, Business &amp; Community Services)</td></tr> <tr> <td>✓ Connie Mallet (BSC Community Projects, Tourism &amp; Economic Development Coordinator)</td><td></td></tr> </table> <p><b>GUESTS/Observers</b></p>	✓ Iain Lindsay-Field (Chair)	✓ Sam Papa	✓ Simone Carmichael (Secretary)	✗ Eyan Ingles	✗ Guy Fielding	✓ German Ugarte	✓ Dianne Williams	✗ John Winch	✓ Peter Lawler		✓ Peter Bascomb (Interim General Manager)	✓ Glenn Carroll (Director of Governance, Business & Community Services)	✓ Connie Mallet (BSC Community Projects, Tourism & Economic Development Coordinator)	
✓ Iain Lindsay-Field (Chair)	✓ Sam Papa														
✓ Simone Carmichael (Secretary)	✗ Eyan Ingles														
✗ Guy Fielding	✓ German Ugarte														
✓ Dianne Williams	✗ John Winch														
✓ Peter Lawler															
✓ Peter Bascomb (Interim General Manager)	✓ Glenn Carroll (Director of Governance, Business & Community Services)														
✓ Connie Mallet (BSC Community Projects, Tourism & Economic Development Coordinator)															
2.	<b>Acknowledgement of Country:</b> Iain L-F														
3.	<b>Apologies:</b> Guy Fielding														
4.	<b>Disclosures of Interest:</b> NIL														
5.	<b>Confirmation of Minutes:</b> Confirmation Minutes Dec Meeting. Moved Di W, Seconded Simone C. - carried														
6.	<b>Business arising from Minutes:</b>														
6.1	<p><b>Balranald Airfield Development</b> – Council is obtaining an independent valuation on the possible purchase of land to extend the Balranald air strip, noting Council currently has two performance improvement orders and the current budget is very constrained.</p> <p>GBITAC are supportive of expanding the airfield to facilitate industry &amp; tourism growth. It was suggested that the committee now allow council to take the initiative.</p> <p>It was suggested taking a staged approach with aircraft refueling one of the main sticking points requiring investigating. Sam P advised he could provide advice on this matter. Enquiries were made about Wentworth council airfield upgrades and how they supply fuel. They have underground tanks operated by card payment.</p> <p>Council are awaiting the outcome of a \$3M grant application through the Federal Gov. <i>Remote Airstrip Upgrade Program Round 11</i> for infrastructure upgrades (not land purchase) which requires a “dollar-for-dollar” co-contribution.</p> <p><b>Recommendation to Council:</b> The GBITAC recommends that Council continue to investigate expanding the Balranald airfield with the committee providing further advice on facilitating aircraft refueling.</p> <p>Moved, German U. Seconded Sam P. All present in favour.</p>														

## MEETING MINUTES

## GROWING BUSINESS INDUSTRY &amp; TOURISM ADVISORY COMMITTEE

19<sup>th</sup> February 2025

6.2	<p><b>Bird Trail</b> – This project is progressing well with plans afoot to further develop the facilities at the Ben Scott Bird Trail. Current funding will also provide some extra bird signs for the riverfront walking track. Environmental educational consultants, Petaurus, have been engaged to develop some signage for Euston that may be able to be replicated at Balranald.</p> <p>German is also working on a bird watching brochure for the shire, he will bring a draft to the next meeting.</p>
6.3	<p><b>Reconciliation Action Plan (RAP) for BSC</b> – Iain has spoken to the chair of the Strengthening Community Access, Inclusion &amp; Well-being Advisory Committee (SCAIWAC) in regard to the development of a RAP, all were in agreement that this comes under their remit.</p> <p><u>Recommendation to Council:</u> The GBITAC recommends that Council seek grant funding to develop a “Reflect” Reconciliation Action Plan for the Balranald Shire and refer the matter to the Strengthening Community Access, Inclusion &amp; Well-being Advisory Committee for their pursuit. Moved, Peter L. Seconded, Dianne Williams.</p>
7.	<p><b>BSC Tourism/Projects update:</b></p>
7.1	<p><b>South West REZ Roundtable 2 Update</b></p> <p>Connie provided a rundown of topics discussed at the meeting held 31/10/2024. The minutes are attached and following are some points discussed.</p> <ul style="list-style-type: none"> <li>Transport for NSW are developing a review of road capacity for proposed projects looking at over-size &amp; over-mass vehicle routes and the condition of roads. Some constraints have been identified, including the intersection leading onto the bridge at Balranald. Some widening will be needed.</li> <li>The announcement of electricity grid access has been further delayed.</li> <li>EnergyCo is still working to amend the current regulation which stipulates Community, Employment and Benefits funds must be spent within the REZ.</li> <li>Council Commissioning Payments, discussed in 7.2</li> </ul>
7.2	<p><b>Commissioning Funds from EnergyCo to Council &amp; the Agreement</b></p> <p>It is anticipated there will be several funding streams for councils and communities impacted by the SW REZ.</p> <ul style="list-style-type: none"> <li>Community and Employment Benefit Program - \$ from REZ access fees, collected and distributed by EnergyCo (community grants, employment and projects).</li> <li>Council Commissioning Payments – up to \$250k annually for 3 yrs, reimbursement to councils for specific expenses associated with REZ (roads, impact studies, etc.).</li> <li>Voluntary Planning Agreements – formal contributions to be negotiated between proponents and councils.</li> </ul> <p>Commissioning Funds were discussed at the REZ roundtable where councils were led to believe the amount and duration of funds (\$250K per annum for 3 years). There were concerns in the funding agreement and all LGA's have not signed until these are addressed.</p>
7.3	<p><b>A Year in Review 2024 – Tourism, Economic Development, Events &amp; Strategic Activities in 2024.</b></p> <p>The report was very well received. All measurables were up on last year apart from a couple that could be attributed to a lack of visitor motel accommodation. This was discussed and continues to be an issue with motels full of construction workers.</p> <p>The report is attached to these minutes.</p>
7.4	<p><b>Discovery Centre – New Pavilion internal displays &amp; furnishing ideas from the walk-through with GBITAC members on the 3rd of February 2024</b></p> <p>A plan has been developed for the fit-out of the new pavilion at the Discovery Centre, which will be will distributed. An audit will be done to see what can be procured within the available</p>

**MEETING MINUTES****GROWING BUSINESS INDUSTRY & TOURISM ADVISORY COMMITTEE****19<sup>th</sup> February 2025**

	budget. It was suggested the Councillors tour the building at the next council meeting or workshop.
<b>8.</b>	<b>New Business:</b> <ul style="list-style-type: none"> <li>8.1 – German advised the committee of the NSW Top Tourism Town Awards and suggested Balranald would be well placed to apply.</li> <li>8.2 – Simone informed the committee of issues with the Yanga Homestead Self-Guided Audio Tour and the plan to migrate this to the NPWS phone app.</li> <li>8.3 - The need for an action plan for the future management of the Southern Cross Museum was raised. This is a great asset to the tourism and history of the community and is in jeopardy because of the limitations of volunteers that run it. Further discussion is needed to look into the future management of the building and collection.</li> </ul>
<b>9.</b>	<b>Items Without Notice</b>
<b>10.</b>	<b>Meeting closed 7:05pm.</b> <span style="float: right;"><b>Next Meeting – tentative 19th March 2025</b></span>

**Attached Files;**

- 1. EnergyCo and South West Renewable Energy Zone Local Government Areas Meeting Held on: 31/10/2024.**
- 2. Presentation from EnergyCo from the meeting 31/10/2024.**
- 3. A Year in Review, 2024. Tourism, Economic Development, Events & Strategic Activities Report.**

**8 NOTICE OF MOTION****8.1 NOTICE OF MOTION - JOINING THE LGNSW FEDERAL ELECTION CAMPAIGN**

**Record Number: D25.104936**

I, Councillor Louie Zaffina, give notice that at the next Ordinary Meeting of Council to be held on 18 March 2025, I intend to move the following motion:

---

**MOTION**

**That Council:**

- 1. Supports the national federal election funding priorities identified by the Australian Local Government Association (ALGA) and**
- 2. Supports and participates in the Put Our Communities First federal election campaign and**
- 3. Writes to the local federal member of Parliament, The Hon. Sussan Ley MP, all other known election candidates for the Farrer federal electorate and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities**

**RATIONALE****Background**

The next Federal Election must be held by 17 May 2025.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of "Put Our Communities First", the goal is to secure additional federal funding that will support every council to play a bigger role delivering local solutions to national priorities.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

**Discussion**

The Put Our Communities First campaign will advocate for new federal funding to be distributed to all councils on a formula-basis, similar to the Commonwealth's Roads to Recovery Program, or the previous Local Roads and Community Infrastructure Program.

This will ensure that every council and community benefits, and support local decision making based on local needs.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

The five national funding priorities have been determined by the ALGA Board – comprised of representatives from each of Australia's state and territory local government associations – and align with key national priorities.

These five funding priorities are:

- \$1.1 billion per year for enabling infrastructure to unlock housing supply
- \$500 million per year for community infrastructure
- \$600 million per year for safer local roads
- \$900 million per year for increased local government emergency management capability and capacity, and
- \$400 million per year for climate change adaptation.

Further information on each of these priorities is listed below.

#### Housing enabling infrastructure

A lack of funding for enabling infrastructure – including roads, and water and sewerage treatment connections and facilities – is a significant barrier to increasing housing supply across the country.

Research from Equity Economics found that 40 per cent of local governments have cut back on new infrastructure developments because of inadequate enabling infrastructure funding.

This research also shows that achieving the National Housing Accord's housing targets would incur an additional \$5.7 billion funding shortfall on top of infrastructure funding gaps already being felt by councils and their communities.

A five year, \$1.1 billion per annum program would fund the infrastructure that is essential to new housing developments, and Australia reaching its housing targets.

#### Community Infrastructure

ALGA's 2024 National State of the Assets report indicates that \$8.3 billion worth of local government buildings and \$2.9 billion worth of parks and recreation facilities are in poor condition and need attention.

Introduced in 2020, the Local Roads and Community Infrastructure Program supported all councils to build, maintain and upgrade local facilities, with \$3.25 billion allocated on a formula basis.

This program had a significant impact, driving an almost \$1 billion improvement in the condition of local government buildings and facilities; and a \$500 million per year replacement fund would support all councils to build, upgrade and revitalise the community infrastructure all Australians rely on.

#### Safer Roads

Councils manage more than 75% of Australia's roads by length, and tragically more than half of all fatal road crashes in Australia occur on these roads.

In 2023 the Australian Government announced that it would double Roads to Recovery funding over the forward estimates, providing councils with an additional \$500 million per year.

However, recent independent research by the Grattan Institute highlighted a \$1 billion local government road maintenance funding shortfall, meaning there is still a significant funding gap.

Providing local government with \$600 million per year tied to road safety programs and infrastructure upgrades would support all councils to play a more effective role addressing Australia's unacceptable road toll.

#### Climate adaptation

Local governments are at the forefront of grappling with climate impacts as both asset managers and land use decision makers.

However, funding and support from other levels of government has failed to keep pace, placing an inequitable burden on councils and communities to fund this work locally.

A \$400 million per year local government climate adaptation fund would enable all councils to implement place-based approaches to adaptation, delivering local solutions to this national challenge.

**Emergency management**

Fires, floods and cyclones currently cost Australia \$38 billion per year, and this is predicted to rise to \$73 billion by 2060.

Australian councils play a key role preparing for, responding to and recovering from natural disasters, but aren't effectively funded to carry out these duties.

The Government's \$200 million per year Disaster Ready Fund is significantly oversubscribed, especially considering the scale and cost of disaster mitigation projects.

Numerous national reviews – including the Colvin Review and Royal Commission into Natural Disaster Arrangements – have identified the need for a significant uplift in local government emergency management capability and capacity.

A \$900 million per year fund would support all councils to better prepare their communities before natural disasters, and more effectively carry out the emergency management responsibilities that have been delegated to them.

**ATTACHMENTS**

**Nil**

**8.2 NOTICE OF MOTION - EXTENSION OF INTERIM GENERAL MANAGER'S CONTRACT**

**Record Number: D25.105085**

I, Councillor Louie Zaffina, give notice that at the next Ordinary Meeting of Council to be held on 18 March 2025, I intend to move the following motion:

---

**MOTION**

**That Council extend the Interim General Manager's contract to 31 December 2025, or the commencement of the permanent General Manager, whichever is the sooner, with such conditions included in resolution 2024/278 from Council's 17 December 2024.**

**RATIONALE**

At its meeting of 17 December 2024 Council resolved (resolution 2024/278) to appoint Peter Bascomb as interim GM.

The resolution included the following parts:

2. Mr Peter Bascomb be appointed as Interim General Manager of Balranald Shire with such appointment being in accordance with the Standard Contract of Employment for General Managers. The Total Remuneration Payment would be equivalent to that currently been paid to Council's General Manager. The Interim GM would have access to a council residence at nil cost a council vehicle and that leave entitlements would accrue in accordance with the Contract. This appointment will cease upon the permanent General Manager taking up duties.
4. Mr Bascomb be requested to provide Council with a Report on the appropriateness of the existing organisation structure and staff capabilities, furthermore, Mr Bascomb in undertaking his role consult with the Mayor on any proposed changes to Council's staffing structure.

Council and Mr Bascomb subsequently signed a contract with an end date of 17 July on the understanding that Council would have completed the recruitment process.

After further consideration and consultation I have formed the view that it will be beneficial to extend Mr Bascomb's tenure for two primary reasons:

1. To provide time to implement changes, if any, that Mr Bascomb might recommend in the report on the organisation structure required by resolution 2024/278 part 4.
2. It allows for the permanent GM to commence during the school holiday period – that is, between school years - which is often a consideration for new employees with families.

I commend this Notice of Motion to Council.

**ATTACHMENTS**

**Nil**



**8.3 NOTICE OF MOTION - PURCHASE OF LAPTOPS FOR COUNCILLORS**

**Record Number: D25.105320**

I, Councillor German Ugarte, give notice that at the next Ordinary Meeting of Council to be held on 18 March 2025, I intend to move the following motion:

---

**MOTION**

**That Council acquire Windows 11 compatible laptops or tablets that have touch screen and stylus capabilities to allow mark up of business papers and other documents.**

**RATIONALE**

I commend this Notice of Motion to Council.

**GENERAL MANAGER'S COMMENT**

Given the previous Councillor feedback quotations have already been obtained for a suitable alternative and the estimated \$22,000 capital cost has been included in the FY26 draft budget. There will also be an additional annual software licence fee \$120 per user to provide appropriate software that enables mark up of PDF files.

The printer is leased, with the following charges:

- Cost per colour page \$0.0686
- Cost per B&W page \$0.0211.

Paper costs:

- A4 Paper \$0.0152 per page
- A3 Paper \$0.037 per page

If we assume an average of 400 pages per business paper with

- 40% colour pages
- 60% black and white produced
- 90% A4
- 10% A3

eleven times per year then the estimated annual cost, including staff time to assemble the folders, is \$6,041.

The printer lease has a minimum monthly charge, so it is possible that not all the savings identified will be realised.

Council is obliged to provide a printed copy for public viewing.

Clause 3.8 of Council's adopted Code of Meeting Practice (CoMP) states:

*The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.*

If Council does not resolve to have the business paper in electronic form only, it does not preclude individual councillors from requesting it.

**ATTACHMENTS**

**Nil**

**9 NOTICE OF RESCISSION**

**GENERAL MANAGER'S REPORTS (INCORPORATING ALL STAFF REPORTS)****PART A – ITEMS REQUIRING DECISION****10 GENERAL MANAGER'S REPORTS****10.1 MATTERS TO BE DEALT WITH BY EXCEPTION**

<b>File Number:</b>	<b>D25.105446</b>
<b>Author(s):</b>	<b>Peter Bascomb, Interim General Manager</b>
<b>Approver:</b>	<b>Peter Bascomb, Interim 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>

**PURPOSE OF REPORT**

This report provides the opportunity to streamline Council Meetings by resolving to adopt multiple items of business by way of a single resolution.

**OFFICER RECOMMENDATION****That Council**

- 1. deal with all items listed in the agenda separately other than the following items which are moved by exception:**
  - a. Item 11.1 Integrated Planning and Reporting (IP & R) 2025/2026 Draft Delivery Program.**
  - b. Item 11.2 Integrated Planning and Reporting (IP & R) 2025/2026 Draft Operational Plan.**
  - c. Item 11.3 Integrated Planning and Reporting (IP & R) Resourcing Strategy.**
  - d. Item 11.5 Monthly Investments Report.**
  - e. Item 11.6 Outstanding Rates and Usage Charges as at 28 February 2025.**
  - f. Item 11.7 Outstanding Debtors as at 28 February 2025.**
  - g. Item 11.8 Grant Funded Projects Status Update.**
  - h. Item 11.9 Infrastructure Update for February 2025.**
  - i. Item 11.10 Activities Undertaken within the Planning Department.**
  - j. Item 11.11 Circulars from the Office of Local Government.**
  - k. Item 11.12 Meetings attended by the Mayor, the Interim General Manager and Directors.**
  - l. Item 11.13 Outstanding Actions as at Tuesday 11 march 2023.**
- 2. Adopt the Officer's recommendations in the reports listed above.**

**REPORT**

Part 13 of Council's Code of Meeting Practice allows for the adoption of multiple items of business with a single resolution subject to a few caveats.

Councillors may add or delete items from the list included in the officer's recommendation.

No item can be adopted by exception if any councillor indicates they intend to vote against that item.

If any Councillor has declared a conflict of interest against an item in the list, then that conflict of interest applies to this recommendation.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Conforms with the legislated model Code of Meeting Practice.

**POLICY IMPLICATION**

Conforms to Council's adopted Code of Meeting Practice.

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**10.2 UPGRADE OF THE BALRANALD EV CHARGING STATION**

<b>File Number:</b>	<b>D25.105372</b>
<b>Author(s):</b>	<b>Peter Bascomb, Interim General Manager</b>
<b>Approver:</b>	<b>Peter Bascomb, Interim General Manager</b>
<b>Operational Plan Objective:</b>	<b>Pillar 2: Our Place – A liveable and thriving community that maintains lifestyle opportunities and addresses its disadvantages.</b>

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**PURPOSE OF REPORT**

This report seeks the Council's endorsement of the expansion of the Balranald EV Charging Station located in the Council's car park at the rear of the Discovery Centre.

**OFFICER RECOMMENDATION****That Council**

- 1. Endorse in principle the upgrade of the Balranald EV Charging Station, subject to satisfactory design changes that results in not net loss of car and RV parking, and**
- 2. Authorise the General Manager to finalise the necessary agreements following appropriate notification to the community.**

**REPORT**

The preliminary design (attached) involves the loss of one recreation vehicle (RV) parking space and two additional car parking spaces. This is considered unsatisfactory as at times of peak visitor times all RV spaces can be occupied, with RVs also located at the RV parking adjacent to the swimming pool.

The current charging station is well used and Council's tourism staff see the upgrade to the facility as an important visitor attractor. The location is attractive to both RV and EV users given its location is convenient to the Discovery Centre's toilets, showers, and café with a short walk to other attractions such as The Gallery, Southern Cross Exhibition and main street retail and commercial services.

In discussion with NRMA they've indicated they would prefer to retain an RV space as a way of "future proving" the facility, with the recent release of a petrol/electric plug-in hybrid utility being the first of a new breed of EV vehicle that can be used to tow a trailer or van over long distances.

The NRMA has indicated a willingness to respond to concerns raised have started development of alternate designs that achieve no net loss of RV and car spaces.

Discussions are ongoing and I'm confident of reaching a satisfactory outcome. Any further design changes will be subject to consultation to ensure Councillors and the Balranald community, particularly neighbours, are satisfied that the best outcome has been achieved.

**FINANCIAL IMPLICATION**

Any additional project requires staff time over and above their programmed work. The current proposal is that all construction costs will be borne by the NRMA.

**LEGISLATIVE IMPLICATION**

The legislated planning approvals will apply, noting that this project is probably covered by the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the SEPP) and may need little more than a review of environmental factors (REF). The ultimate statutory approval pathway will be determined by the final design.

**POLICY IMPLICATION**

Council has no specific policy but the proposal is consistent with Council's key strategies. The current demand, and the increasing number of EV models suggest there will be increasing demand for quick-charge stations.

**RISK RATING**

Low

**ATTACHMENTS**

1. **Preliminary Design - Balranald EV Station Upgrade.**



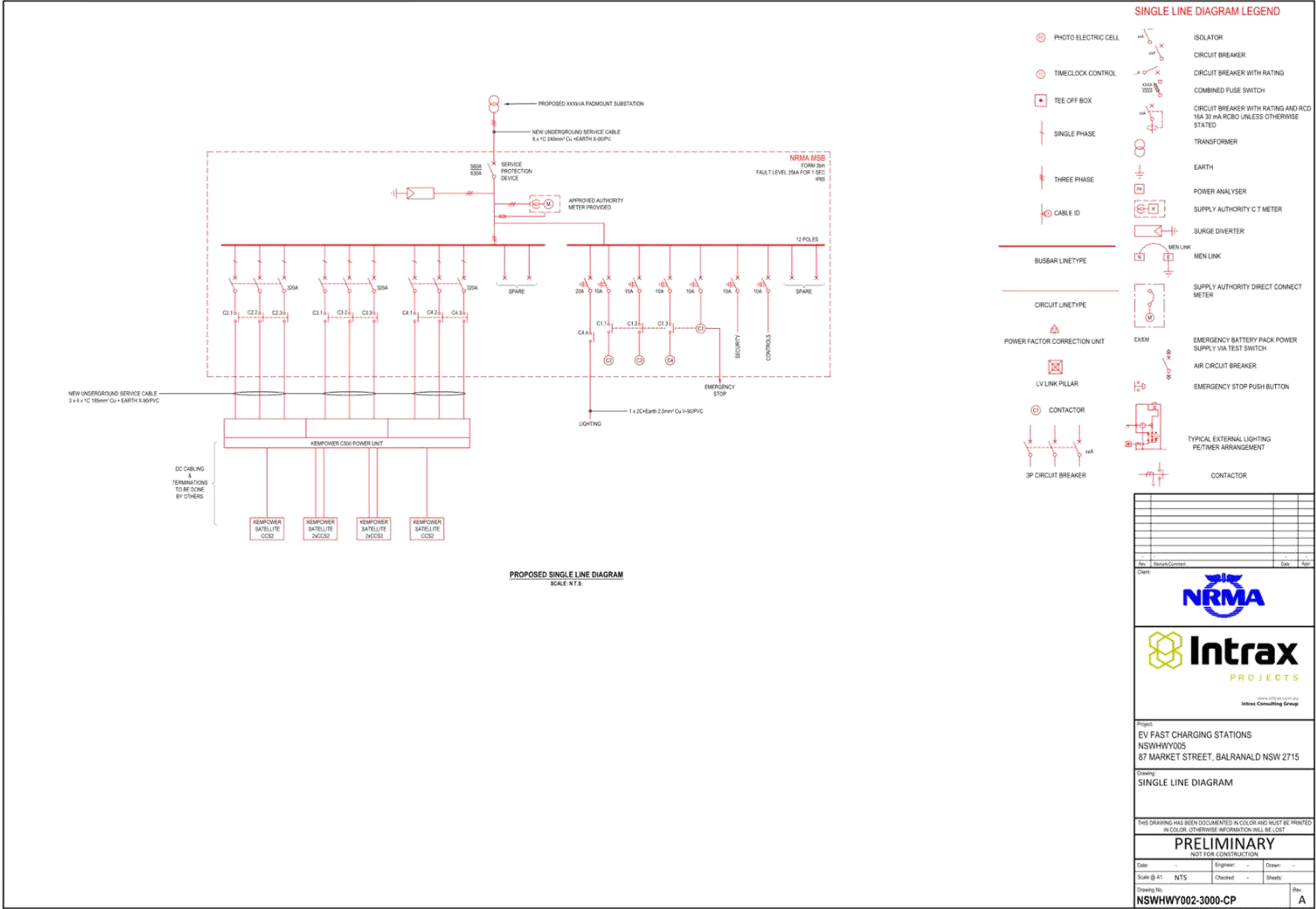
1. ALL WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT REVISIONS OF THE BCA, AS/NZS 3000, NEW SERVICE AND INSTALLATION RULES, AUSTRALIAN STANDARDS, COUNCIL AND SUPPLY AUTHORITY REQUIREMENTS AND ALL OTHER APPROPRIATE STANDARDS, CODES, RULES AND REGULATIONS.
2. DO NOT SCALE OFF DRAWINGS. VERIFY ALL DIMENSIONS ON SITE.
3. EQUIPMENT LOCATIONS AND SIZES ARE DIAGRAMMATIC ONLY, REFER TO DOCUMENTATION FOR EXACT LOCATIONS.
4. NO VARIATIONS TO THE EXTENT OF THE WORK SHALL BE UNDERTAKEN WITHOUT PRIOR WRITTEN CONSENT.
5. THE ELECTRICAL CONTRACTOR SHALL UNDERTAKE A "DIAL BEFORE YOU DIG" SEARCH FOR EXISTING IN-GROUND SERVICES PRIOR TO EXCAVATION ON SITE. ANY DAMAGE TO EXISTING IN-GROUND SERVICES SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
6. EXISTING SERVICES SHOWN IN THIS DRAWING PACKAGE HAVE BEEN PLOTTED FROM THE SUPPLIED DATA. NORTHPOW CANNOT GUARANTEE THE ACCURACY OF THIS INFORMATION. IT IS THE CONTRACTORS RESPONSIBILITY TO CARRY OUT A SURVEY OF EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORKS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING SERVICES AS A RESULT OF THE EXECUTION OF THESE WORKS.
7. IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE THAT FINAL LOCATION OF SWITCHBOARD AND OTHER ELECTRICAL EQUIPMENT ARE INSTALLED WITH CONSIDERATION TO THE NSW ACT OF SAFETY IN DESIGN.
8. ANY PRODUCTS SPECIFIED OR USED ARE TO BE VERIFIED BY THE CONTRACTOR AS BEING SAFE AND APPROPRIATE FOR USE. NORTHPOW DOES NOT TAKE ANY RESPONSIBILITY FOR THE CHOICE OF ELECTRICAL EQUIPMENT OR PRODUCTS AS DEFINED IN NSW BUILDING PRODUCTS (HAPPY) ACT 2017.

1. COORDINATE ALL WORK WITH OTHERS TRADES
2. TEST AND COMMISSION EACH ELEMENT OF THE INSTALLATION ON COMPLETION OF WORKS.
3. PROVIDE AS-INSTALLED DOCUMENTATION OF THE WORKS ON COMPLETION.
4. MANAGE SITE SAFETY IN ACCORDANCE WITH REGULATORY, COUNCIL, AND SUPPLY AUTHORITY REQUIREMENTS.
5. MANAGE NOTIFICATIONS AND COORDINATION WITH ELECTRICITY AUTHORITY AND METERING PROVIDER.
6. ASSIGN A NOMINATED PROJECT MANAGER TO MANAGE WORKS.
7. MANAGE PERMITS TO WORK WITH RELEVANT AUTHORITIES
8. MANAGE ORDERING AND DELIVERY OF ALL EQUIPMENT AND SUPPLIES TO ENSURE TIMELY DELIVERY.
9. SITE CLEAN UP AND RUBBISH REMOVAL.
10. MAKE GOOD WORKS.
11. ENGAGE AND MANAGE ALL NECESSARY TRADES COORDINATE ALL WORKS WITH OTHER TRADES AND THIRD PARTIES.
12. ADJUST PROTECTION SETTINGS ON CIRCUIT BREAKERS TO NOMINATED SETTINGS.
13. PROVIDE ALL NECESSARY EQUIPMENT, FITTINGS & HARDWARE TO COMPLETE THE INSTALLATION, OTHER THAN THOSE ITEMS LISTED AS SUPPLIES BY OTHERS.

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**10.3 GRANT APPLICATION FOR AGED CARE STAFF ACCOMMODATION**

<b>File Number:</b>	<b>D25.105410</b>
<b>Author(s):</b>	<b>Peter Bascomb, Interim General Manager</b> <b>Connie Mallet, Community Projects, Events and Grants Officer</b>
<b>Approver:</b>	<b>Peter Bascomb, Interim General Manager</b>
<b>Operational Plan Objective:</b>	<b>Pillar 2: Our Place – A liveable and thriving community that maintains lifestyle opportunities and addresses its disadvantages.</b>

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**PURPOSE OF REPORT**

This report seeks Council's authorisation to lodge an application to construct, or otherwise acquire, accommodation for aged care staff.

**OFFICER RECOMMENDATION**

**That Council authorise the General Manager to lodge an application for 100% funding for accommodation for aged care staff.**

**REPORT**

The lack of suitable accommodation is a common problem in attracting staff to Balranald. It's particularly acute for the Bidgee Haven Retirement Hostel which requires accommodation not only for short-term agency staff and for new staff, typically Registered Nurses.

There is currently a round of the Aged Care Capital Assistance Program Residential-based Aged Care Services & Staff Accommodation funding program, which provides for 100% of aged care staff accommodation.

The proposal is to construct two more units of the same design as the current independent living units at Bidgee Haven Manor (option 1 in the attachment) plus three studio apartments (option 2 in the attachment) and possibly the acquisition of an existing house to allow for a family including children. It is important to note that the grant conditions stipulate that the funding cannot be used for independent living units. The proposal would reduce the maximum number of independent living units at Bidgee Manor from eight to six.

Given the quality of the general housing stock it is probable that any purchased house will require considerable upgrade, particularly to the kitchen and bathroom. Nevertheless, the house should become available for occupation before the new units.

The final configuration, and estimated costs, to be included in the grant application will be developed through further consultation with current Bidgee Haven staff and the Bidgee Haven Committee.

The attachment provides greater detail about the grant program.

**FINANCIAL IMPLICATION**

There are up-front staff costs in preparing the grant application which will need to include concept designs and costings. These costs cannot be recouped through the grant.

If successful there will further demands on staff time but 100% of the costs, including project management, would be covered by the grant. If the project goes over budget and Council is unable secure a grant variation, Council would then be liable for the excess costs.

The additional units would add to Council's assets base, increasing its annual depreciation cost. Further, there would be operational costs that may not be fully covered by rent received particularly

if the units are occupied by agency staff. The depreciation and operational costs will have a negative impact on Bidgee Haven's, and hence Council's, bottom line.

Current accommodation costs for agency staff, when the Haven is fully occupied, will be reduced.

Council is reminded that the Haven will cannot be fully occupied once the renovation and extension project is underway.

**LEGISLATIVE IMPLICATION**

The project would be subject to normal consent requirements of any development including developer contributions.

**POLICY IMPLICATION**

This is no particularly relevant policy, but the proposal is consistent with the endorsed community strategic plan.

**RISK RATING**

Medium

**ATTACHMENTS****1. Background to Grant Opportunity**

**BIDGEE HAVEN HOSTEL** - Proposed Application for grant funding under the Aged Care Capital Assistance Program Residential-based Aged Care Services & Staff Accommodation

### ABOUT THE GRANT PROGRAM

**Due Date:**

2.00pm 20<sup>th</sup> May 2025

**Funding Available & Grant Period:**

**\$300 million** over four years (there is no minimum amount but cannot exceed the available funds).

2025/26 FY \$M	2026/27 FY \$M	2027/28 FY \$M	2028/29 FY \$M	Total \$M
80	105	70	45	300

**Note:** Council is not required to contribute towards the grant activity, however to maximise the distribution of program funds, applicants with a capacity to contribute a cash contribution are expected to do so.

**Eligible Grant Activities:**

- Building new residential-based services, or expansions, upgrades/refurbishments to existing residential-based services
- Building new staff accommodation, or expansions, and upgrades/refurbishments to existing staff accommodation
- Purchase of land and/or existing buildings/dwellings for the provision of either residential-based services or staff accommodation
- Safety and security works
- Furniture, fittings, and equipment
- Information Technology (IT) infrastructure/upgrades

**Eligible Expenditure:**

- Infrastructure build related costs associated with the intent of the Grant Opportunity such as:
  - engaging a project manager
  - planning, design, and approvals (e.g. architect and design services, quantity surveying; Also refer to ineligible items, Section 5.4 - What the grant money cannot be used for)

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**BIDGEE HAVEN HOSTEL** - Proposed Application for grant funding under the Aged Care Capital Assistance Program Residential-based Aged Care Services & Staff Accommodation

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- construction materials, labour costs
  - connection of sewage water and electricity or other services
  - upgrades to utility services
  - safety compliance
  - landscaping, paths, outdoor areas, driveway, and parking areas
  - security upgrades, including perimeter fencing, camera systems etc.
  - asbestos removal
  - transport costs for materials if appropriate
  - travel and accommodation costs for certifiers or tradespersons (external to the organisation) where the travel is essential to the successful completion of the grant project
  - insurances that is specifically required to cover the grant, during the activity period
- Costs associated with the purchase of land and/or existing buildings/dwellings, such as:
    - Stamp duty
    - Legal and conveyancing fees
    - Inspection fees
- Purchase of furniture, fittings, and equipment, such as:
    - furniture (e.g., lounge, dining tables)
    - beds, hoists, and mobility equipment etc.
    - commercial grade kitchen equipment, such as walk in fridge/freezers, ovens, dishwashers, various tools and appliances used in the preparation, cooking, and storage
    - commercial grade laundry equipment
    - security equipment and duress alarms
    - fire safety equipment
    - water tanks
    - generators
    - solar panels and solar battery storage
    - heating/cooling systems
- Information Technology (IT) infrastructure/upgrades, such as:
    - Video conferencing capabilities
    - Nurse call systems

**Ineligible Expenditure**

- Construction or upgrade of Independent Living Units
  - Feasibility study or business case
  - Workforce wages/salaries, including management and Board of Directors
-

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**BIDGEE HAVEN HOSTEL** - Proposed Application for grant funding under the Aged Care Capital Assistance Program Residential-based Aged Care Services & Staff Accommodation

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- Costs incurred in the preparation of a grant application or related documentation
- Payment of internal or in-house project management fees using people from within your organisation to manage and monitor a project
- Operational costs for the ongoing administration of an organisation such as insurance, rates (e.g., water and electricity), phone and rent
- Activities for which other Commonwealth, state, territory, or local government bodies have primary responsibility, except where the Commonwealth enters a co-contribution arrangement
- Paying ransom for ransomware, cyber-attack, or any other type of cybercrime
- Any travel costs (internal to the organisation)
- Costs related to relocating residents to/from an aged care service
- Costs associated with obtaining additional finance for the proposed capital works
- Costs of acquiring and operating vehicles
- Any tax payable by the organisation to which the grant relates, including any tax which is payable as a result of receiving the grant
- Any costs that are inconsistent with the objectives and outcomes of this grant opportunity
- The covering of retrospective costs

**OUR PROPOSAL**

In alignment with the grant program's guidelines, we are proposing to build three to five self-contained units to house a mixture of permanent and agency staff who are required for the running of the Bidgee Haven Hostel.

**Option 1:**

One option is to build staff accommodation using the space located adjacent to the Bidgee Haven Manor Units (See **Diagram 1**) and build them in the same style as the last unit constructed, containing 2 bedrooms, a bathroom, a kitchenette, and a living space.

Planning units of this size and style we could accommodate staff relocating to Balranald with family members or house more than one agency nurse of the same gender in each unit. Allowing more flexibility in arrangements when enticing new staff to the facility.

**Option 2:**

Option 2 is to build staff accommodation using the space to the southwest of the existing structure (See **Diagram 2**). Using this area we would propose to build 3-4 studio units containing a kitchenette, bathroom and combined living/bedroom space. We would plan to use a similar footprint and style to the original Bidgee Haven expansion plans but propose to make the individual units larger to facilitate the kitchenette facilities.



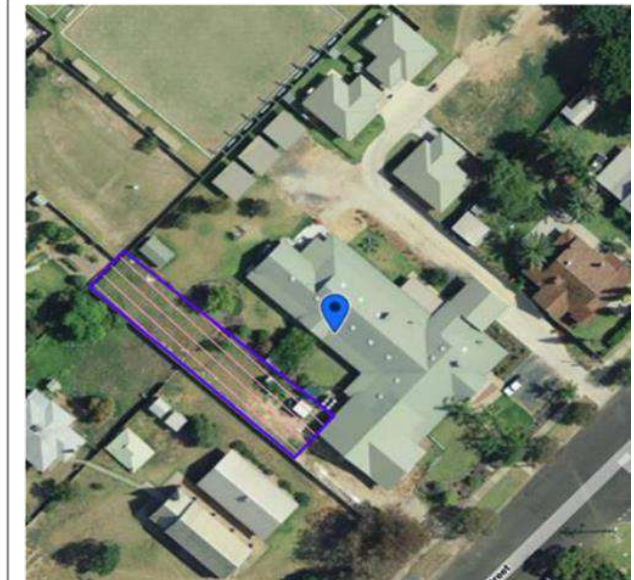
### **BIDGEE HAVEN HOSTEL** - Proposed Application for grant funding under the Aged Care Capital Assistance Program Residential-based Aged Care Services & Staff Accommodation

In the event that this option is selected we would be required to allow for adjustments to our current plans around the new Memory Ward construction to ensure it does not encroach on the proposed area for staff accommodation.

**Diagram 1 – Preferred Option**



**Diagram 2**



#### **Proposed additional eligible expenses**

As per the eligible expenses allowed as part of this grant, we intend to include the engagement of a project manager and the associated costs of planning, design and approvals. We would also include the costs of landscaping and upgrading the driveway and parking areas.

Additional eligible expenses would also include the purchase of items such as lounge, dining, and beds to help facilitate the accommodation of Agency staff.

#### **RECOMMENDATION TO COUNCIL**

That Council apply for a grant for the construction of accommodation for aged care staff on Council.

**10.4 REVIEW OF COUNCIL POLICIES**

<b>File Number:</b>	<b>D25.105265</b>
<b>Author(s):</b>	<b>Glenn Carroll, Director of Governance Business &amp; Community Services</b>
<b>Approver:</b>	<b>Peter Bascomb, Interim 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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**PURPOSE OF REPORT**

To seek endorsement from Council to publicly exhibit the various draft policies detailed in the report below and to invite the public to make submissions on the draft policies.

**OFFICER RECOMMENDATION**

**That Council approve the policies listed in the report to be publicly exhibited for a period of 28 days in order to seek public comment and for any significant public submissions to be reported back to the May 2025 Ordinary Council meeting, otherwise the policies will be deemed to be adopted immediately by Council following the exhibition period.**

**REPORT**

Under Part 3 of the Local Government Act, 1993, Section 165(4), local policies are automatically revoked 12 months after an election which effectively means that all such policies need to be reviewed and re-adopted by September 2025.

Council has many other internal policies for the direction and assistance of staff: it is considered good practice that these policies also be reviewed by the new council, but do not require public exhibition.

To achieve a review of all policies by the due date, it is proposed to nominate a bracket of policies each month for consideration by Councillors and to obtain approval to place the policies on public exhibition. If there are any comments received the policies will be resubmitted to Council whereby Council if the comments are not substantial may decide to adopt the policies without further public exhibition. If there are no comments received the policies will be deemed to be adopted on the date immediately following the exhibition period.

It is proposed to review the following policies;

Grievance Policy

Internal Reporting Policy

Access to Information Policy

Business Ethics Policy

Cemetery Management Policy

Child Protection Policy

Credit/Debit Card Policy

Concealed Water Leak Policy

Staff Education and Training Policy



Copies of these policies are on our website. Councillors and public are invited to submit written comments on any or all of these policies, to assist with the review process.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Section 165(4) *Local Government Act, 1993* states as follows:

*A local policy (other than a local policy adopted since the last general election) is automatically revoked at the expiration of 12 months after the declaration of the poll for that election.*

**POLICY IMPLICATION**

As per each policy.

While the legislation dictates that policies will lapse if not reviewed within twelve months of a general election, some of the policies subject to this review may be subject to further revision as internal systems and processes evolve.

**RISK RATING**

Low

**ATTACHMENTS**

1. **Grievance Policy**
2. **Internal Reporting Policy PID**
3. **Access to Information Policy**
4. **Business Ethics Policy**
5. **Cemetery Management Policy**
6. **Child Protection Policy**
7. **Credit/Debit Card Policy**
8. **Concealed Water Leak Policy**
9. **Staff Education and Training Policy**



## POLICY REGISTER

### Grievance Policy

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Policy adopted: (Minute No. )

Reviewed:

File Ref: D22.66166

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**1. PURPOSE**

To ensure that the Council has a robust framework for managing and resolving grievances and complaints against employees in order to foster a safe and inclusive work environment where individuals feel supported, and are able to work effectively without fear of discrimination, harassment, bullying, vilification, victimisation and/or reprisal.

**2. POLICY STATEMENT**

Council is committed to supporting the rights of individuals to achieve their full potential free from discrimination, harassment, bullying, vilification and victimisation, resolving grievances wherever possible through mediation, consultation, cooperation and discussion, within the organisation.

This policy sets out rights, responsibilities and procedures pertaining to all parties to a grievance dispute.

**3. APPLICATION**

This policy applies to Council employees and volunteers and covers situations in the definition of "grievance" set out below.

Complainants should also refer to Council's *Equal Employment Opportunity Policy* and the *Local Government State Award* for additional guidance.

Complaints dealing with corruption or criminal activity are covered by Council's *Public Interest Disclosures Internal Reporting Policy*.

**4. DEFINITIONS****4.1 Grievance**

A grievance is any work-related disagreement, complaint or matter which someone thinks is unfair or unjustified and which is causing that person concern or distress. Grievances can relate to almost any aspect of employment including but not limited to:

- (a) discrimination
- (b) harassment
- (c) bullying
- (d) vilification
- (e) victimisation
- (f) leave application
- (g) work environment
- (h) safety in the workplace
- (i) performance appraisal

**4.2 Discrimination**

Occurs when a person or group of people are treated less favourably than another person or group because of race, colour, language, age, ethnic origin, gender, marital status, sexual preference, disability, political or religious conviction or some other central characteristic.

**4.3 Harassment**

Any unwelcome, offensive comment or action concerning a person's race, colour, language, age, ethnic origin, gender, marital status, sexual preference, disability, political or religious conviction. It is behaviour towards another employee which is intimidating or embarrassing and adversely affects the work environment.

**4.4 Bullying**

Bullying occurs where an individual or group of individuals repeatedly behaves unreasonably towards a person or persons and that behaviour creates a risk to health and safety.

**5. GENERAL PRINCIPLES**

Council is committed to resolving grievances wherever possible through mediation, consultation, cooperation and discussion. General principles are:

- (a) All grievances will be handled with utmost confidentiality. Only people directly involved will have access to information about the complaint
- (b) All procedures will be impartial. No assumptions will be made and no action will be taken until all relevant information has been collected, investigated and considered
- (c) Council is committed to ensuring that no repercussions or victimisation will occur against anyone who makes a complaint
- (d) Complaints will be dealt with in a timely manner
- (e) Seeking redress of a trivial or vexatious issue through a grievance procedure will not be tolerated

**6. RIGHTS****6.1 Employees Making a Complaint**

All employees have the right:

- (a) to make a complaint to the General Manager, supervisor, or a person at an appropriate level within the organisation
- (b) to have their grievance considered fairly
- (c) to keep notes, copies of written documents or diary record of all incidents and any responses, including date, times, witnesses and other details
- (d) to seek advice or assistance from a trade union or professional association
- (e) to seek advice from, or complain to, an external body such as the Anti-Discrimination Board

**6.2 Employees Subject of a Complaint**

A person who is the subject of a complaint has the right:

- (a) to be informed in writing of what behaviour they are being accused of
- (b) to respond to the allegations and cite witnesses if appropriate
- (c) to fair treatment and procedures
- (d) to be heard by an unbiased person
- (e) to seek advice or assistance from a trade union or professional association

**7. RESPONSIBILITIES****7.1 General Manager**

The General Manager will:

- (a) ensure that all employees are aware of the procedures set out in this policy
- (b) be responsible for handling serious and complex grievances which are referred by supervisors or brought directly to them by employees

**7.2 Supervisors**

Supervisors:

- (a) will ensure that all employees are aware of the procedures set out in this policy
- (b) are the first point of receipt and will be responsible for investigation and resolution of staff grievances wherever possible

**7.3 Human Resources Consultant**

Should the need arise a Human Resources Consultant will be engaged and will:

- (a) provide advice and assistance and where necessary, investigate the grievance, particularly if the grievance relates to a discrimination, harassment, bullying or personnel / industrial matter.

**8. GRIEVANCE PROCEDURE**

- (a) In general, the grievance should first be discussed with the appropriate supervisor for resolution. This would not apply where the issue directly relates to the activities of the supervisor
- (b) If the grievance cannot be resolved at the initial stage, then the employee should submit a written *Grievance Statement* (refer Appendix 1) to the Supervisor or to the General Manager where the issue directly relates to the activities of the supervisor
- (c) On receipt of the *Grievance Statement* the supervisor should obtain the facts, clarify issues and then discuss findings with the employee lodging the grievance
- (d) A written record of the complaint should be taken by the supervisor. This Officer should also talk to the other person/ persons involved separately and impartially, and where agreement as to a resolution is reached, the Officer should follow up the situation to ensure what has been agreed actually occurs. The complainant should be advised of progress within 7 days of the receipt of the complaint
- (e) Where a supervisor believes they cannot handle the grievance objectively, or where they lack the authority to resolve the particular complaint, they may refer the matter to the General Manager
- (f) If a grievance remains unresolved, it will be referred to a mutually agreeable third party for mediation/arbitration
- (g) At any stage of the procedure, the employee may be represented by their Union or its local representative/delegate and the Council represented by Local Government NSW to assist resolution
- (h) During the course of a grievance being resolved, all work shall continue as normal
- (i) Grievance Statements, reports and results will be placed in the personnel file of the employee concerned. The employee has the right to sight and sign all such documents.

**9. QUALIFIED PRIVILEGE**

- (a) An employee who raises a grievance is protected against defamation by the defence of qualified privilege, provided the grievance is raised in accordance with this policy and does not intentionally make a malicious, vexatious or substantially frivolous complaint.
- (b) An employee who carries out a grievance investigation and resolution in accordance with this policy, or an employee who is required to prepare a report concerning another employee is protected against any action for defamation by the defence of qualified privilege provided that:
  - (i) they act in accordance with established procedures;
  - (ii) they are not motivated by malice, and
  - (iii) they do not provide such material to persons who have no legitimate interest in receiving it.

**10. NONCOMPLIANCE WITH THIS POLICY**

Failure to comply with the terms of this policy may result in disciplinary procedures and/or dismissal.

**11. REVIEW**

This policy shall be reviewed annually to ensure that it meets the requirements of legislation and the needs of Council.

**12. REFERENCE DOCUMENTS****RELEVANT LEGISLATION AND COUNCIL POLICIES**

The following legislation (as amended) and Council policies that are relevant to this Policy include but not limited to:

- Anti-Discrimination Act
- Civil Liabilities Act
- Code of Conduct for Councilors and staff
- Crimes Act
- Equal Employment Opportunity Act
- Fair Work Act (Cwth)
- Government Information (Public Access) Act
- Independent Commission against Corruption Act (ICAC)
- Industrial Relations Act
- Internal Reporting Policy
- Local Government Act
- Local Government (State) Award
- Public Interest Disclosures Act
- BSC Community Strategic Plan, 4 Year Delivery Plan & Annual Operational Plan
- Workers Compensation Act
- Work Health & Safety Policy
- Work Health & Safety Act & Regulations
- Workplace Relations Act

**13. VARIATION**

Council reserves the right to vary or revoke this policy.

Appendix 1

**Grievance Statement**

Employee's Name:

Position:

Details of Grievance: (add additional pages as required)

Employee's Signature:	Date:
-----------------------	-------

Actioned By:

Action Taken:

Action Officer Signature:	Date:





# POLICY REGISTER

## Internal Reporting Policy

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Policy adopted: (Minute No.       )

Reviewed: 2025

File Ref: D21.57916

## **1. Purpose and context of the policy**

The purpose of this policy is to establish an internal reporting system for staff and councillors to report wrongdoing without fear of reprisal. The policy sets out who you can report wrongdoing to in Balranald Shire Council (BSC), what can be reported and how reports of wrongdoing will be dealt with by BSC.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the *Public Interest Disclosures Act 1994* (PID Act).

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the BSC Grievance Policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be dealt with in accordance with the BSC Grievance Policy.

## **2. Organisational commitment**

BSC is committed to:

- creating a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encouraging individuals to come forward if they are aware of wrongdoing within the council
- keeping the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate
- protecting the person from any adverse action resulting from them making a report
- dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keeping the individual who makes a report informed of their progress and the outcome
- encouraging the reporting of wrongdoing within the council, but respect any decision to disclose wrongdoing outside the council that is made in accordance with the provisions of the PID Act
- ensuring managers and supervisors at all levels in the council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- reviewing the policy periodically to ensure it is relevant and effective

- providing adequate resources, to:
  - encourage reports of wrongdoing
  - protect and support those who make them
  - provide training about how to make reports and the benefits of internal reports to the council and the public interest generally
  - properly assess and investigate or otherwise deal with allegations
  - properly manage any workplace issues that the allegations identify or that result from a report
  - appropriately address any identified problems.

Under the PID Act, the General Manager as the head of the public authority is responsible for ensuring that:

- the council has an internal reporting policy
- the staff of the council and councillors are aware of the contents of the policy and the protection under the PID Act for people who make public interest disclosures
- the council complies with the policy and the council's obligations under the PID Act
- the policy delegates at least one staff member as being responsible for receiving public interest disclosures. Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be a disclosures coordinator. The Ombudsman recommends councils nominate more than one person as being responsible for receiving public interest disclosures. This Policy nominates the General Manager as the disclosure co coordinator and to act on and receive public interest disclosures and is delegated as a disclosure officer (where a staff member is not nominated) (refer s4(c) below). Where the public interest disclosure is about the General Manager, the Mayor of BSC is the disclosure officer.

### **3. Who does this policy apply to?**

This policy will apply to:

- both council staff and councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for BSC.
- employees of contractors providing services to BSC.

- other people who perform council official functions whose conduct and activities could be investigated by an investigating authority, including volunteers.

The policy also applies to public officials of another council or public authority who report wrongdoing relating to BSC.

#### **4. Roles and responsibilities**

##### **a. The role of council staff and councillors**

Staff and councillors play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All council staff and councillors are obliged to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation and maintaining confidentiality
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person the subject of reports.

Staff and councillors must not:

- make false or misleading reports of wrongdoing
- victimise or harass anyone who has made a report

Additionally, the behaviour of all council staff and councillors involved in the internal reporting process must adhere to the BSC's code of conduct. A breach of the code could result in disciplinary action.

##### **b. The role of the BSC**

The BSC has a responsibility to establish and maintain a working environment that encourages staff and councillors to report wrongdoing and supports them when they do. This includes keeping the identity of reporters confidential where practical and appropriate, and taking steps to protect reporters from reprisal and manage workplace conflict.

The BSC will assess all reports of wrongdoing it receives from staff and councillors and deal with them appropriately. Once wrongdoing has been reported, the BSC takes 'ownership' of the matter. This means it is up to us to decide whether a report should be investigated, and if so, how it should be investigated and by whom. The BSC will deal with all reports of wrongdoing fairly and reasonably and respect the rights of any person the subject of a report.

The BSC must report on our obligations under the PID Act and statistical information about public interest disclosures in our annual report and to the NSW Ombudsman every six months.

To ensure the BSC complies with the PID Act and deals with all reports of wrongdoing properly, all staff and councillors with roles outlined below and elsewhere in this policy will receive training on their responsibilities.

### **c. Roles of key positions**

#### ***General Manager***

The General Manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture and ensuring that BSC complies with the PID Act. The General Manager can receive reports from staff and councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision-maker
- take appropriate remedial action where wrongdoing is substantiated, or systemic problems are identified
- Request the Council to appoint an independent qualified person to undertake reviews to confirm independent assessment.
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

#### ***Disclosures coordinator***

The disclosures coordinators have a central role in BSC's internal reporting system. The disclosures coordinator can receive and assess reports and is the primary point of contact in BSC for the reporter.

The disclosures coordinators have a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the General Manager)

- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- coordinate BSC's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure BSC complies with the PID Act
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

#### ***Disclosures officers***

Disclosures officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors to make reports.

Disclosures officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the disclosures coordinator or General Manager for full assessment.

#### ***Mayor***

The Mayor can receive reports from staff and councillors about the General Manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with
- deal with reports made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- refer reports to an investigating authority, where appropriate

- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.
- Seek support from Local Government Associations to assist in the process.

### ***Supervisors and line managers***

Supervisors and line managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Supervisors and line managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff is comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the disclosures coordinator or General Manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the General Manager, notify the Mayor.

## **5. What should be reported?**

You should report any suspected wrongdoing within the BSC or any activities or incidents you see within BSC that you believe are wrong.

Reports about five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct.

More information about what can be reported under the PID Act can be found in the NSW Ombudsman's *Guideline B2: What should be reported?*

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the policies. This might include:

- harassment or unlawful discrimination

- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, BSC recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

**a. Corrupt conduct**

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a council official being influenced by a member of public to use their position in a way that is dishonest, biased or breaches public trust.
- A staff member using their position to gain a benefit from Council that a member of the public can not obtain e.g. unapproved use of machinery or resources.

**b. Maladministration**

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

**c. Serious and substantial waste of public money**

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money.

For example, this could include:

- not following a competitive tendering process for a large-scale contract
- having bad or no processes in place for a system involving large amounts of public funds.

**d. Breach of the GIPA Act**

A breach of the *Government Information (Public Access) Act 2009* (GIPA Act) is a failure to properly fulfil functions under that Act.

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation



- directing another person to make a decision that is contrary to the legislation.

#### **e. Local government pecuniary interest contravention**

A local government pecuniary interest contravention is a failure to comply with requirements under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, disclose pecuniary interests at council and council committee meetings and leave the meeting while the matter is being discussed. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a councillor participating in consideration of a DA for a property they or their family have an interest in.

### **6. Assessment of reports**

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The disclosures coordinator is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the disclosures coordinator at the time. It is up to the disclosures coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report, the disclosures coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

### **7. When will a report be treated as a public interest disclosure?**

BSC will treat a report as a public interest disclosure if it meets the criteria of a public interest disclosure under the PID Act. These requirements are:

- the report must be about one of the following five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, or local government pecuniary interest contravention
- the person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing
- the report has to be made to either the General Manager or, for reports about the General Manager the Mayor, a position nominated in this policy (see section 8), an investigating authority or in limited circumstances to an MP or journalist (see section 9).

Reports by staff are not public interest disclosures if they:

- mostly question the merits of government policy (see section 17)
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action (see section 18).

## 8. Who can receive a report within the BSC?

Staff are encouraged to report general wrongdoing to their supervisor. However, the PID Act requires that, for a report to be a public interest disclosure, it must be made to certain public officials identified in this policy or any supporting procedures.

The following positions are the only people within the BSC who are authorised to receive a public interest disclosure. Any supervisor who receives a report that they believe may be a public interest disclosure is obliged to assist the staff member to make the report to one of the positions listed below. The broader responsibilities of these positions are outlined under Roles and Responsibilities (section 4).

If your report involves a councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

### General Manager

- *[Include contact details for the General Manager here]*

### Administrator (for reports about the General Manager only)

- *[Include contact details for the Administrator here]*

### Disclosures Coordinator – Divisional Manager Finance and Administration

- *[Include contact details for the disclosures coordinator here]*

*[Clause 3.15 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW requires the complaints coordinator to be the disclosures coordinator.]*

### Disclosures Officers

- *Disclosure Officer - Divisional Manager Engineering Services*  
*[Include contact details for the disclosures officers here.]*

## 9. Who can receive a report outside of the BSC?

Staff and councillors are encouraged to report wrongdoing within BSC, but internal reporting is not your only option. You can also make a public interest disclosure to:

- An investigating authority.
- A Member of Parliament or a journalist, but only in the limited circumstances outlined below.

**a. Investigating authorities**

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances, it may be preferable to make a report of wrongdoing to an investigating authority, for example a report about either the General Manager or the Mayor.

The relevant investigating authorities for BSC are:

- *the Independent Commission Against Corruption (ICAC) — for reports about corrupt conduct*
- *the Ombudsman — for reports about maladministration*
- *the Information Commissioner — for disclosures about a breach of the GIPA Act*
- *the Office of Local Government — for disclosures about local councils.*

You should contact the relevant investigating authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that the investigating authority may well discuss any such reports with BSC. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff or councillors who report wrongdoing to an investigating authority, if we are made aware that this has occurred.

**b. Members of Parliament or journalists**

To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager
- a person nominated in this policy, including the Mayor for reports about the General Manager
- an investigating authority.

Also, BSC or the investigating authority that received your initial report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for

believing that the disclosure is substantially true and that it is in fact substantially true (see section 19).

**c. Other external reporting**

If you report wrongdoing to a person or authority that is not listed above or make a report to an MP or journalist without following the steps outlined above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the BSC, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

**10. How to make a report**

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record. The reporter should keep a copy of this record.

**11. Can a report be anonymous?**

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by BSC it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.

It is important to realise that an anonymous disclosure may not prevent you from being identified by the subjects of the report or your colleagues. If we do not know who made the report, it is very difficult for us to prevent any reprisal should others identify you.

**12. Feedback to staff who report wrongdoing.**

Staff and councillors who report wrongdoing will be told what is happening in response to their report.

**a. Acknowledgement**

When you make a report, BSC will contact you to confirm that your report has been received and to advise:

- the timeframe within which you will receive further updates
- the name and contact details of the people who can tell you what is happening or handle any concerns you may have.

After a decision is made about how your report will be dealt with, the BSC will send you an acknowledgment letter, providing:

- information about the action that will be taken in response to your report
- the likely timeframes for any investigation or other action
- information about the internal and external resources or services available that you can access for support.

We will provide this information to you within ten working days from the date you make your report. We will also advise you if we decide to treat your report as a public interest disclosure and provide you with a copy of this policy at that time, as required by the PID Act.

Please note, if you make a report which meets the requirements of the PID Act but the report was made under a statutory or legal obligation or incidental to the performance of your day to day functions, you will not receive an acknowledgement letter or a copy of this policy.

#### **b. Progress updates**

While your report is being dealt with, such as by investigation or making other enquiries, you will be given:

- information about the progress of the investigation or other enquiries and reasons for any delay
- advice of any decision by BSC not to proceed with the matter
- advice if your identity needs to be disclosed for the purposes of investigating the matter or making enquiries, and an opportunity to talk about this beforehand.

#### **c. Feedback**

Once the matter has been finalised you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you are likely to be called as a witness in any further matters, such as disciplinary or criminal proceedings.

### **13. Maintaining confidentiality**

BSC realises reporters may want their identity and the fact they have made a report to remain confidential. This can help to prevent any action being taken against them for reporting wrongdoing.

Where possible and appropriate we will take steps to keep your identity, and the fact you have reported wrongdoing, confidential. We will discuss with you whether it is possible to keep your identity confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from reprisal in consultation with you.

If you report wrongdoing, it is important that you only discuss your report with those responsible for dealing with it. This will include the disclosures coordinator and the General Manager, or in the case of a report about the General Manager, the disclosures coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

#### **14. Managing the risk of reprisal and workplace conflict**

When a staff member or councillor reports wrongdoing, BSC will undertake a thorough risk assessment to identify the risk to you of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.

Depending on the circumstances, Council may:

- relocate the reporter or the staff member who is the subject of the allegation within the current workplace
- transfer the reporter or the staff member who is the subject of the allegation to another position for which they are qualified
- grant the reporter or the staff member who is the subject of the allegation leave of absence during the investigation of the disclosure.

These courses of action are not punishment and will only be taken in consultation with the reporter.

#### **15. Protection against reprisals**

BSC will not tolerate any reprisal against staff or councillors who report wrongdoing or are believed to have reported wrongdoing.

The PID Act provides protection for staff and councillors who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the council's code of conduct which may result in disciplinary action.

In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Council has reasonable grounds to take such action.

#### **a. Responding to allegations of reprisal**

If you believe that detrimental action has been or is being taken against you or someone else in reprisal for reporting wrongdoing, you should tell your supervisor, the disclosures coordinator or the General Manager immediately. In the case of an allegation of reprisal by the General Manager, you can alternatively report this to the Mayor.

All supervisors must notify the disclosures coordinator or the General Manager if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the General Manager or the Mayor can alternatively be notified.

If BSC becomes aware of or suspects that reprisal is being or has been taken against a person who has made a disclosure, the Council will:

- assess the allegation of reprisal to decide whether the report should be treated as a public interest disclosure and whether the matter warrants investigation or if other action should be taken to resolve the issue
- if the reprisal allegation warrants investigation, ensure this is conducted by a senior and experienced member of staff
- if it is established that reprisal is occurring against someone who has made a report, take all steps possible to stop that activity and protect the reporter
- take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure

- refer any breach of Part 8 of the council's code of conduct (reprisal action) by a councillor or the General Manager to the Office of Local Government.
- refer any evidence of an offence under section 20 of the PID Act to the ICAC or NSW Police Force.

If you allege reprisal, you will be kept informed of the progress and outcome of any investigation or other action taken in response to your allegation.

If you have reported wrongdoing and are experiencing reprisal which you believe is not being dealt with effectively, contact the Office of Local Government, the Ombudsman or the ICAC (depending on the type of wrongdoing you reported). Contact details for these investigating authorities are included at the end of this policy.

#### **b. Protection against legal action**

If you make a public interest disclosure in accordance with the PID Act, you will not be subject to any liability, and no action, claim or demand can be taken against you for having made the public interest disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

### **16. Support for those reporting wrongdoing**

BSC will make sure that staff who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.

Access to support may also be available for other staff involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the disclosures coordinator.

### **17. Sanctions for making false or misleading statements**

It is important all staff and councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. BSC will not support staff or councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of conduct resulting in disciplinary action. In the case of councillors, disciplinary action may be taken under the misconduct provisions of the *Local Government Act 1993* and may include suspension or disqualification from civic office.

### **18. The rights of persons the subject of a report**

The BSC is committed to ensuring staff or councillors who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where this is practical and appropriate.



If you are the subject of the report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time, you will be:

- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by BSC. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

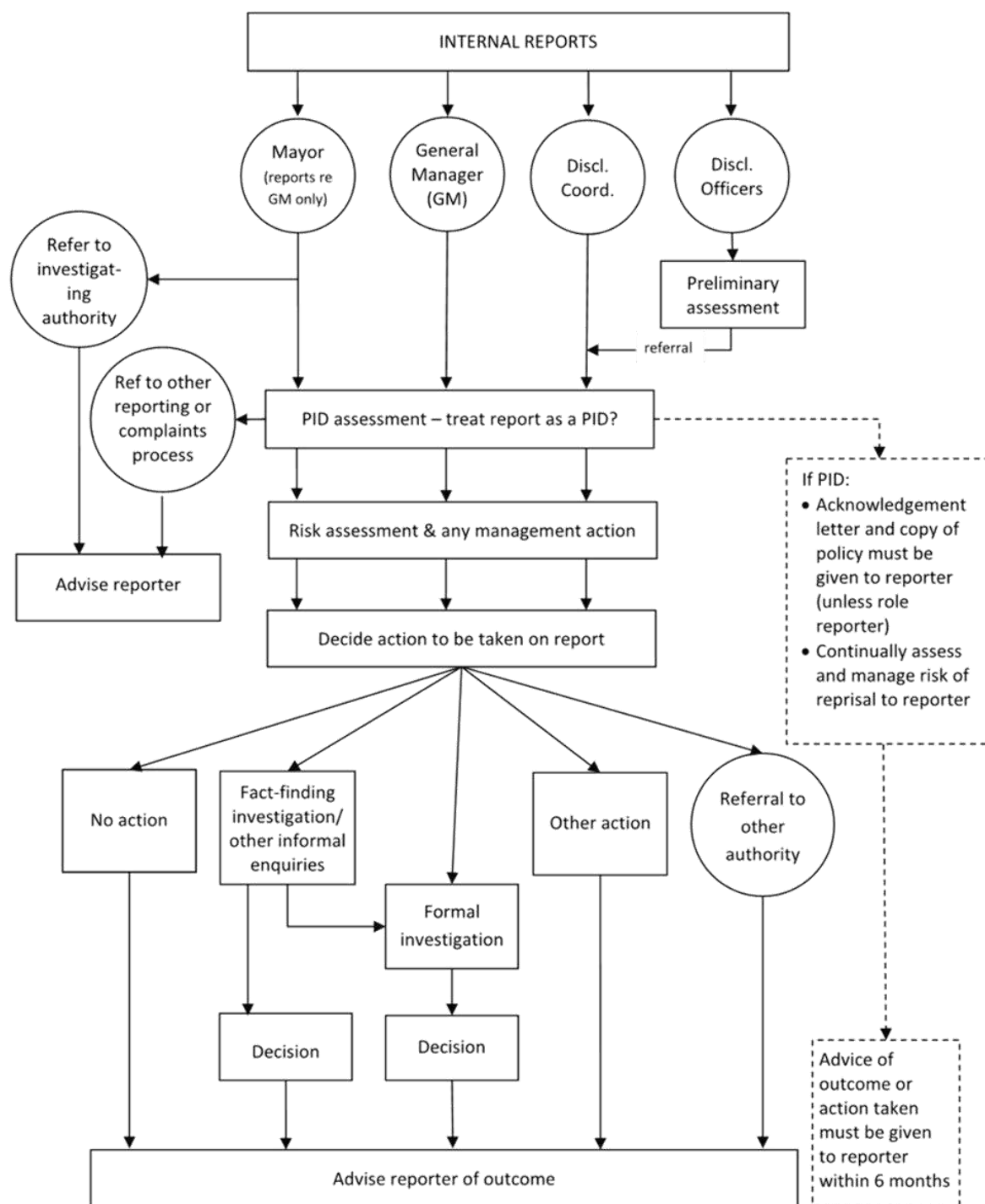
### **19. Review**

This policy will be reviewed every four years or following an ordinary election of Council. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

### **20. More information**

Staff can seek more advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

## 21. Flow chart of internal reporting process



## 22. Resources

The contact details for external investigating authorities that staff can make a public interest disclosure to or seek advice from are listed below.

**For disclosures about corrupt conduct:**

Independent Commission Against  
Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)

Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)

Address: Level 21, 133 Castlereagh Street,  
Sydney NSW 2000

**For disclosures about maladministration:**

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451  
524

Tel. typewriter (TTY): 02 9264 8050

Facsimile: 02 9283 2911

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

Address: Level 24, 580 George Street, Sydney  
NSW 2000

**For disclosures about breaches of the GIPA  
Act:**

Information Commissioner

Toll free: 1800 472 679

Facsimile: 02 8114 3756

Email: [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au)

Web: [www.ipc.nsw.gov.au](http://www.ipc.nsw.gov.au)

Address: Level 11, 1 Castlereagh Street,  
Sydney NSW 2000

**For disclosures about local councils:**

Office of Local Government

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au)

Web: [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)

Address: 5 O'Keefe Avenue, Nowra, NSW  
2541



## POLICY REGISTER

### Access to Information Policy

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Policy adopted: (Minute No. )

Reviewed:

File Ref: D22.63080

**OBJECTIVE**

The objective of this policy is to describe the principles and rights regarding public access to Council information and the processing of requests for such access.

**SCOPE**

This policy applies to all information and documentation under the control of Balranald Shire Council.

**POLICY STATEMENT**

Balranald Shire Council is committed to the following principles regarding public access to documents and information:

- Open and transparent government.
- Consideration of the overriding public interest in relation to access requests.
- Proactive disclosure and dissemination of information.
- Respect for the privacy of individuals.
- Provision of access to Council documents unless such disclosure would be contrary to public interest.

Any member of the public has a right to make an application to Council for access to information that Council holds.

Council will publish specific open access information on our website, free of charge unless to do so would impose unreasonable additional costs to Council. Council will facilitate public access through this and other appropriate mediums. Council will also publish, for inspection, documents listed under Schedule 1 of the Government Information (Public Access) Regulation 2009 held by it, unless there is an overriding public interest not to do so.

Council will keep a record of all open access information that is not published because of an overriding public interest against disclosure.

Council also makes as much other information as possible publicly available in an appropriate manner, including on the internet. Such information is also available free of charge or at the lowest reasonable cost (in accordance with Council's Schedule of Fees and Charges).

Council will seek to ensure that legitimate request for access to information are handled promptly and that members of the public are able to access information, subject to the need to protect the privacy of other, commercially sensitive information and information the disclosure of which would not be in the public interest.

There are four pathways for accessing information (in accordance with the Government Information Public Access (GIPA) Act).

*Mandatory Proactive Release*

Open access (mandatory proactive release) information is published on Council's website or made available in other formats for the public to view free of charge, unless there is an overriding public interest against disclosure. This type of information includes Council policies, meeting agendas and minutes, media releases and annual reports. Copies can be supplied (subject to compliance and with Copyright law) at an amount specified within Council's Schedule of Fees and Charges.

*Authorised Proactive Release*

Council may make certain information publicly available, unless there is an overriding public interest against disclosure of the information free of charge or at an amount specified in Council's Schedule of Fees and Charges.

*Informal Release*

Information that is not available as mandatory or authorised proactive release may be provided through an informal release, subject to any reasonable conditions that Council may wish to impose. Applications for an informal release may be made in writing using the '*Informal Access to Information Request Form*' available from Council's website.

*Formal Release*

Information not made available by mandatory, proactive or informal release, and where the information sought is of a sensitive nature or contains personal information about a third party, can be requested by applicants for access by completing the '*Formal Access to Information Application Form*' available on Council's website. Standard fees and charges as outlined in Council's Schedule of Fees and Charges, and additional processing costs may apply in accordance with Council's Revenue Policy.

**Accessing Information**

Balranald Shire Council is subject to various legislation that requires it to be open, accountable, fair and effective in the exercise of its functions, and to handle personal and health information in a fair and reasonable manner. Council will seek to ensure that legitimate requests for access to information are granted, subject to the need to protect the privacy of others, commercially sensitive information and information the disclosure of which would not be in the public interest.

This policy set out the documents and types of information that are available to members of the public as a matter of routine, those that will require an application form and those that will not generally be available for inspection or copying.

Requests to inspect documents that are deemed 'open access' in accordance with the *Government Information (Public Access) (GIPA) Act 2009* will be available free of charge via the Council website where possible. Copies from Council will be available on request but subject to a reasonable photocopy fee. All charges are detailed in Council's Schedule of Fees and Charges.

There is a presumption in favour of the disclosure of government information unless there is an overriding public interest against disclosure of documents held by Council under GIPA Act subject to the restrictions outlined in schedule 1 of the Act.

There are additional rights of access to documents not classed as 'open access' held by Council under the GIPA Act. Applications will be processed in accordance with the Act's requirements and a written determination made to release the documents or refuse access on the basis of exemption provisions contained within the Act.

Charges for Access applications are in accordance with the GIPA Act Processing charges and advanced deposits set out in Part 4, Division 5 of the Act and include a \$30 application fee. In certain circumstances processing fees as detailed in Council's Schedule of Fees and Charges will be charged.

Under the *NSW Privacy and Personal Information Protection (PPIPA) Act 1998* and the *NSW Health Records and Information Protection (HRIP) Act 2002*, an individual has the right to access and amend records held by Council which contain their personal details, matters related to their business affairs and any records containing information about their health. Where information about an individual is held in documents, files or filing systems that include information about other persons, any request should be made under the GIPA Act. The Act provides for consultation with other affected parties prior to disclosure of information concerning their personal or business affairs.

Under the *State Records Act 1998* Council is required to give an access direction (whether the records are open or closed) for all their records that are at least thirty years old in what is described as the "open access period". Under the *NSW Environmental Planning and Assessment (EPA) Act 1979* and Regulations 2000 there is a right to access Development Application registers and documents held by Council subject to restrictions set out in s.268(3) of the GIPAA.

### **Information Available**

Council publishes open access, or mandatory release, information on its website unless there is an overriding public interest against disclosure or doing so would impose an unreasonable additional cost on Council. In respect of the latter the Council will make the information freely available in another format e.g. hard copy at the Council Administration Office. The open access information is:

- Council's policy documents;
- a publication guide with information about Council's structure and functions, and listing the type of information that is publicly available;
- a disclosure log of formal access applications where in council's opinion the information released may be of interest to other members of the public;
- a register of contracts worth more than \$250,000 that councils have with private sector bodies;
- a record of open access information that council does not make publicly available on the basis of an overriding public interest against disclosure.

In addition, Schedule 1 of the *Government Information (Public Access) Regulation 2009* requires that certain documents held by Council, are to be made publicly available for

inspection, free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

These documents are:

*a. Information about Council*

- The model code of conduct prescribed under section 440(1) of the Local Government Act
- Council's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Management Plan
- EEO Management Plan
- Policy concerning the Payment of Expenses and Provision of Facilities to the Mayor and Councillors
- Annual Reports of Bodies Exercising Functions Delegated by Council (e.g. Section 355/377 Committees)
- Any Codes referred to within the Local Government Act
- Returns of the Interests of Councillors, Designated Persons and delegates.
- Agendas, Business Papers and Minutes of Council/Committee meetings (except meetings that are closed to the public)
- Division of Local Government, NSW Department of Premier and Cabinet Representative Reports presented at a meeting of Council
- Land Register
- Register of Investments
- Register of Delegations
- Register of Graffiti removal works
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

*b. Plans and Policies*

- Local Policies adopted by Council concerning approvals and orders
- Plans of Management for Community Land
- Environmental Planning Instruments
- Development Control Plans and
- Contribution Plans



*c. Information about Development Applications*

Development Applications and any associated documents received in relation to a proposed development, e.g:

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions on appeals
- Records describing the general nature of documents that Council decides to exclude from public view after application of public interest test considerations

*d. Approvals, Orders and Other Documents*

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated documents received
- Records of approvals granted or refused, any variation from Council policies with reasons for the variation, and decisions made on appeals concerning approvals
- Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA
- Orders given under the Authority of any other Act
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Plans of land proposed to be compulsorily acquired by Council
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

Copies of documents provided are given for information purposes only and are provided by Council to meet its requirements under relevant legislation. Copyright laws still apply to each document. The copyright-owner's consent is required if any part of the document is used for any other purpose.

In addition, from time-to-time Council will make as much other information as possible publicly available in an appropriate manner, including on their website. The information will be available free of charge or at the lowest reasonable cost. Such other information includes frequently requested information or information of public interest that has been released as a result of other requests.

Council will endeavour to release other information in response to an informal request, subject to any reasonable conditions as Council thinks fit to impose. However, notwithstanding the lodgement of an informal application, Council may require a formal

access application to be submitted where the information sought:

- is of a sensitive nature that requires careful weighing of the considerations in favour of and against disclosure, or
- contains personal or confidential information about a third party that requires consultation, or
- would involve an unreasonable amount of time and resources to produce.

### Exemptions to Access

Council may refuse a request for information if there is an overriding public interest against disclosure or if searching for the requested information would require unreasonable and substantial diversion of the Council's resources.

Council will always explain to the applicant its reasons for applying an exemption. Council will not classify information as exempt unless there are clear reasons for doing so. Where documents contain exempt information, any remaining information contained within the requested document will be available under the Act.

In determining whether there is an overriding public interest against the disclosure of the information, Council will fully consider the Public Interest Test.

The GIPA Act provides an exhaustive list of public interest considerations against disclosure. These are the **only** considerations against disclosure that Council will consider in applying the public interest test. Considerations are grouped under the following headings:

- responsible and effective government
- law enforcement and security
- individual rights, judicial processes and natural justice
- business interests of agencies and other persons
- environment, culture, economy and general matters
- secrecy provisions (in legislation other than those listed in Schedule 1)
- exempt documents under interstate Freedom of Information legislation.

In applying the public interest test, Council will **not** take into account:

- that disclosure might cause embarrassment to, or loss of confidence in, the Council;
- that any information disclosed might be misinterpreted or misunderstood by any person.

Council will consider any submissions made by an applicant in relation to public interest considerations, as well as any factors personal to the applicant.

Under GIPAA there are 12 categories of information (eight of which affect local government) for which there is a conclusive presumption of an overriding public interest against disclosure.

These eight are:

1. Information subject to an overriding secrecy law (26 specifically named Acts)
2. Information subject to the direction or order of a court or other body with the power to receive evidence on oath
3. Information subject to legal professional privilege
4. 'Excluded information' (judicial and prosecutorial information, information about complaints handling and investigative functions, competitive and market sensitive information and information in relation to specific functions of the Public Trustee)
5. Documents affecting law enforcement and public safety
6. Specific information relating to transport safety
7. Specific reports concerning the care and protection of children
8. Specific information relating to Aboriginal and environmental heritage.

Generally, under GIPAA, Council must not publish and must refuse requests to disclose information in the above categories. Formal applications for 'excluded information' are invalid under the Act.

In dealing with informal applications Council will apply a similar decision-making framework.

### **Accessing Information and Making an Application**

The public may obtain access to information as follows:

- a) by searching the Council's website to see if it is already available; or
- b) by contacting Council and requesting the information. Council will advise whether the information requested:
  - is open access, or mandatory release information that is readily available and where and how to get the information.
  - should be made available as part of a proactive release of information.
  - can be disclosed through an informal release, for example where no third- party personal information is involved.
  - requires a formal access application, for example because consultation with a third party is required.

To make an informal request for access to information under the GIPA Act Council may require the completion of an "*Informal Access to Information Request Form*" (which can be found on the Balranald Shire Council website: [www.balranaldshire.nsw.gov.au](http://www.balranaldshire.nsw.gov.au)). No fee is required on application.

To make a formal Access to Information Application under the GIPA Act, the '*Formal Access to Information Application Form*' (which can be found on the Balranald Shire Council website: [www.balranaldshire.nsw.gov.au](http://www.balranaldshire.nsw.gov.au)) must be submitted to Council. The Formal Application fee is \$30.00 and processing charges may be applicable (there is no GST in relation to these charges). An acknowledgement of such application will be provided by Council within five working days.

If a fee for photocopies of documents provided under the GIPA Act is payable, it will be listed in Council's Schedule of Fees and Charges and will be GST inclusive.

### Time Limits

In respect of formal applications, Council will notify applicants of the decision on an application within twenty (20) working days, unless the applicant agrees to extend the time. Council may also extend the time by up to fifteen (15) working days where consultation with a third party is required or if Council needs to retrieve records from archives.

If access is deferred by Council, then Council will notify the applicant and include the reason for deferral and the date on which the applicant will be given access. A decision to defer access is reviewable (see Rights of Review and Appeal).

If Council does not decide the applicant's access application within the above timeframes, it is deemed 'refused'. Council will refund the application fee and the applicant may seek internal or external review (see Rights of Review and Appeal) of this refusal. This will not apply if an extension of time has been arranged or payment of an advance deposit is pending.

### Rights of Review and Appeal

Where a member of the public is refused access under a formal application under the GIPA Act, staff will provide details of the reasons for refusal to the member of the public in writing.

An applicant who has been refused access by Council to information requested under a formal request for access to information under the GIPA Act has three options of review available.

- a. Applicants can apply to Council for an **internal review**. This review is undertaken by someone more senior than the original decision maker and a \$40 fee applies. Applicants have 20 working days from receiving notice of a decision to ask for an internal review.
- b. If an applicant is not satisfied with the internal review, or does not want one, they can ask for a review by the **Information Commissioner**. Applicants have eight weeks from being notified of a decision to ask for this review.
- c. If an applicant is not satisfied with the decision of the Information Commissioner or the internal reviewer or if they do not want to take these options, they can apply to the **NSW Civil and Administrative Tribunal (NCAT)**. If the applicant has already had a review by the Information Commissioner, they have twenty (20) days working days from notification of the decision to make this application. If they haven't had a review by the Information Commissioner, they have forty (40) working days from notification of the decision to make this application.

It is noted that there are no rights of review in respect of informal applications, but the applicant may make a formal application at any time.

**DEFINITIONS**

NCAT - NSW Civil and Administrative Tribunal.

EPA - NSW Environmental Planning and Assessment Act.

HRIPA - NSW Health Records and Information Privacy Act 2002.

GIPPA Act - Government Information (Public Access) Act 2009.

PPIPA - NSW Privacy and Personal Information Act 1998.

**EXCEPTIONS**

None

**LEGISLATION REQUIREMENTS**

Relevant legislation will be listed at the end of this policy.

**RELATED DOCUMENTS**

Privacy Policy

Privacy Management Plan

**POLICY HISTORY AND VERSION CONTROL**

Policy Title	Access to Information Policy
Directorate	General Manager
Department	Corporate
Policy Group	Corporate
Responsible Officer	Governance and Risk Officer
Relevant Legislation	<ul style="list-style-type: none"> <li>• Government Information (Public Access) Act 2009</li> <li>• Local Government Act 1993</li> <li>• Health Records Information Privacy Act 2002</li> <li>• Privacy &amp; Personal Information Protection Act 1998</li> <li>• Environmental Planning &amp; Assessment Act 1979</li> <li>• Environmental Planning &amp; Assessment Regulation 2000</li> </ul>



## POLICY REGISTER

### Business Ethics Policy

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Policy adopted: 2025

Reviewed:

File Ref: D22.63116

**OBJECTIVE**

This Policy outlines the ethical standards required of tenderers, suppliers, consultants and contractors engaged by Balranald Shire Council. This policy exists concurrently with the legislative, regulatory and other policy requirements, notably Council's Code of Conduct, which controls or affects the business of Council.

This Policy aims to provide external organisations, service providers, small business and individuals with an understanding of Council's expectation in relation to standards of ethical behaviour that meet Council's requirements. It also provides guidance for staff on Council's expectations when conducting business.

The objectives of this policy are to:

- Set out the ethical standards expected of Council's suppliers and business partners
- Encourage compliance with Council's ethical standards
- Provide guidance on complaints and reporting processes

**POLICY SCOPE**

This policy applies to Councillors, Council Staff as well as Tenderers, Suppliers, Contractors and Consultants and their Sub-Contractors/Employees.

**POLICY STATEMENT**

Balranald Shire Council is committed to conducting business professionally at all times and to the highest ethical standards, so that the community has confidence and trust in Council's business dealings, services and decision making.

Balranald Shire Council is committed to our Code of Conduct that sets out the standards for ethical behaviour of Council officials and representatives to act honestly, transparently and responsibly in their decision making and business partnerships.

Council's Code of Conduct assists Council officials to:

- Understand the standards of behaviour required of them
- Enable them to act honestly and exercise care and diligence
- Enhance public confidence

Council's Business Partners are also required to comply with those standards of behaviour in their dealings with Council.



### Council's Values and Commitments to our Community

Balranald Shire Council has adopted a statement of values which expresses our commitment to servicing the community:

- **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.

These values are reflected in our actions and decision making processes.

### What you can expect from Balranald Shire Council

In business dealings, Council expects Councillors and staff to observe the highest standards of ethical, probity and professional conduct. This includes:

- Acting honestly and with impartiality at all times
- Conforming with all legal obligations
- Not engaging in practices that give a party an improper advantage over another
- Being prepared to attest to probity, and not engaging in any form of collusive practice, including offering or taking inducements, gifts, benefits or fixing of prices etc.
- Protecting confidential information
- Clearly specifying all requirements and criteria for evaluation and responding promptly to request for advice and information
- Immediately disclosing and managing potential conflicts of interest
- Being responsible for our own safety and that of others
- Enhancing and protecting the environment
- Reporting to Council's General Manager any suspected breaches of these ethical standards

**What we expect from our business partners**

Balranald Shire Council requires that all private sector providers of goods and services observe the following principles when doing business with Council:

- Act ethically, fairly and honestly in all dealings with the Council
- Respect the conditions set out in documents supplied by Council, including complying with relevant Council Policies and Procedures
- Abstain from collusive practices and not act secretly or fraudulently
- Provide accurate and reliable advice and information when required
- Declare actual or perceived conflicts of interest as soon as you become aware of them
- Respect the obligation of Council's staff to abide by Council's Code of Conduct and other Policies
- Take all reasonable measures to prevent the disclosure of confidential Council information
- Refrain from lobbying or canvassing Councillors or members of staff during the tender process
- Refrain from offering Council employees or Councillors any gifts, financial or other inducements which may give any impression of unfair advantage
- Refrain from discussing Council business or dealing in the media, except with Council's consent
- Assist the Council to prevent unethical and fraudulent practices in our Business relations
- Deliver value for money
- Report to Council's General Manager any suspected breaches of these ethical standards

**Why business partners need to comply**

Balranald Shire Council requires all business partners to comply with the Policy. Compliance with our Policy will assist our Suppliers of goods and services to advance their business objectives and interest in a fair and ethical manner. Business partners who engage in any unethical or illegal (including corrupt) behaviour could lead to:

- Termination of contracts
- Loss of future work
- Loss of reputation
- Investigation for corruption
- Matters being referred for criminal investigation

Consequences for Councils, staff and volunteers not complying with Council's Code of Conduct may include:

- Loss of Civic Office
- Investigation
- Disciplinary action
- Dismissal
- Potential criminal charges

**Gifts or Benefits**

Anyone wanting to do business with Council must understand that business practices common in the private sector such as offering of gifts, benefits and incentives is not permitted at Balranald Shire Council.

Under no circumstances will a gift or cash or money be accepted.

As offering of gifts and benefits may be perceived as an attempt to unfairly influence decisions and service, Council expects Councillors and Council staff to decline gifts or benefits.

Council employees and Councillors who are offered any gift or benefit must immediately inform the General Manager in writing.

Gifts and benefits are recorded in Council's Gift Register and Benefits Register.

**Conflicts of Interest**

If an actual, perceived or potential conflict of interest in your work with Council exists or arises, you must disclose to the Council. A conflict of interest arises if your own interest, or those of other people close to you, conflict with your obligations to the Council.

**Media and Public Comments**

Council business partners must not make any public comment or statement what would lead anyone to believe that you are expressing the views or Policies of Council. This includes comments or statements made at Public and Community meetings, via the media, or when it is reasonably foreseeable that the comment's, or statement, will become known to the public at large.

**Communications**

All communication between Council and its business partners should be clear, direct and accountable to minimise the risk or perception of inappropriate conduct.

**Confidentiality of Information**

All Council information must be treated as confidential unless otherwise indicated in writing.

In dealing with the Council's information:

- You must take care to maintain the security or any confidential or personal information you become aware of in your work with the Council
- You must abide by the privacy legislation governing the collection, holding, use, correction, disclosure or transfer of personal information obtained through your dealing with the Council. Personal information is any information about a person where you know who the person is or you can guess who the person is.
- No-one should access, use or remove from Council workplace or premises any Council information or personal information, unless they need it for their work with the Council and have authorisation to use or disclose the information.
- Any breach of the security, or misuse, of the Council's confidential or personal information must be reported to the Council's General Manager.

Requests for access to the Council information will be managed in accordance with Council's *Access to Information Policy* and associated procedures.

### **Use of Council Resources**

Council's equipment, resources and information should only be used for its proper official purpose.

### **Contractors**

All contractors and sub-contractors are expected to comply with Council's Business Ethics Policy. If you employ sub-contractors in your work for Council you must make them aware of this Policy.

### **Intellectual Property Rights**

In business relationships with Council, parties will respect each other's intellectual property rights and will formally negotiate any access, licence or use of intellectual property.

### **Harassment and Discrimination**

Council's officials and its business partners must not harass, discriminate against, or support others who harass and discriminate against other contracts, employees or members of the public. This includes, but is not limited to, harassment and discrimination on the grounds of gender, pregnancy, age, race (including their colour, nationality, descent, ethnic or religious background), political affiliation, marital status, disability, sexuality or transgender.

### **Sponsorship**

Balranald Shire Council seeks and receives requests for financial and/or in kind sponsorship from organisations, businesses or individuals to support specific events, promotions or other activities of Council. All sponsorship arrangements must comply with Council's *Donations, Subsidies and Financial Assistance Policy*. It is essential that any sponsorship does not limit the Council's ability to carry out its function fully and impartially nor will sponsorship influence a Council's decision.

### **Secondary Employment**

Council's business partners should not make offers of employment to Council's staff, which may be publicly perceived to obtain an unfair advantage. Council's staff are not permitted to engage in outside employment or business that:

- Conflicts with official duties
- Interferes with Council work
- Adversely affect work performance
- Involves using confidential information or Council resources obtained through work with Council.

Secondary employment of Council staff requires the approval of the General Manager.

**Tendering**

Council's tendering process does not permit applicants to canvass or lobby Councillors or contact Council staff other than the advertised contact person. Any action or contact that may be considered as an attempt to influence a decision of Council's staff or Councillors shall disqualify the relevant tender applicant.

**Complaints**

Complaints regarding Council service should be lodged in accordance with Council's Complaints Handling Policy. Complaints regarding matters relating to contractual arrangements with Council should be raised in the first instance with the Manager responsible for the operational administration. If these remain unresolved, complaints can be forwarded to Council's General Manager.

**Reporting breaches of this Policy**

Council encourages the reporting of corrupt conduct, maladministration, fraud or serious waste of public funds. Council undertakes to deal with all reports or enquiries in a prompt, professional and confidential manner. Reports regarding Council's ethical standards should be made to:

The General Manager  
Balranald Shire Council  
PO Box 120  
BALRANALD NSW 2710

Further information on Council's Policies, including the Code of Conduct can be obtained from Council's Customer Service Centre at 70 Market Street, Balranald, Website [www.balranald.nsw.gov.au](http://www.balranald.nsw.gov.au) Phone (03) 5020 1300 or email to [council@balranald.nsw.gov.au](mailto:council@balranald.nsw.gov.au)

Alternatively reports of any suspected corruption can be made to the Independent Commission Against Corruption (ICAC) or for maladministration to the NSW Ombudsman.

**Disclosures**

Disclosures about corrupt conduct, maladministration or waste of public funds are protected under the *Public Interest Disclosure Act 1994*. Persons who report unethical behaviour that is conduct as defined pursuant to this Act can seek protection from any reprisal or detrimental action.

**DEFINITIONS**

*Business Partners* – Means any tenderers, suppliers, consultants and contractors engaged by Balranald Shire Council.

**EXCEPTIONS**

NIL

## LEGISLATIVE REQUIREMENTS

This policy is to be read in conjunction with the following:

- *Independent Commission Against Corruption (ICAC) Act 1998*
- *NSW Local Government Act 1993*
- *Privacy and Personal Information Act 1998*
- *Public Interest Disclosure Act 1994*

## RELATED DOCUMENTATION

This policy is to be read in conjunction with the following:

- Council's adopted Code of Conduct
- Purchasing Policy
- Gifts and Benefits Policy
- Social Media Policy
- Secondary Employment Policy
- Records Management Policy
- Privacy Plan
- Public Interest Disclosures Internal Reporting Policy

## POLICY HISTORY AND VERSION CONTROL

Policy Title	Business Ethics Policy
Directorate	Corporate and Community Services
Department	Corporate
Policy Group	Corporate
Responsible Officer	Governance and Risk
Relevant Legislation	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Independent Commission Against Corruption (ICAC) Act 1998</i></li> <li>• <i>Privacy and Personal Information Act 1998</i></li> <li>• <i>Public Interest Disclosure Act 1994</i></li> <li>• <i>State Records Act 1998</i></li> </ul>

**DECLARATION OF BUSINESS ETHICS**

Council's Business Ethics Policy provides an outline of the ethical framework within which Council operates. It reinforces Council's values for conducting business as well as stating what Council expects from its public sector and business partners.

As a prospective business partner, it is a requirement that you have reviewed Council's Business Ethics Policy and understand the need to abide by it when conducting business with, or on behalf of, Council.

**DECLARATION**

I, \_\_\_\_\_  
(name and position of person making declaration)

Of \_\_\_\_\_  
(name of firm, company, partnership, corporation, association or other organisation or entity)

Have reviewed Council's Business Ethics Policy and declare that

\_\_\_\_\_  
(name of firm, company, partnership, corporation, association or other organisation or entity)

And any parent, subsidiary or franchisee

Agree to abide by the principles contained therein

\_\_\_\_\_  
(Signature of person making declaration)



## POLICY REGISTER

### CEMETERY MANAGEMENT POLICY

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Policy adopted: (Minute No. )

Reviewed:

File Ref: D25.05426



**OBJECTIVE**

To define Council's role and responsibilities for the cemeteries under Council's control.

**SCOPE**

This policy applies to all cemeteries and memorial facilities in Balranald and Euston and the provision for all burials services; which are controlled, managed and maintained by Balranald Shire Council.

**POLICY STATEMENT**

Balranald Shire Council recognises the right of all individuals to a dignified interment and treatment of their remains irrespective of religious belief and culture.

Council as the trustee of cemeteries in our local government area is responsible for the administration and management of plots, transfer of interment rights, approvals for monumental works, issuing of licences to work in cemeteries, maintenance of lawn and cemetery grounds, the interment of ashes and for the provision of indigent burials.

Pursuant to legislative requirements and standards Council will administer, maintain and operate the cemeteries under its control to ensure that sufficient land is acquired and allocated so that current and future generations have equitable access to interment services.

Council will provide a consistent and coherent Cemetery Management Plan for the governance and regulation of cemeteries to ensure that cemetery management demonstrates high levels of accountability, transparency and integrity, and will manage the cemeteries under Council's control in accordance with the principles of Crown land Management specified in section 1.4 of the Crown Lands Act 2016.

**Cemetery Management Plan**

Council will manage cemeteries in accordance with the appropriate legislation and Council's Cemetery Management Plan.

### Fees

For each application made to Council for cemetery services an administrative fee is applied. These fees are reviewed annually and can be found in Council's fees and charges document.

### **DEFINITION**

Cemetery: For the purposes of this policy the term cemetery will apply to all cemeteries and memorial facilities under Balranald Shire Council's control.

### **EXCEPTIONS**

This Policy does not relate to any privately managed cemeteries or privately managed Aboriginal cemeteries located within Shire boundaries.

### **LEGISLATION REQUIREMENTS**

Cemetery and memorial facility management is controlled by multiple legislation and as such these will be listed at the end of this policy.

### **RELATED DOCUMENTS**

- Cemeteries Management Plan

**POLICY HISTORY AND VERSION CONTROL**

Policy Title	Cemetery Management Policy
Directorate	Infrastructure Services
Department	Engineering and Assets
Policy Group	Environmental
Responsible Officer	Manager Engineering and Assets
History	1.0
Relevant Legislation	<ul style="list-style-type: none"> <li>• Local government Act 1993</li> <li>• Anti-Discrimination Act 1977</li> <li>• Birth Deaths and Marriages Registration Act 1995</li> <li>• Cemeteries and Crematoria Act 2013</li> <li>• Cemeteries and Crematoria Regulation 2014</li> <li>• Coroners Act 2009</li> <li>• Crown Lands Act 2016</li> <li>• Crown Lands (General Reserves) By-law 2006</li> <li>• Environmental Planning &amp; Assessment Act 1979</li> <li>• Environmental Planning &amp; Assessment Regulation 2000</li> <li>• Government Information (Public Access) Act 2009</li> <li>• Health Records Information Privacy Act 2002</li> <li>• Heritage Act 1977</li> <li>• Privacy &amp; Personal Information Protection Act 1998</li> <li>• Public Health Act 2010</li> <li>• Public Health Regulation 2012</li> <li>• State Records Act 1998</li> <li>• Work Health and Safety Act 2011</li> <li>• Work Health and Safety Regulation 2011</li> <li>• Workers Compensation Act 1987</li> <li>• Workplace Injury Management &amp; Workers Compensation Act 1998.</li> </ul>



## POLICY REGISTER

### Child Protection Policy

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Policy adopted: 2025

Reviewed:

File Ref: D22.63116

## OBJECTIVE

To ensure compliance with child protection legislation, including; mandatory reporting and responding to allegations against staff involving young people and children.

The objectives of this Policy include:

- To promote the health, safety, welfare and wellbeing of children and young people in council activities as well as the Balranald community
- To ensure that Council provides a safe environment for children and young people whilst on Council premises and utilising Council services.
- To ensure all workers engaged with Council in a child-related role have a valid working with Children Check clearance number.
- To ensure workers are aware of their obligations in relation to the various child protection legislation and Council's policy.
- To ensure Council promptly implements procedures which are confidential and transparent when investigating and responding to allegations of "reportable conduct" as defined under the *Children's Guardian Act 2019*.

All workers at Council should be aware of and sensitive to children with culturally diverse or indigenous backgrounds and their cultural practices without deviating from this policy; in line with the *Anti-Discrimination Act 1977* and the principles of Equal Employment Opportunity.

## SCOPE

This policy applies to all workers engaged by Council (in any paid or unpaid capacity). Any reference to 'worker' for the purpose of this policy includes employees, councillors, contractors or sub-contractors, work experience participants, labour hire, volunteers and student placements who are in a child-related role. Child related roles are to be in accordance with legislation and regulatory requirements.

## POLICY STATEMENT

This policy demonstrates Council's commitment to the safety and wellbeing of children and young people. Council is committed to fulfilling its duty of care by endeavouring to ensure that all workers act in the best interests of a child and take all reasonable steps to ensure a child's safety. Council will ensure all workers engaged in a child-related role have a valid Working with Children Check clearance number as per the *Child Protection (Working with Children) Act 2012* and *Child Protection (Working with Children) Regulation 2013*.

## 1. Responsibilities

### Head of Entity

Council is considered a relevant entity and reporting body as per the Reportable Conduct Scheme and under the *Children's Guardian Act 2019* must have a "head of a relevant entity". For the purpose of this policy Council's Head of Entity is the General Manager. The Head of Entity is required to notify the Children's Guardian of reportable allegations and convictions against employees. Responsibilities include:

- Ensuring the entity's compliance with legislative obligations under the Reportable Conduct Scheme.
- Ensuring the entity has systems, policies and processes in place to adhere to the Children's Guardian Act 2019.
- Should Council become aware of a reportable allegation or a reportable conviction, the Head of Entity must follow the below steps:
  - Notify the Office of the Children's Guardian within seven business days Conduct an investigation into the allegations.
  - Provide information about the allegation, the progress of the investigation and the finding and action taken to the alleged victim and their parent/carer unless the General Manager considers that it is not in the public interest to do so.
  - By 30 calendar days after the Head of Entity becomes aware of the reportable allegation, provide either a finalised entity report or an update (an interim report, reasons the investigation has not been completed and an estimated timeframe for completion)
  - Make a finding of reportable conduct if satisfied, on the balance of probabilities.
  - Provide information to the Children's Guardian, which may include information about a reportable allegation, the relevant entity's response to a reportable allegation, and systems for preventing and responding to reportable allegations.
  - Ensure an appropriate level of confidentiality of information relating to reportable allegations and only disclose information about the allegations in circumstances permitted by the Act or other legislation.

**Directors**

Directors are responsible for:

- Treating all complaints seriously, equitably and confidentially, taking immediate action to investigate and resolve allegations.
- Notifying the General Manager and the Human Resources Officer of any reportable allegation.
- Determining child-related roles within the organisation and for the ongoing management of the process, supported by the Human Resources Officer.
- Notifying the Human Resources Officer prior to the engagement of any non-Council employee involved in child-related work so the appropriate verification check and training can be undertaken.

**Human Resources Officer**

The Human Resources Officer responsible for:

- Verifying workers working with children checks.
- Recording of all Working with children check documentation including expiry date.
- Supporting Directors to determine child-related roles within the organisation and for the ongoing management of the process

**Workers**

Workers are responsible for:

- Acting in accordance with the Children's Guardian Act 2019.
- If working within a child related role the worker must apply and submit clearance to Workplace Culture and Safety or person who engaged them in work for verification or renewal purposes.
- Adhering to Councils Child Protection Policy.
- Adhering to the Council's Code of Conduct when engaged in child related work.
- Immediately notifying Workplace Culture and Safety if any reportable allegation or conviction of which they become aware.
- Report any concerns about the safety or welfare of a child or young person immediately.

## **2. Commitment to child safety and wellbeing**

Council is committed to implementing the NSW Child Safe Standards which are aligned to the National Principles for Child Safe Organisations. Council have put into practice several measures to ensure we are providing a safe environment for children and young people. This includes the processes related to policy adherence, risk, recruitment, communications and council response to issues and complaints.

This policy reflects Council's commitment to the child safe standards identified by the Royal Commission (2017) as outlined below:

- Child safety is embedded in institutional leadership, governance & culture.
- Children participate in decisions affecting them and are taken seriously.
- Families and communities are informed and involved.
- Equity is upheld and diverse needs are considered.
- People working with children are suitable and supported.
- Processes to respond to complaints of child sexual abuse are child focused.
- Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- Physical and online environments minimise the opportunity for abuse to occur.
- Implementation of the Child Safe Standards is continuously reviewed and improved.
- Policies and procedures document how the institution is child safe.

Implementation of this policy will be overseen by the Human Resources Officer and coordinated by representatives within Council where child-related work may arise.

## **3. Recruitment & Training**

Council will undertake a robust recruitment process, including role advertisement, pre-interview screening, reference checks and effective interviewing to assist in the recruitment of suitable workers. All workers who are engaged in child related work are required to undertake a Working with Children Check as issued by the NSW Office of the Children's guardian. This is to be renewed every 5 years.

Council is committed to ensuring that all workers engaged in child-related work are equipped with the knowledge, skills and awareness to keep children safe and will provide targeted training and support for individuals in those roles.

All workers engaged in child-related work will be required to sign off that they have read, understood and will abide by the child protection policy and code of conduct.



#### 4. Complaints Management

Complaints and allegations concerning the welfare, wellbeing and safety of children against Council workers will be managed according to Council's Complaint Policy.

All complaints should be reported immediately, this includes:

- Disclosure of abuse.
- Inappropriate behaviour around children.
- Suspicion of abuse or harm to a child

All complaints must be reported in writing written by the worker's Director or the Human Resources Officer.

#### 5. Reporting Obligations

Where there are concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, staff who are 'mandatory reporters' are required to report this to Department of Communities and Justice (DCJ) by phoning the helpline on 132 111. Mandatory reporters should use the Mandatory Reporters Guide (MRG) (<https://reporter.childstory.nsw.gov.au/s/>) to help decide whether a child is suspected to be at risk of significant harm.

The MRG covers eight key areas to help you understand if a report should be made and they include:

- Physical Abuse.
- Neglect – Supervision; Environment; Food; Hygiene; Medical Care; Mental Health Care; Education -Not Enrolled.
- Sexual Abuse – Child; Young Person; Problematic Sexual Behaviour Toward Others.
- Psychological Harm.
- Danger to Self or Others.
- Relinquishing Care • Carer Concern – Substance abuse; Mental Health; Domestic Violence.
- Unborn Child.

Workers who are not mandatory reporters, as well as members of the community, can also report the suspected risk of significant harm to the DCJ helpline.

As a reporting body Council has obligations to report findings of sexual misconduct and serious physical assault involving children by a child-related worker to the Office of Children's guardian.

Under the *Child Protection (Working with Children) Act 2012*, Council must investigate allegations of such conduct to make an informed finding as to whether or not the conduct occurred.

To determine whether or not the conduct meets the criteria, Council must consider the nature of the conduct itself and the context in which it occurred.

If the investigation results in a finding that sexual misconduct or serious physical assault occurred, Council must report this finding to the Office of the Children's Guardian.

## **6. Risk Management**

Council will ensure that child safety is a part of the overall risk management approach. A risk assessment will be undertaken in facilities that have child related services and Council events.

Steps that must be taken to complete council's Risk Assessment for child related services are:

1. An activity will be identified
2. Hazards associated with that activity will then be recorded.
3. A risk score for the hazards identified from the risk score matrix should be determined and recoded.
4. Determine appropriate risk controls as reasonably practical for hazards identified and recorded
5. Finally determine the risk score after controls have been implemented for the hazards in which have been identified.

## **7. Documentation and record keeping**

Human Resources will maintain records of Working with Children Checks, acknowledgement of the workers understanding of their child protection and training undertaken. Records will be electronic and be made available if requested for audit and monitoring purposes.

All documentation and/or records of a confidential nature relating to allegations against workers will always be kept private and confidential within the Human Resources section.

## 8. Barred Status

Should the check or continuous monitoring result in a barred status the worker, if currently working in a child-related role, will be removed from that role. Should the worker be an employee of Council then the matter will be referred to the General Manager for determination; which depending on the circumstances may also result in termination of employment. This will be managed in accordance with Council's Performance Improvement and Management Protocol.

## 9. Support Available

Council provides an Employee Assistance Program (EAP) which is available to workers who have had allegations made against them and workers who have been involved in the investigative process, including those who have been involved in reporting the matter to the Head of Entity. The EAP service is also available to workers and their families who may be experiencing personal difficulties including child abuse and/or allegations. The EAP is a free confidential and independent counselling service.

### DEFINITION

*Abuse* - A term used to refer to different types of harm or maltreatment. In this document it refers to types of harm or maltreatment that children and young people experience, including; physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.

*Allegation* - A reportable allegation is an allegation that an employee has engaged in conduct that may be reportable.

*Child* - Any persons under the age of 18 years.

*Child-related Work* - Work that involves direct contact (physical contact or Face to Face) by a worker with a child or children and that contact is a usual part of and more than incidental to the work, or work in a stipulated, child-related role.

*Conviction* - A reportable conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

*Child-Safe Organisation* - An organisation in which child safety is embedded in planning, policy and practices and where the voices of children and young people are valued and actioned.

*DCJ* - Department of Communities and Justice.

*Investigation* - Conduct investigations to determine whether there is a risk of (significant) harm to a child or young person.

*Mandatory Reporters* - People who deliver services, wholly or partly, to children as part of their paid or professional work. This is regulated by the Children and Young Persons (Care and Protection) Act 1998. This includes, but not limited to, professionals working in health care; welfare; education; children's services; residential services and law enforcement.

*MRG* - Mandatory Reporter Guide. The MRG is a decision-making tool to assist Mandatory Reporters to help determine how the suspected risk of significant harm of a child or young person is reported.

*Neglect* - A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a child or young person the basic requirements for his or her growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.

*Risk of Significant Harm* - Concern/s about a child or young person that are sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. It is something that is not minor or trivial and that may be reasonably expected to produce a substantial and demonstrably adverse impact on the child or young person's safety, welfare or wellbeing. In Addition, it can result from a single act or omission or an accumulation of these. Risk of significant harm is the NSW threshold to report child protection concerns to DCJ via the Child Protection helpline.

*Reportable Conduct Scheme* - The reportable conduct scheme monitors how organisations (relevant entities) investigate and report on types of conduct made against their employees, volunteers or certain contractors who provide service to children. When the head of a relevant entity becomes aware of a reportable allegation or a reportable conviction, the head of that entity must notify the Children's Guardian within seven (7) business days and conduct an investigation into the allegations.

*WWCC Working with Children Check* - The WWCC is a requirement for any non-exempt person who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years, or a bar against working with children.

*Young Person* - A young person can be defined in a variety of ways depending on the context. For the purpose of this policy a young person is a person who is over the age of 16 years but under the age of 18 years.

## **EXCEPTIONS**

NIL

**LEGISLATION REQUIREMENTS**

See in table below.

**RELATED DOCUMENTS**

- Code of Conduct.
- Risk Assessment Process.
- Complaint Policy.
- Performance Improvement Processes.

**POLICY HISTORY AND VERSION CONTROL**

Policy Title	Child Protection Policy
Directorate	General Manager
Department	General Manager
Policy Group	Human Resources
Responsible Officer	Human Resources Officer
Relevant Legislation	<ul style="list-style-type: none"> <li>• Child Protection (Working with Children) Act 2012 (NSW)</li> <li>• Child Protection (Working with Children) Regulation 2013 (NSW)</li> <li>• Local Government (State) Award 2023</li> <li>• Children's Guardian Act 2019</li> <li>• Children and Young Persons (Care and Protection) Act 1998</li> <li>• Civil Liability Act 2002 – No 22</li> <li>• Crimes Act 1900 – No 40</li> </ul>



## POLICY REGISTER

### Credit / Debit Card policy

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Policy adopted: 2025 (Minute No.     )

Reviewed:

File Ref: D21.57912

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**1. PURPOSE AND SCOPE**

**1.0** To simplify and reduce the time and costs otherwise associated with small scale purchasing of goods and services required by Balranald Shire Council (BSC) and to minimize the costs otherwise incurred in reimbursing BSC expenses incurred by employees.

**1.1** To meet the cost of certain employment benefits e.g. accommodation or food.

**1.2** Applies to all employees of the council that have access to a Corporate Credit or Debit Card.

**2. RESPONSIBILITIES****2.0 Cardholder**

1. Ensure the card is used only for allowable transactions.
2. Ensure the card is taken care of, to report its loss immediately to the issuer of the card and also in writing to the General Manager and to return the card to the General Manager when leaving BSC.
3. To retain valid Tax Invoices, receipts and dockets (refer to Appendix 1 for the requirements of a valid Tax Invoice).
4. To justify the purposes and expenditure for which the card is used, to the satisfaction of the General Manager and in accordance with BSC Council's standards as issued from time to time.
5. To complete the credit card acquittal in accordance with clause 4.1.

**2.1 General Manager**

- a. Ensure that cardholders are aware of and perform their accountabilities in relation to the system.
- b. Check that use of the credit / debit card is within the authority of the cardholder.

**2.2 Finance**

1. Ensure BSC requirements concerning usage of credit and debit cards is known by cardholders and ensure the publication of timetables for acquittals are issued from time to time.
2. Ensure incomplete credit / debit card account acquittals are returned to the originator.
3. To ensure cost allocations are made in a manner suitable for management accounting and reporting purposes.
4. Ensure accounts and records are kept in order to comply with relevant taxation laws.
5. Ensure payments to card issuers are made by the due date.
6. Bring to the attention of the General Manager any:
  - Card usage that appears to be beyond the authority of the cardholder
  - Non-conformance with the system for acquittals of card statement account
7. Bring to the attention of the General Manager any non-conformances or unusual matters not resolved in a reasonable period of time.
8. Ensure the system is audited as part of the overall program of financial audits.
9. Report to the General Manager and to BSC auditors immediately any reasonable concern that arises in relation to fraud or misappropriation and initiate an investigation.
10. Review the operation of the system from time to time and modify it to meet the needs of the organisation.



### 3. DEFINITIONS

#### 3.0 Allowable Transactions

Transactions primarily for travel related transactions, minor stores and accessories. These transactions could include:

- Air fares
- Taxi fares
- Accommodation & meals
- Fuel for council vehicles (where there is no fuel card supplier)
- Council vehicle servicing
- Work related books
- Work related conferences/courses
- Other one off purchases approved by the General Manager
- White Goods
- Protective Equipment
- Store items less than \$2000 and or where the supplier does not accept purchase orders

#### 3.1 Transactions are not to include the following:

- Private use
- Cash advances
- eBay or similar web based purchasing

### 4. POLICY STATEMENT

#### 4.0 Card Account Acquittals

The cardholder shall:

1. Annotate the card account statement sufficiently for the General Manager to be able to understand and approve (or question) the listed expenses.
2. Attach to the card account statement Tax Invoices for every expense and to reconcile the card account statement with these documents.
3. Where a Tax Invoice is lost (expected to be a rare event), every effort must be made to acquire a copy from the relevant supplier, otherwise attach a signed declaration to that effect, with details of the expense to the satisfaction of the General Manager.
4. Certify, by signing the card account statement, that the expenses listed have been incurred, that the goods and/or services have been received, that the details have been reconciled, and are correct for payment.
5. Obtain the signature of their Manager signifying approval for payment of the card account statement.
6. Forward the approved card account statement to Accounts Payable for payment
7. Comply with the timetable for card account acquittals issued from time to time by the General Manager.

The cardholder's Manager shall:

1. Check that the card account statement has been reconciled and is ready for payment.
2. Sign and approve the card account statement for payment.
3. Comply with the timetable for card account acquittals as issued from time to time.

#### 4.1 Using the Credit / Debit Card by staff other than the Nominated Officer(s)

Staff, other than the nominated Officer will be considered to be in breach of BSC Code of Conduct, unless the staff member undertakes a requested booking or the payment of an account with the authorisation of the Nominated Officer.

The Card holder must authorise the card expenditure and sign all Tax Invoices.

Example 1: The General Manager requests an accommodation booking be made by another staff member using the credit or debit card. The General Manager must authorise the purchase and sign all Tax Invoices associated with that purchase.

Example 2: A Corporate Debit card is provided to a staff member to cover expenses whilst travelling to a work area. The staff member must retain all receipts and tax invoices to cover all eligible purchases, sign the invoices and return the Debit Card and the invoices to the Finance staff member to process.

#### 4.2 Processing for Payment of Corporate Credit Card

##### Card Holder

1. The individual card holder is responsible to complete the "Card / Debit Credit Expense Report."
2. All receipts **MUST** be accounted for and should receipts be misplaced a "Statutory Declaration is required to be completed on the approved form." Should receipts be continually misplaced by the cardholder the Card / Debit Credit will be remove from the individual.

##### Financial Team

1. Ensure prompt processing of Credit / Debit Card Accounts via a direct bank debit entry;
2. Reconcile the Credit / Debit Card control account to that of the Credit / Debit Card bank statement on a monthly basis after the cardholder has forwarded the "Credit / Debit Card Expense Report.";
3. Reconcile the Card sub ledger to that of the control account in the General Ledger on a monthly basis;
4. Download the Electronic Transactions from the Bank to the Card Sub Ledger;
5. Match the Invoices/Documentation from the Credit / Debit Card Holders to the individual statements received from the bank on a monthly basis;
6. Follow up outstanding documentation and transactions with the individual Credit Card holders.

#### 4.3 Non-Compliance by Credit Cardholders

Should any Credit / Debit Cardholder not adhere to this Policy or other financial policy requirements, then consideration may be given to cancelling the individual Corporate Credit / Debit Card.

The General Manager shall prepare a report for the Auditors outlining non-compliance issue and recommending a course of action to remedy the situation.

**5. POLICY REVIEW**

BSC reserves the right to vary, replace or terminate this policy at any time. This policy will be reviewed every 2 years or earlier if there are relevant statutory or State Government policy changes.

**APPENDIX 1 – REQUIREMENTS OF A VALID TAX INVOICE****For purchases less than \$1,000:**

- the words "Tax Invoice" stated prominently
- the name of the supplier
- the ABN of the supplier
- the date of issue of the tax invoice
- a brief description of the goods or services purchased
- total price of the sale (including GST)
- where the GST is exactly 1/11<sup>th</sup> of the total price, GST must be shown separately **or** provide the statement such as "total price includes GST".
- Where the GST is less than 1/11<sup>th</sup> of the total price, show the GST amount **and** the total amount excluding GST for the purchase.

**For purchases more than \$1,000:**

- the words "Tax Invoice" stated prominently
- the name of the supplier
- the ABN of the supplier
- the name of the recipient (BSC)
- the address or ABN of the recipient (BSC)
- the date of issue of the tax invoice
- the quantity of goods purchased or the extent of the services provided
- a brief description of the goods or services purchased
- total price of the sale (including GST)
- where the GST is exactly 1/11<sup>th</sup> of the total price, GST must be shown separately **or** provide the statement such as "total price includes GST".
- where the GST is less than 1/11<sup>th</sup> of the total price, show the GST amount **and** the total amount excluding GST for the purchase.

**For purchases where the cost includes taxable purchases and a GST free or input taxed purchase (a mixed supply) the tax invoice must also:**

- clearly identify each taxable purchase
- show the total amount of GST to be paid
- show the total amount payable for the sales.

## APPENDIX 2 – CREDIT &amp; PURCHASING CARD CONDITION OF USE

Note terms such as 'total price includes GST' or similar are not sufficient  
for invoices in this category.

Applicant (Cardholder)	
Position	
Department	

The Corporate Credit / Debit Card (C/DC) will be issued to you on the following conditions:

- a. I am required to take strict care over the custody and use of the card at all times.
- b. I will not permit the C/DC to be used by another person according to guidelines.
- c. I will not use the C/D C, nor permit it to be used, for other than official purposes.
- d. I may only use the C/DC for purchasing goods and services required for Council related purposes.
- e. I will not use the C/DC to obtain cash.
- f. I may only use the C/DC for purchasing/paying to a limit of my delegated authority in any one transaction.
- g. I will check and process my purchase card transactions in the Authority Module each day.
- h. I will forward all relevant documentation to Finance within one (1) week of the statement being received.
- i. I will use the C/DC in accordance with the C/DC Administrative Policy & Procedure
- j. I will obtain the approval of the General Manager for all entertainment and hospitality expenditure equal to or greater than \$1,000.
- k. If employed as the General Manager of Council, I will obtain the approval from the Chair for all entertainment and hospitality expenditure equal to or greater than \$2,000.
- l. If the C/DC is lost or stolen, I will immediately inform the General Manager and/or the card provider.
- m. If I identify or it is brought to my attention that misuse or fraud is taking place against my C/DC, I will immediately inform the General Manager and the card provider.
- n. Upon the notification and/or cessation of my employment in the current position, I am required to return the C/DC promptly to the General Manager.
- o. I understand that my card may be cancelled for non-compliance.

I acknowledge that I have read and understood the conditions set out above, and the Credit / Debit Card Policy and Procedure documents, which govern the issue and use of the C/DC in my name and I will report all breaches to the General Manager immediately.

Signature of Cardholder	
Name of Cardholder	
Telephone Number of Cardholder	
Date signed	

I have witnessed the signature of the cardholder – YES / NO

Signature of General Manager or Chair	
Name	
Date signed	

**APPENDIX 3 – Statutory Declaration for Missing Receipts on Council Credit Card**

Transaction Date: \_\_\_\_\_

Payee: \_\_\_\_\_

Amount: \_\_\_\_\_

GL / WO No: \_\_\_\_\_

Details of Expense: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I, \_\_\_\_\_ (name), confirm the above purchase  
details are true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

General Manager Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



## POLICY REGISTER

### CONCEALED WATER LEAK POLICY

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Policy adopted: 2025 (Minute No. )

Reviewed:

File Ref: d23.83119

## POLICY OBJECTIVE

This policy has been developed to:

- provide fair and consistent guidelines and procedures for decision-making on the extent of, and the conditions under which, a reduced water and sewer usage account may be offered to property owners who have received unusually high water use charges due to a 'Concealed Leak', and
- provide some form of financial relief to property owners who have experienced a concealed leak while demonstrating to property owners that they have a responsibility for maintaining their private water infrastructure and services.

## SCOPE

This policy applies to all requests for a reduction in water charges from customers who receive a metered supply of water by Balranald Shire Council to residential and non-residential property and who are also subject to commercial sewerage discharge usage charges.

Council is responsible for repairing water leaks on council-owned infrastructure up to and including the water meter but is not responsible for leaking internal property pipes beyond the water meter.

The property owner is responsible for reporting an unusually high water bill to Council for consideration under this policy. Council will investigate and determine whether the usage is a 'significant leak' and in excess of expected 'average consumption'. The property owner is responsible for diagnosing and/or repairing water leaks in the pipes carrying water from the water meter onto the owner's property. These and any associated water damage from such a leak remain the sole responsibility of the property owner.

Council will only consider an adjustment to water notices issued for the billing periods immediately before and/or immediately after the leak has been detected and repaired. It is at the discretion of the Rates/Revenue Officer to determine if an account warrants adjustment to more than one billing period where the applicant is unable to demonstrate definitively that a leak has occurred over more than one billing period. Council may issue an additional water notice immediately after the leak was fixed in order to determine the full extent of the leak.

This policy is not intended to provide full compensation to customers for water consumption charges because of an undetected water leak on their property. However, as an act of good faith and in the interest of good public relations, Council provides a means by which some assistance for the above average consumption which is caused by an undetected leak, subject to the provision of this policy being met.



## POLICY STATEMENT

Council will only consider a request for a reduction of a water account due to a water leak where:

- the leak was a concealed leak;
- there must have been a significant leak;
- the property owner took all reasonable steps to ensure the leak was repaired as soon as possible;
- the leak was repaired by a licensed plumber with the necessary certificate completed and a copy of the plumber's invoice attached outlining the date the leak was detected, where it was situated, details of cause, date repaired and cost of the repairs;
- the applicant must be the person liable for the water use charges for the property for which the application applies;
- a written application or advice of a forthcoming application must be received by Council within 30 days of the owner becoming aware of the leak, or within 14 days of the issue of the water usage account, whichever comes first;
- Council may request the plumber or property owner to provide a special water reading after the leak was fixed;
- the property owner is responsible for the payment of the water account in full, including consumption related leaks by the due date, even if a concealed leak application has been made and not yet finalised; and
- only one application per property per financial year will be considered.

## DEFINITIONS

A '*concealed leakage*' is determined as occurring within pipeline breaks or connections in the ground, under slabs, or within walls and was not clearly visible by the owner. It does not include leakage from an appliance, fixture, water pump, hot-water system or the like.

A '*significant leakage*' is determined if the water usage for the period/s in question is 1.5 times greater than the previous 2 years average usage for potable water, or 1.5 times greater than the average of two same water bill periods for non-potable water (eg. to allow for summer and winter variance for non-potable water usage). If the leak occurred over 2 periods, then both those periods are excluded from the previous 2 years average usage calculation.

'*Average consumption*' is calculated on the usage history for the subject property over the previous 2 years and prior to the leak occurring, whether there has been a change in ownership or not.

## FINANCIAL IMPLICATIONS

### Water consumption

The allowance will be equivalent to 50% of the increase from the average water usage bill of the previous 2 years, to a maximum of 250kl of that water service affected by the leak (potable or non-potable).

The reduction to water consumption charges approved under this policy will be processed as write-offs for the following reasons:

- the water was correctly charged, but Council has approved a reduction of the amount payable to reduce potential hardship to a property owner; and
- the value of the water consumption charges would not be cost effective to recover.

The Rates and Debtors Officer will initially assess the eligibility for a claim under this policy and then seek the approval of the write off from the General Manager. The write off amount will be in accordance with the maximum amount of write off for uncollectible debts delegated to the Director of Governance, Business and Community Services or the General Manager.

### Sewer usage discharge

In regards to properties where the payment of sewer treatment charges is applicable, and an undetected leak has occurred, and the water **has not** entered the sewerage system, the limit to which Council will provide assistance will be:

- A 100% reduction of the estimated leak volume for complying claims. The reduction will be calculated according to the difference between the average water consumption for the previous 2-year period and the consumption recorded since the leak occurred and repairs completed, multiplied by the Sewer Discharge Factor, then multiplied by the sewer discharge unit rate for kilolitre charged.

In regards to properties where the payment of sewer treatment charges is applicable, and an undetected leak has occurred, and the water (or a portion thereof) **has** entered the sewerage system, the limit to which Council will provide assistance will be:

- A 50% reduction of the estimated leak volume for complying claims. The reduction will be calculated according to the difference between the average water consumption for the previous 2-year period and the consumption recorded since the leak occurred and repairs completed, multiplied by the Sewer Discharge Factor, then multiplied by the sewer discharge unit rate for kilolitre charged.

The reduction to sewer usage charges approved under this section of the policy will be processed as credit levies, as it will be deemed to be incorrectly charged rather than waived, as the water leak either did not discharge into the sewer system, or did so as clean potable water, not causing a substantial financial cost to the water treatment facility. The Rates and Debtors Officer will initially assess the eligibility for a claim under this policy and then seek the approval for the credit levy from the Director of Governance, Business and Community Services or the General Manager.

### LEGISLATIVE REQUIREMENTS

All significant Water leak applications are to comply with the following:

- Local Government Act 1993.
- Local Government (General) Regulation 2021.

### RELATED POLICIES AND DOCUMENTS

- Council's current Revenue Policy and Fees and Charges.
- Delegations of Authority from Council.

### POLICY HISTORY AND VERSION CONTROL

Version	Date	Changes/Amendment
Version 1: Water Leak Policy	16 June 2020	Policy Adopted
Version 2: Concealed Water Leak Policy	21 May 2024	Reviewed and updated – submitted in draft form to the 21 May 2024 Ordinary Council meeting.
Version 3: Concealed Water Leak Policy	March 2025	



## POLICY REGISTER

### Staff Education and Training Policy

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Policy adopted: 2021 (Minute No.220/2021)

Reviewed:

File Ref: D21.57931

**Purpose**

BSC (council) recognises that staff development is an important part of the working life of each staff member. It is associated with the development needs of the individual and of teams and the achievement of Council's overall strategy.

Council recognises that the caliber and competence of its employees are vital factors in ensuring that it remains a successful organisation. To this end, Council strives to promote employee development through high quality training and learning opportunities both on and off the job.

This Policy sets out what may be offered in terms of support from the Council and what is expected from employees.

**Scope**

This Policy does not apply to senior staff employees of Council as defined in the Local Government Act 1993. This Policy does not form part of any employee's contract of employment.

**Definitions**

Compulsory Training - compulsory training is training that Council designates to be necessary requirement of employment. Employees who participate in compulsory training shall not lose ordinary pay. Compulsory training may have to satisfy statutory or Council determined requirements.

**Policy Statement**

Council recognises that increasing the organisation's efficiency and productivity requires an ongoing commitment to education, training and skill maintenance, development and enhancement. Therefore, Council is committed to:

- Developing a more highly skilled and flexible workforce.
- Providing employees with opportunities through appropriate education and training to acquire additional skills.
- Removing barriers to the utilisation of skills in accordance with Council's training plans.

**NOTE:** this policy must be read in conjunction with Council's Annual Training Plan.

**Development of the Annual Training Plan**

Council shall design an annual training plan in accordance with the Local Government (State) Award requirements. The training plan is to be based on:

- The current and future skill requirements of the Council.
- The size, structure and nature of the operations of the Council.
- The need to develop vocational skills relevant to Council and the local government industry in general through the utilisation of available internal and external resources.

The training plan shall, where appropriate, provide for training that is consistent with industry specific competency standards. The training plan shall be consistent in identifying the needs of the organisation, having regard to Council's Workforce Plan.

*Selection of Staff to Undertake Training*

Selection of participants to receive Council training in accordance with Council's training plan is to be based on the needs of Council and the employee as identified in the employee's annual performance review or as an outcome of workplace assessment of competency.

Employees may make application for consideration to attend training courses.

The selection process will also take into consideration the capacity of the workplace to schedule and arrange the release of selected employees.

*Priority of Training*

Acknowledging that not all identified training needs will be able to be met within the duration of one financial year or the life of one annual training plan, wherever possible, available financial and related training resources will be allocated in the following priority:

- Training necessary for Council to comply with current and future legislative requirements.
- Training necessary to assist the employee in doing their current job to the standards required.
- Training necessary to assist the employee's career path development.

Notwithstanding the above, resources may be re-allocated to meet WHS and other statutory training which may result from legislative or technological change.

*Training Undertaken as a Requirement of Council (Compulsory Training)*

If an employee is required by Council to participate in a structured training program and such program is consistent with Council's training plan:

- The Council shall grant the employee paid leave to attend course requirements where the training is undertaken during ordinary working hours.
- Council shall pay course fees at the commencement of each stage.
- Council shall, at the discretion of the General Manager, either provide transport or pay reasonable travelling expenses to enable employees to attend course requirements.

*Non-Compulsory Training but Consistent with Council Needs & Staff Career Development*

At the discretion of the General Manager, an employee undertaking a course consistent with Council's needs and requirement may be granted financial assistance towards the course fees in question and appropriate leave to attend course requirements.

The relevant staff member must make an application for assistance in writing to the General Manager and state the benefits for Council in the qualifications being gained.

Further, the General Manager's decision is final.

*Roles and Responsibilities*

The development of employees is a responsibility shared between individual employees, Managers and Council. A shared commitment to learning and development is critical to ensure we meet our strategic objectives and foster a culture of career development for our employees.

The General Manager is responsible for:

- Providing employees with appropriate learning and development solutions that are relevant to their positions.
- Promptly considering all learning and development requests.
- Ensuring equitable access for all employees.
- Measuring the effectiveness of programs to promote continuous improvement in our employees, providers and processes.
- Providing advice on learning and development opportunities.

Managers are responsible for:

- Developing individual learning and development plans for employees on an annual basis.
- Demonstrating an ongoing commitment to supporting employees' learning and development.
- Providing resource solutions to allow employees to attend programs.
- Frequently reviewing and discussing employees' learning and development progress.
- Ensuring employees meet statutory and certification requirements.
- Reviewing competencies on a continual basis.
- Timely completion of application forms.

Employees are responsible for:

- Assisting Managers in identifying their learning and development needs
- Contributing to the development of their individual learning and development plan on an annual basis
- Attending and participating in allocated learning and development programs
- Providing a minimum 5 working days' notice to relevant Managers for changes to attendance for scheduled programs
- Completing evaluating and/or feedback forms as required.

**Review**

This policy should be reviewed every 2 years. The policy may be reviewed and amended at any time at Council's discretion (or if legislative or State Government Policy changes occur).

**10.5 TRONOX MINING AUSTRALIA LTD - CONTRIBUTION TO HATFIELD ROAD WIDENING BALRANALD IVANHOE ROAD (MR67)**

**File Number:** D25.105074

**Author(s):** David McKinley, Director of Infrastructure and Planning Services

**Approver:** Peter Bascomb, Interim General Manager

**Operational Plan Objective:** Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.

### **PURPOSE OF REPORT**

To advise Elected Members of recent discussions between Council and TRONOX Mining Australia Ltd where TRONOX request a change from the current approved A Double Road Trains to AB Triples on the MR67.

### **OFFICER RECOMMENDATION**

**That Council support the Officer recommendation for Council to enter into an agreement with TRONOX for**

- 1. Replacement of 5 cattle grids on the MR67, specifically at chainages 15.341km, 19.266km, 30.828km, 37.820km, and 55km from the MR67-Haulroad intersection (Grids Works) cost to be borne by TRONOX;**
- 2. MR67 change from approved A Double Road Trains to use of AB Triples subject to NHVR permit approval, this will come with a speed restriction of 80km/hr;**
- 3. Where a contribution of \$692,000 inclusive of GST is made by TRONOX to Council toward Road widening materials for approved Hatfield Shoulder widening works (outside of the existing Road Maintenance agreement SSD 5012) (See attached proposed Draft Agreement) and**
- 4. Any proven damage along approved route by TRONOX related AB Triple activity shall be fiscally borne by TRONOX Mining Australia Ltd for the life of the Atlas-Campaspe Mineral Sands Project Operations.**

### **REPORT**

The TRONOX Atlas-Campaspe Mineral Sands Mining project operates 80 km north of Balranald on the Balranald Ivanhoe Road or MR67. The project operates in accordance with Development Consent SSD 5012 issued under part 4 of the NSW *Environmental Planning and Assessment Act*. 1979 (EP & A Act) in 2014.

TRONOX and Balranald Shire Council (BSC) are parties to a road maintenance agreement dated 2014 under which TRONOX provides road maintenance support to BSC on MR67 (See attached page 37 Appendix 7 Road Maintenance Contribution BSC) and (Attached last quarter invoice claim for Road maintenance invoice December 2024).

BSC has requested that TRONOX provide an additional fiscal contribution to Council for road widening support, and TRONOX has agreed to provide that support on the terms set out in the attached Draft Agreement between Council and TRONOX, to ensure the safe use of the Hatfield Section by all vehicles. (See attached proposed draft agreement between BSC and TRONOX).

TRONOX's approved haulage volumes of Atlas product, carted by its contractor Basin Sands Logistics (BSL), are 665kt mineral concentrate per calendar year and a maximum of 35 loaded truck trips per day.



MR67 is currently approved for A double road trains (50t per load). TRONOX's preference is to use AB Triples (75t per load), which would reduce total truck movements by 33% saving 2,700 trips per year (for forecast volumes).

The use of AB Triples on the MR67 haul route benefits all stakeholders. The use of AB Triples requires a NHVR permit, applied for by BSL, and is subject to BSC approval.

2024 BSC was granted \$1.3m funding from the NSW Government towards the Widening Works (see *Infrastructure Update for March 2025 TfrNSW Road 2023/2024 – 2025/2026 Safety Program*). Tenders for this work estimate its cost at approximately \$1.3m, excluding construction materials, which have been quoted at \$692,000 including GST.

BSC have requested that Tronox fund the construction materials portion of the Widening Works to the amount of \$692,000 including GST.

### FINANCIAL IMPLICATIONS

- TfrNSW Road Safety Program Works approval Hatfield Road Widening approximately 4km \$1.3m
- Shortfall of approved Hatfield Road Widening works approximately \$692,000 pavement construction material (proposed contribution by TRONOX).
- Replacement of 5 x at \$25,000 each (proposed contribution by TRONOX).
- May 2023 to February 2025 TRONOX has been invoiced for \$2.2m in Road maintenance funding.

### LEGISLATIVE IMPLICATIONS

Local Government Amendment (Planning and Reporting) Act 2009;

Integrated Planning and Reporting Guidelines for Local Government in NSW and

NSW Environmental Planning and Assessment Act. 1979.

### POLICY IMPLICATIONS

Procurement and Disposal Policy.

Asset Management Policy.

### RISK RATING

Moderate – without the additional pavement material and new 25 tonne grids there is a potential to safety risk, fiscal risk and reputational risk.

### ATTACHMENTS

1. **Draft Agreement between Council and TRONOX**
2. **Page 37 Appendix 7 Road Maintenance Contribution BSC Haulage Routes Contribution**
3. **Last quarter invoice claim for Road maintenance invoice December 2024 to TRONOX**



Balranald Shire Council  
70 Market Street  
Balranald, NSW 2715

By email: dmckinley@balranald.nsw.gov.au

27<sup>th</sup> February 2025

Dear David,

**Contribution to Hatfield Narrows Road Widening – Balranald - Ivanhoe Road MR67**

I refer to the recent discussions between Tronox Mining Australia Limited ABN 60 009 247 962 (**Tronox**) and Balranald Shire Council ABN 74 6787 515 81 (**BSC**) regarding road widening works required at an approximately 4km section of the MR67 road near Hatfield (**Hatfield Section**).

Tronox and BSC are parties to a road maintenance agreement dated 2014 under which Tronox provides road maintenance support to BSC for the purposes of MR67 (**Road Maintenance Agreement**). BSC has requested that Tronox provide an additional contribution to BSC for road widening support, and Tronox has agreed to provide that support on the terms set out in this letter, in order to ensure the safe use of the Hatfield Section by all vehicles.

**1. Background**

1.1 BSC is the relevant road authority for the MR67 (**Road**), as designated by the *Roads Act 1993 (NSW)* (the **Act**), where that part of the Road sits within the BSC's boundary. Accordingly, BSC may carry out road works on the Hatfield Section.

1.2 Tronox operates the Atlas-Campaspe Mineral Sands Project (the **Project**) near Hatfield in the Balranald Shire. The Project is a State Significant Development as determined by the NSW Government with an anticipated mine life of 10 years. The Project makes a significant contribution to the local community, the BSC and the State. Development consent for the Project was granted in June 2014 (**Development Consent**) and production commenced in January 2023.

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Tronox Mining Australia Limited  
ABN 60 009 247 858  
Lot 962 Koombana Drive, Bunbury WA 6230, Australia  
PO Box 133, Bunbury WA 6231, Australia  
T 61.8.9721.0200 F 61.8.9791.1249  
www.tronox.com



- 1.3 Tronox's approved haulage volumes of Atlas product, hauled by its contractor Basin Sands Logistics (**BSL**), are 665kt mineral concentrate per calendar year and a maximum of 35 loaded truck trips per day. MR67 is currently approved for A double road trains (50t per load). Tronox's preference is to use AB Triples (75t per load), which would reduce total truck movements by 33% saving 2,700 trips per year (for forecast volumes). Tronox believes use of AB Triples on the approved haul route benefits all stakeholders. The use of AB Triples requires a NHVR permit, applied for by BSL, and is subject to BSC approval.
- 1.4 BSC has in the past indicated that its approval of the use of AB Triples is contingent on the condition of the MR67, which was heavily impacted by the 2022 floods and was closed to truck traffic from October 22 until May 2023. To address this, Tronox has been working closely with both the Balranald and Central Darling Shires to repair and improve the sections of MR67 in its approved haul route. Tronox entered into the Road Maintenance Agreement with BSC for this purpose, and a similar agreement with the Central Darling Shire, and has provided additional support and funding to improve the road including provision of road base, fencing materials to landholders, and funding the removal of cattle grids. From May 2023 to Feb 2025 Tronox has provided ~\$2.2m in road maintenance funding, excluding the funding discussed here.
- 1.5 With this significant work being undertaken since 2023 to improve the MR67, there now remains just two items of work to be undertaken which have to date prevented BSC from approving the use of AB Triples. These items are:
- a) the widening of the Hatfield Section to make it consistent with other sections of MR67 (**Widening Works**); and
  - b) the replacement of 5 cattle grids on the MR67, specifically at 15.341km, 19.266km, 30.828km, 37.820, and 55.000km from the MR67-Haulroad intersection (**Grids Works**).
- 1.6 In Q4 2024 BSC was granted A\$1.3m funding from the NSW Government towards the Widening Works. Tenders for this work estimate its cost at approximately \$1.3m, excluding construction materials, which have been quoted at \$692,000 including GST. BSC have requested that Tronox fund the construction materials for the Widening Works to the amount of \$692,000 including GST. Additionally BSC have sought assistance from Tronox for the Grids Works.
- 1.7 BSC has confirmed that the improvements contemplated by the Widening Works and Grids Works will address all outstanding issues necessary for it to approve the NHVR application for AB triples on Tronox's haul route.
- 1.8 In reliance on the commitments given to each other under this agreement, the parties have agreed to enter into this agreement which documents Tronox's contribution towards the above works on the terms of this letter.

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## **2. Commitments of Tronox**

- 2.1 As a contribution towards the Widening Works, Tronox agrees to pay BSC \$692,000 inclusive of GST (such amount being in addition to payments made under the Road Maintenance Agreement), being the construction materials cost. Payment will be made within 7 days of receipt of an invoice to that effect from BSC.
- 2.2 As a contribution towards the Grids Works, Tronox agrees to pay BSC \$25,000 for the purchase of upgraded grids (such amount being in addition to payments made under the Road Maintenance Agreement) and to bring forward \$125,000 of the Q2-25 payment due to BSC under the Road Maintenance Agreement. Payment will be made within 7 days of receipt of an invoice to that effect from BSC, and the Q2 2025 payment under the Road Maintenance Agreement will be adjusted accordingly.
- 2.3 The parties acknowledge that Tronox provided BSC \$500,000 in Q4-24 which was a pre-payment of the Q4-24 and Q1-25 Road Maintenance Agreement compensation. Accordingly, the parties agree that the Q2-25 payment under the Road Maintenance Agreement will be the earned amount from tonnes hauled in the period, less the \$125,000 referred to in paragraph 2.2, plus or minus any adjustment from the \$500,000 and the earned amounts for Q4-24 and Q1-25.
- 2.4 For the avoidance of doubt, Tronox excludes all liability arising out of or in connection with the conduct of the Widening Works or the Grids Works, which works will be undertaken by BSC (or its contractors) at its sole risk and to the standard of a competent contractor.

## **3. Commitments of BSC**

- 3.1 Following execution of this agreement by both parties BSC will:
- a) undertake the Widening Works and the Grids Works as soon as possible, so as to enable the safe use of the Hatfield Section by all vehicles (including AB Triples); and
  - b) consider and grant approval for use of the Road by AB Triples in accordance with the Development Consent, National Heavy Vehicle laws and on any other basis, including its approval of the NHVR application for AB triples on Tronox's haul route, such approval to be given on receipt of the application from BSL.

## **4. General**

- 4.1 This agreement is governed by the law in force in New South Wales. Each party submits to the non-exclusive jurisdiction of the courts exercising jurisdiction in New South Wales.
- 4.2 This agreement can only be amended, supplemented, replaced or novated by another document

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**Tronox Mining Australia Limited**  
ABN 60 009 247 858  
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PO Box 133, Bunbury WA 6231, Australia  
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[www.tronox.com](http://www.tronox.com)



signed by the parties.

- 4.3 This agreement is confidential and its existence and contents may not be disclosed by a party to any third party without the other party's prior written consent.
- 4.4 Each person who executes this agreement on behalf of a party under authority of that party declares that he or she is not aware of any fact or circumstance that might affect his or her authority to do so.
- 4.5 Either party shall have the right to set off any amounts or obligations it owes or has toward the other party with any amounts or obligations that party owes or has toward the other party in connection with any business dealing between them under this agreement or any other contract.
- 4.6 This agreement may be executed in counterparts (including by post, facsimile or emailed PDF copies). All executed counterparts constitute one document.
- 4.7 This agreement is separate from, and additional to, the Road Maintenance Agreement and the Road Maintenance contribution commitment detailed in Appendix 7 of the Development Consent. Nothing in this agreement amends the Road Maintenance Agreement, except as described in paragraphs 2.2 and 2.3 above.

Please arrange for execution below to indicate BSC's agreement to the terms of this agreement.

Yours sincerely

Peter Collins

TRONOX MINING AUSTRALIA LIMITED

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Executed by the parties as an agreement

**Executed** for and on behalf of **Tronox Mining Australia Limited** in accordance with s 126 of the Corporations Act:

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Signature of Authorised Representative

---

Full name

**Executed** for and on behalf of Balranald Shire Council:

[insert Shire's execution clause]

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**CONSOLIDATED CONSENT****Development Consent****Section 89E of the *Environmental Planning and Assessment Act 1979***

As delegate of the Minister for Planning, I approve the development application referred to in schedule 1, subject to the conditions in schedules 2 to 5.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Chris Wilson  
Executive Director  
Development Assessment Systems and Approvals

Sydney

6 JUNE

2014

**SCHEDULE 1**

Application Number:

SSD\_5012

Applicant:

Tronox Mining Australia Limited

Consent Authority:

Minister for Planning

Land:

See Appendix 1

Development:

Atlas-Campaspe Mineral Sands Project

December 2019 modification (MOD 1) in red type

March 2022 modification (MOD 2) in blue type

July 2022 modification (MOD 3) in dark green type

December 2022 modification (MOD 4) in purple type

*The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.*

*The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.*

Tronox - no VPA



condition section that we receive funding  
for Tronox

#### APPENDIX 7 ROAD MAINTENANCE CONTRIBUTIONS BALRANALD SHIRE COUNCIL

##### Haulage route contributions

The Applicant must make annual contributions to BSC towards the maintenance of the Balranald-Ivanhoe Road (Main Road 67) and applicable local roads on the haulage route within the Balranald LGA in accordance with the amount of material transported on the haulage route. The first annual contribution must be made within 12 months of the date of commencing transport of concentrate from the site, and additional contributions on each anniversary of that date until the cessation of mining operations on the site. Each contribution is to be calculated as follows:

**Applicant's Annual Ongoing Maintenance Contribution (\$) =**

$$\$1.36 \times \text{Dry Tonne} \times (F / \$486,806)$$

**Notes:**

- Dry Tonne = the amount of mineral concentrate, ore and MSP process waste (dry weight) transported along Main Road 67 during the preceding 12 month period.
- \$1.36 is a 2013 value. This value must be indexed annually in accordance with the CPI.
- \$486,806 is the total annual maintenance cost for the BSC component of Main Road 67 estimated in 2013 by Tonkin Consulting (2013). This value must be indexed in accordance with the CPI.
- F is the BSC's total annual road maintenance expenditure on the Main Road 67 component of the mineral concentrate and ore transport route under this arrangement as evidenced in BSC records.
- The maximum value of F is either \$486,806 or the CPI adjusted equivalent.
- The Applicant's Annual Ongoing Maintenance Contribution must be reviewed five years after the commencement of the transport of mineral concentrate and ore in consultation with the BSC and to the satisfaction of the Secretary.
- In the event that there is a dispute between the Applicant and either of the Councils about the implementation of this condition, then either party may refer the matter to the Secretary for resolution.

##### Light vehicle access route and shuttle bus access route contributions

The Applicant must make annual contributions to BSC towards the maintenance of the local roads on the light vehicle access route and shuttle bus access route within the Balranald LGA, generally in accordance with the following procedure:

1. BSC and the Applicant will jointly determine and document:
  - a. the proportion of total traffic using the light vehicle access route and shuttle bus access route that is Project-related; and
  - b. the required maintenance standard for the light vehicle access route and shuttle bus access route.
2. As soon as practicable after the end of each financial year, BSC will provide to the Applicant:
  - a. a detailed schedule of maintenance costs incurred in achieving the agreed maintenance standard on the light vehicle access route and shuttle bus access route in the prior financial year;
  - b. a statement of the amount claimed from the Applicant to contribute to these maintenance costs, including the calculation methodology; and
  - c. a schedule of anticipated maintenance works on the light vehicle access route and shuttle bus access route for the following financial year, and its estimated cost.
3. In the event of any disagreement as to the scope or cost of road maintenance works, the matter must be referred for independent determination to a suitably qualified and experienced engineer that is acceptable to both parties, whose decision must be final and binding.
4. The Applicant will pay BSC the determined amount within 60 days of the invoice being issued.



BILD INFRASTRUCTURE PTY LTD

ABN: 78 099 996 344  
PO Box 437, Somerton VIC 3062  
Ph: 03 9357 0770

## Progress Claim

## Detailed Breakdown - Scheduled

Item No.	Description	Contract				Work Complete Claimed to Date	
		Qty	Units	Rate	Amount	Claimed in Period	% Completed to Date
1	Heavy Patching MR67 - Patch 1	17.60	m2	\$82.50	\$1,452.00	\$0.00	0.00%
2	Heavy Patching MR67 - Patch 2	35.20	m2	\$82.50	\$2,904.00	\$0.00	0.00%
3	Heavy Patching MR67 - Patch 3	28.60	m2	\$82.50	\$2,359.50	\$0.00	0.00%
4	Heavy Patching MR67 - Patch 4	329.00	m2	\$49.50	\$16,285.50	\$16,285.50	100.00%
5	Heavy Patching MR67 - Patch 5	128.00	m2	\$65.00	\$8,320.00	\$8,320.00	100.00%
6	Heavy Patching MR67 - Patch 6	20.00	m2	\$82.50	\$1,650.00	\$1,650.00	100.00%
7	Heavy Patching MR67 - Patch 7	129.60	m2	\$65.00	\$8,437.00	\$8,437.00	100.00%
8	Heavy Patching MR67 - Patch 8	112.20	m2	\$65.00	\$7,293.00	\$7,293.00	100.00%
9	Heavy Patching MR67 - Patch 9	55.00	m2	\$65.00	\$3,575.00	\$3,575.00	100.00%
10	Heavy Patching MR67 - Patch 10	140.00	m2	\$65.00	\$9,100.00	\$9,100.00	100.00%
11	Heavy Patching MR67 - Patch 10A	22.00	m2	\$82.50	\$1,815.00	\$1,815.00	100.00%
12	Heavy Patching MR67 - Patch 10B	68.00	m2	\$65.00	\$4,420.00	\$4,420.00	100.00%
13	Heavy Patching MR67 - Patch 10C	35.20	m2	\$82.50	\$2,904.00	\$2,904.00	100.00%
14	Heavy Patching MR67 - Patch 10D	20.00	m2	\$82.50	\$1,650.00	\$1,650.00	100.00%
15	Heavy Patching MR67 - Patch 11	224.00	m2	\$54.50	\$12,208.00	\$12,208.00	100.00%
16	Heavy Patching MR67 - Patch 12	105.00	m2	\$65.00	\$6,825.00	\$6,825.00	100.00%
17	Heavy Patching MR67 - Patch 13	90.20	m2	\$65.00	\$5,863.00	\$5,863.00	100.00%
18	Heavy Patching MR67 - Patch 14	304.00	m2	\$49.50	\$15,048.00	\$15,048.00	100.00%
19	Heavy Patching MR67 - Patch 15	20.00	m2	\$82.50	\$1,650.00	\$1,650.00	100.00%
20	Heavy Patching MR67 - Patch 16	140.00	m2	\$65.00	\$9,100.00	\$9,100.00	100.00%
21	Heavy Patching MR67 - Patch 17	35.20	m2	\$82.50	\$2,904.00	\$2,904.00	100.00%
22	Heavy Patching MR67 - Patch 18	88.00	m2	\$65.00	\$5,720.00	\$5,720.00	100.00%
23	Heavy Patching MR67 - Patch 18A	30.80	m2	\$82.50	\$2,541.00	\$2,541.00	100.00%
24	Heavy Patching MR67 - Patch 18B	13.20	m2	\$82.50	\$1,089.00	\$1,089.00	100.00%
25	Heavy Patching MR67 - Patch 19	91.00	m2	\$65.00	\$5,915.00	\$5,915.00	100.00%
26	Heavy Patching MR67 - Patch 20	84.00	m2	\$65.00	\$5,460.00	\$5,460.00	100.00%
27	Heavy Patching MR67 - Patch 21	24.50	m2	\$82.50	\$2,021.25	\$2,021.25	100.00%
28	Heavy Patching MR67 - Patch 22	24.50	m2	\$82.50	\$2,021.25	\$2,021.25	100.00%
29	Heavy Patching MR67 - Patch 23	24.50	m2	\$82.50	\$2,021.25	\$2,021.25	100.00%
30	Heavy Patching MR67 - Patch 24	63.00	m2	\$65.00	\$4,095.00	\$4,095.00	100.00%
31	Heavy Patching MR67 - Patch 25	35.00	m2	\$82.50	\$2,887.50	\$2,887.50	100.00%
32	Heavy Patching MR67 - Patch 26	52.20	m2	\$65.00	\$3,393.00	\$3,393.00	100.00%
33	Heavy Patching MR67 - Patch 27	546.00	m2	\$42.50	\$23,205.00	\$23,205.00	100.00%
34	Heavy Patching MR67 - Patch 27a	14.00	m2	\$82.50	\$1,155.00	\$1,155.00	100.00%

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BILD INFRASTRUCTURE PTY LTD

ABN: 78 099 996 344  
PO Box 437, Somerton VIC 3062  
Ph: 03 9357 0770

## Progress Claim

## Detailed Breakdown - Scheduled - Continued

Item No.	Description	Contract				Claimed in Period	Work Complete Claimed to Date	
		Qty	Units	Rate	Amount		%	Completed to Date
35	Heavy Patching MR67 - Patch 28	272.80	m2	\$54.50	\$14,867.60	\$14,867.60	100.00%	\$14,867.60
36	Heavy Patching MR67 - Patch 29	110.00	m2	\$65.00	\$7,150.00	\$0.00	0.00%	\$0.00
37	Heavy Patching MR67 - Patch 29a	259.20	m2	\$54.50	\$14,126.40	\$0.00	0.00%	\$0.00
38	Heavy Patching MR67 - Patch 30	72.00	m2	\$65.00	\$4,680.00	\$0.00	0.00%	\$0.00
39	Heavy Patching MR67 - Patch 31	79.20	m2	\$65.00	\$5,148.00	\$0.00	0.00%	\$0.00
40	Heavy Patching MR67 - Patch 32	50.40	m2	\$65.00	\$3,276.00	\$0.00	0.00%	\$0.00
41	Heavy Patching MR67 - Patch 33	108.00	m2	\$65.00	\$7,020.00	\$0.00	0.00%	\$0.00
42	Heavy Patching MR67 - Patch 34	40.00	m2	\$82.50	\$3,300.00	\$0.00	0.00%	\$0.00
43	Heavy Patching MR67 - Patch 35	165.00	m2	\$54.50	\$8,992.50	\$0.00	0.00%	\$0.00
44	Heavy Patching MR67 - Patch 36	34.00	m2	\$82.50	\$2,805.00	\$0.00	0.00%	\$0.00
45	Heavy Patching MR67 - Patch 37	72.60	m2	\$65.00	\$4,719.00	\$0.00	0.00%	\$0.00
46	Heavy Patching MR67 - Patch 38	66.00	m2	\$65.00	\$4,290.00	\$0.00	0.00%	\$0.00
47	Heavy Patching MR67 - Patch 39	57.20	m2	\$65.00	\$3,718.00	\$0.00	0.00%	\$0.00
48	Heavy Patching MR67 - Patch 40	37.40	m2	\$82.50	\$3,085.50	\$0.00	0.00%	\$0.00
49	Heavy Patching MR67 - Patch 41	16.00	m2	\$82.50	\$1,320.00	\$0.00	0.00%	\$0.00
50	Heavy Patching MR67 - Patch 42	36.00	m2	\$82.50	\$2,970.00	\$0.00	0.00%	\$0.00
51	Heavy Patching MR67 - Patch 43	11.00	m2	\$82.50	\$907.50	\$0.00	0.00%	\$0.00
52	Heavy Patching MR67 - Patch 44	16.00	m2	\$82.50	\$1,320.00	\$0.00	0.00%	\$0.00
53	Heavy Patching MR67 - Patch 45	31.50	m2	\$82.50	\$2,598.75	\$0.00	0.00%	\$0.00
54	Heavy Patching MR67 - Patch 46	117.00	m2	\$65.00	\$7,605.00	\$0.00	0.00%	\$0.00
55	Heavy Patching MR67 - Patch 47	40.00	m2	\$82.50	\$3,300.00	\$0.00	0.00%	\$0.00
56	Heavy Patching MR67 - Patch 48	32.00	m2	\$82.50	\$2,640.00	\$0.00	0.00%	\$0.00
57	Heavy Patching MR67 - Patch 49	144.00	m2	\$65.00	\$9,360.00	\$0.00	0.00%	\$0.00
58	Heavy Patching MR67 - Patch 50	41.40	m2	\$82.50	\$3,415.50	\$0.00	0.00%	\$0.00
59	Heavy Patching MR67 - Patch 51	18.00	m2	\$82.50	\$1,485.00	\$0.00	0.00%	\$0.00
60	Heavy Patching MR67 - Patch 52	24.30	m2	\$82.50	\$2,004.75	\$0.00	0.00%	\$0.00
61	Heavy Patching MR67 - Patch 53	14.40	m2	\$82.50	\$1,188.00	\$0.00	0.00%	\$0.00
62	Heavy Patching MR67 - Patch 54	108.00	m2	\$65.00	\$7,020.00	\$0.00	0.00%	\$0.00
63	Heavy Patching MR67 - Patch 55	200.00	m2	\$54.50	\$10,900.00	\$0.00	0.00%	\$0.00
64	Heavy Patching MR67 - Patch 56	217.80	m2	\$54.50	\$11,870.10	\$0.00	0.00%	\$0.00
65	Heavy Patching MR67 - Patch 57	105.00	m2	\$65.00	\$6,825.00	\$0.00	0.00%	\$0.00
66	Heavy Patching MR67 - Patch 58	83.60	m2	\$65.00	\$5,434.00	\$0.00	0.00%	\$0.00
67	Heavy Patching MR67 - Patch 59	277.20	m2	\$54.50	\$15,107.40	\$0.00	0.00%	\$0.00
68	Heavy Patching MR67 - Patch 60	123.20	m2	\$65.00	\$8,008.00	\$0.00	0.00%	\$0.00

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BILD INFRASTRUCTURE PTY LTD

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Ph: 03 9357 0770

## Progress Claim

## Detailed Breakdown - Scheduled - Continued

Item No.	Description	Contract				Claimed in Period	Work Complete Claimed to Date	
		Qty	Units	Rate	Amount		%	Completed to Date
69	Heavy Patching MR67 - Patch 61	147.60	m2	\$65.00	\$9,594.00	\$0.00	0.00%	\$0.00
70	Heavy Patching MR67 - Patch 62	2,160.00	m2	\$39.50	\$85,320.00	\$0.00	0.00%	\$0.00
71	Heavy Patching MR67 - Patch 63	813.60	m2	\$42.50	\$34,578.00	\$0.00	0.00%	\$0.00
72	Heavy Patching MR67 - Patch 64	594.00	m2	\$42.50	\$25,245.00	\$0.00	0.00%	\$0.00
73	Heavy Patching MR67 - Patch 65	33.60	m2	\$82.50	\$2,772.00	\$0.00	0.00%	\$0.00
74	Heavy Patching MR67 - Patch 66	80.00	m2	\$65.00	\$5,200.00	\$0.00	0.00%	\$0.00
75	Heavy Patching MR67 - Patch 67	4,320.00	m2	\$39.50	\$170,640.00	\$0.00	0.00%	\$0.00
76	Heavy Patching MR67 - Patch 68	691.20	m2	\$42.50	\$29,376.00	\$0.00	0.00%	\$0.00
77	Heavy Patching MR67 - Patch 69	13.50	m2	\$82.50	\$1,113.75	\$0.00	0.00%	\$0.00
78	Heavy Patching MR67 - Patch 70	101.50	m2	\$65.00	\$6,597.50	\$0.00	0.00%	\$0.00
79	Heavy Patching MR67 - Patch 71	945.00	m2	\$42.50	\$40,162.50	\$0.00	0.00%	\$0.00
80	Heavy Patching MR67 - Patch 72	46.40	m2	\$82.50	\$3,828.00	\$0.00	0.00%	\$0.00
81	Heavy Patching MR67 - Patch 73	66.00	m2	\$65.00	\$4,290.00	\$0.00	0.00%	\$0.00
82	Heavy Patching MR67 - Patch 74	151.60	m2	\$64.50	\$9,823.10	\$0.00	0.00%	\$0.00
83	Heavy Patching MR67 - Patch 75	528.00	m2	\$42.50	\$22,440.00	\$0.00	0.00%	\$0.00
84	Heavy Patching MR67 - Patch 76	106.00	m2	\$65.00	\$6,890.00	\$0.00	0.00%	\$0.00
85	Heavy Patching MR67 - Patch 77	67.20	m2	\$65.00	\$4,368.00	\$0.00	0.00%	\$0.00
86	Heavy Patching MR67 - Patch 78	162.00	m2	\$54.50	\$8,829.00	\$0.00	0.00%	\$0.00
87	Heavy Patching MR67 - Patch 79	220.00	m2	\$54.50	\$11,990.00	\$0.00	0.00%	\$0.00
88	Heavy Patching MR67 - Patch 80	48.40	m2	\$82.50	\$3,993.00	\$0.00	0.00%	\$0.00
89	Heavy Patching MR67 - Patch 81	32.00	m2	\$82.50	\$2,640.00	\$0.00	0.00%	\$0.00
90	Heavy Patching MR67 - Patch 82	48.00	m2	\$82.50	\$3,960.00	\$0.00	0.00%	\$0.00
91	Heavy Patching MR67 - Patch 83	41.40	m2	\$82.50	\$3,415.50	\$0.00	0.00%	\$0.00
92	Heavy Patching MR67 - Patch 84	208.80	m2	\$54.50	\$11,379.60	\$0.00	0.00%	\$0.00
93	Heavy Patching MR67 - Patch 85	94.30	m2	\$65.00	\$6,129.50	\$0.00	0.00%	\$0.00
94	Heavy Patching MR67 - Patch 86	100.00	m2	\$65.00	\$6,500.00	\$0.00	0.00%	\$0.00
95	Heavy Patching MR67 - Patch 87	59.40	m2	\$65.00	\$3,861.00	\$0.00	0.00%	\$0.00
96	Heavy Patching MR67 - Patch 88	70.40	m2	\$65.00	\$4,576.00	\$0.00	0.00%	\$0.00
97	Heavy Patching MR67 - Patch 89	60.00	m2	\$65.00	\$3,900.00	\$0.00	0.00%	\$0.00
98	Heavy Patching MR67 - Patch 90	88.00	m2	\$65.00	\$5,720.00	\$0.00	0.00%	\$0.00
99	Heavy Patching MR67 - Patch 91	234.50	m2	\$54.50	\$12,780.25	\$0.00	0.00%	\$0.00
100	Heavy Patching MR67 - Patch 92	212.40	m2	\$54.50	\$11,575.80	\$0.00	0.00%	\$0.00
101	Heavy Patching MR67 - Patch 93	50.00	m2	\$82.50	\$4,125.00	\$0.00	0.00%	\$0.00
102	Heavy Patching MR67 - Patch 94	37.40	m2	\$82.50	\$3,085.50	\$0.00	0.00%	\$0.00

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BILD INFRASTRUCTURE PTY LTD

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## Progress Claim

## Detailed Breakdown - Scheduled - Continued

Item No.	Description	Contract				Work Complete Claimed to Date	
		Qty	Units	Rate	Amount	Claimed in Period	% Completed to Date
103	Heavy Patching MR67 - Patch 95	70.40	m2	\$65.00	\$4,576.00	\$0.00	0.00%
104	Heavy Patching MR67 - Patch 96	26.40	m2	\$82.50	\$2,178.00	\$0.00	0.00%
105	Heavy Patching MR67 - Patch 97	40.00	m2	\$82.50	\$3,300.00	\$0.00	0.00%
106	Heavy Patching MR67 - Patch 98	50.00	m2	\$82.50	\$4,125.00	\$0.00	0.00%
107	Heavy Patching MR67 - Patch 99	20.00	m2	\$82.50	\$1,650.00	\$0.00	0.00%
108	Heavy Patching MR67 - Patch 100	26.00	m2	\$82.50	\$2,145.00	\$0.00	0.00%
109	Heavy Patching MR67 - Patch 101	24.00	m2	\$82.50	\$1,980.00	\$0.00	0.00%
110	Heavy Patching MR67 - Patch 102	124.00	m2	\$65.00	\$8,060.00	\$0.00	0.00%
111	Heavy Patching MR67 - Patch 103	98.80	m2	\$65.00	\$6,422.00	\$0.00	0.00%
112	Heavy Patching MR67 - Patch 104	14.00	m2	\$82.50	\$1,155.00	\$0.00	0.00%
113	Heavy Patching MR67 - Patch 105	45.60	m2	\$82.50	\$3,762.00	\$0.00	0.00%
114	Heavy Patching MR67 - Patch 106	28.00	m2	\$82.50	\$2,310.00	\$0.00	0.00%
115	Heavy Patching MR67 - Patch 107	28.00	m2	\$82.50	\$2,310.00	\$0.00	0.00%
116	Heavy Patching MR67 - Patch 108	27.50	m2	\$82.50	\$2,268.75	\$0.00	0.00%
117	Heavy Patching MR67 - Patch 109	19.80	m2	\$82.50	\$1,633.50	\$0.00	0.00%
118	Heavy Patching MR67 - Patch 110	265.00	m2	\$54.50	\$14,442.50	\$0.00	0.00%
119	Heavy Patching MR67 - Patch 111	192.40	m2	\$54.50	\$10,485.80	\$0.00	0.00%
120	Heavy Patching MR67 - Patch 112	68.00	m2	\$65.00	\$4,420.00	\$0.00	0.00%
121	Heavy Patching MR67 - Patch 113	43.00	m2	\$82.50	\$3,547.50	\$0.00	0.00%
122	Heavy Patching MR67 - Patch 114	37.40	m2	\$82.50	\$3,085.50	\$0.00	0.00%
123	Heavy Patching MR67 - Patch 115	109.20	m2	\$65.00	\$7,098.00	\$0.00	0.00%
124	Heavy Patching MR67 - Patch 116	154.00	m2	\$54.50	\$8,393.00	\$0.00	0.00%
125	Heavy Patching MR67 - Patch 117	160.80	m2	\$54.50	\$8,763.60	\$0.00	0.00%
126	Heavy Patching MR67 - Patch 118	52.80	m2	\$65.00	\$3,432.00	\$0.00	0.00%
127	Heavy Patching MR67 - Patch 119	19.20	m2	\$82.50	\$1,584.00	\$0.00	0.00%
128	Heavy Patching MR67 - Patch 120	194.40	m2	\$54.50	\$10,594.80	\$0.00	0.00%
129	Heavy Patching MR67 - Patch 121	24.00	m2	\$82.50	\$1,980.00	\$0.00	0.00%
130	Heavy Patching MR67 - Patch 122	9.46	m2	\$82.50	\$780.45	\$0.00	0.00%
131	Heavy Patching MR67 - Patch 123	74.80	m2	\$65.00	\$4,862.00	\$0.00	0.00%
Total Scheduled					\$1,080,236.65	\$ 195,439.35	\$195,439.35

**10.6 PROPOSED TERMINATION OF RFT CONTRACT NUMBER 19/20-08 FINALISATION  
PAYMENT MICROFLOC PTY LTD**

**File Number:** D25.105323  
**Author(s):** David McKinley, Director of Infrastructure and Planning Services  
**Approver:** Peter Bascomb, Interim General Manager  
**Operational Plan Objective:** Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.

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**PURPOSE OF REPORT**

To seek Council support and endorsement to finalise RFT 19/20 – 08 Design Construction of the Balranald Water Treatment Plant through final payment as suggested in the Officer's recommendation

**OFFICER RECOMMENDATION**

**That Council authorise a finalisation payment of \$33,000 (inclusive of GST) to Microfloc Pty Ltd (ABN 83 163 694 728) consistent with the attached Contract Finalisation and Final Payment Claim.**

**REPORT**

At its meeting of 25 June 2024 Council considered an item concerning the termination of RFT 19/20 – 08 for the Design and Construct of the Balranald Treatment Plant which then culminated in the contract termination payment of \$53,737 (Incl. GST) being made to Microfloc Pty Ltd by Council. (see attachment 1).

However, this was not the end of the matter as Council were to find out more recently, as it has been identified that the termination payment was both termination and penalty and not final payment (see attached 2)

Considerable discussion between Council and Microfloc ensued ending in Council making offer of \$30,000 (excl GST) in full and final payment to settle the matter (attachment 3), subject to Council approval. This offer was subsequently accepted by Microfloc (attachment 4).

If Council adopts the officer recommendation and Council pays the \$33,000 to Microfloc Pty Ltd then the contract and matter are finalised without the need for potential legal action.

**FINANCIAL IMPLICATION**

This matter maybe subject to a quarterly budget review.

The payment of \$33,000 will be sourced from Council's water fund.

**LEGISLATIVE IMPLICATION**

Local Government Act 1993

**POLICY IMPLICATION**

Council Procurement & Disposal Policy

**RISK RATING**

Moderate, however if the matter is not resolved then there maybe reputational risk to Council and the potential for the matter to escalate to formal legal action.

**ATTACHMENTS**

1. Council Report June 2024
2. Email Commentary Microfloc Pty Ltd & Balranald Shire Council
3. Termination of contract 19/20-08 Balranald Water Treatment Plant Microfloc Offer to Accept on invoice 924 02
4. Contract Finalisation and Final Payment Claim and assurance

## ORDINARY COUNCIL MEETING AGENDA

25 JUNE 2024

8.8	<b>PROPOSED TERMINATION OF CONTRACT WITH MICROFLOC PTY LTD FOR THE DESIGN AND CONSTRUCTION OF THE BALRANALD WATER TREATMENT PLANT - CONTRACT NUMBER 19/20-08</b>
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<b>File Number:</b>	<b>D24.95200</b>
<b>Author(s):</b>	<b>David McKinley, Director of Infrastructure and Planning Services</b>
<b>Approver:</b>	<b>Craig Bennett, 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>

**PURPOSE OF REPORT**

To seek Council support and endorsement for an agreement between Balranald Shire Council and Microfloc Pty Ltd to terminate contract RFT 19/20 – 08 Design and Construction of the Balranald Water Treatment Plant. The contract in question is an Australian Standard 4902-2000 Design & Construct Contract.

**OFFICER RECOMMENDATION****That Council:**

1. Endorses the preparation of an agreement between Balranald Shire Council and Microfloc Pty Ltd to terminate contract number 19/20 – 08 for the Design and Construct of the Balranald Water Treatment Plant; and
2. Agrees to pay a final termination payment of \$53,737 (inclusive of GST) to Microfloc Pty Ltd and authorises for the General Manager to execute the termination agreement on behalf of Council.

**REPORT**

Council resolved the following at the 17 March 2020 Ordinary Council Meeting:

**RESOLUTION 2020/1**

**Moved:** Mike Colreavy

1. That Microfloc Pty Ltd be selected as preferred contractor for the design of a new water treatment plant for Balranald;
2. Council approves the expenditure of up to \$200,000 for design development works, funded through the Water Reserve, ahead of any commitment to proceed with construction; and
3. That Microfloc Pty Ltd be appointed to construct a new water treatment plant subject to design and funding approval by NSW Water.

**CARRIED**

A letter of acceptance was then sent by Council to Microfloc Pty Ltd on the 23<sup>rd</sup> of March, 2020 (**Attachment 1**).

On the 14th of October 2020, Council sent a letter to the Manager of Water and Sewerage at the Department of Planning, Industry and Environment, formally applying for a section 60 (Section 60 of the Local Government Act 1993) Ministerial Approval to build a new Water Treatment Plant at Balranald (**Attachment 2**).

This request for a section 60 approval was deferred by the NSW Government as Council had not completed the initial assessments of the Integrated Water Cycle Management Strategy (**IWCMS**).



## ORDINARY COUNCIL MEETING AGENDA

25 JUNE 2024

New South Wales Public Works are one of only two (2) parties undertaking assessments of the draft IWCMS with Water New South Wales the regulatory compliance assessor.

Council's Draft IWCMS currently sits with NSW Public Works as they are presently assessing the strategy.

The strategy will be forwarded to Water New South Wales for regulatory compliance assessment in the not-too-distant future.

The process detailed below should have been undertaken before any upgrades to the Balranald Water Treatment facility commenced:

1. Council was firstly required to complete an IWCMS. This is still in process;
2. Council then needed to engage engineering consultants to undertake a civil design upgrade of the Balranald potable water treatment facility based on direction from the IWCMS;
3. Council then needed to secure a funding stream for the upgrade based on the approved design;
4. Council then needed to apply to the Minister for a Section 60 approval;
5. The Minister then approves the proposal within the Section 60; and
6. Finally, Council through the relevant procurement process organises a preferred supplier (using the approved design) for construction/upgrade of the Balranald potable water treatment facility.

An offer to terminate the contract was initially made by Microfloc Pty Ltd on the 24<sup>th</sup> of May 2021 (**Attachment 3**). This offer was not formally considered by Council.

Discussions have subsequently taken place between Council and Microfloc Pty Ltd.

On the 17<sup>th</sup> of May 2024 the Managing Director from Microfloc Pty Ltd sent a letter to Council's General Manager (**Attachment 4**) advising that Microfloc Pty Ltd would be satisfied with receiving an additional amount of \$53,737 (GST Inclusive) as a full and final payment of Contract Number 19/20-08.

Advice from Councils consultant and superintendent to the contract is that Council or the contractor cannot and was never able to proceed with the contract on the following grounds:

- Any funding offer would exclude design costs associated with the Microfloc Pty Ltd design as funding offers generally do not consider works in advance;
- It is doubtful whether NSW State Government bodies would look favourably on any funding application due to the amount of time that this contract has been allowed to run unmanaged;
- Microfloc Pty Ltd have already intimated to Council the will to terminate 19/20 – 08 Design and Construct of the Balranald Water Treatment Plant Contract; and
- A Section 60 application was made by Council in October 2020 and was subsequently deferred by the NSW Government as Council had not completed the IWCMS. The Draft IWCMS is now with Public Works and is in the final stages of assessment.

**FINANCIAL IMPLICATIONS**

- Microfloc Pty Ltd have requested \$53,737 from Council as a full and final settlement of this contract. Council has already paid \$220,000 on the 15<sup>th</sup> of October 2020 (Invoice Number 924).
- The payment of \$53,737 will need to be sourced from Councils external restrictions in the water fund. The current balance of this external restriction is \$3,664,000. There are therefore sufficient funds to cover this final termination payment.

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ORDINARY COUNCIL MEETING AGENDA25 JUNE 2024

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**LEGISLATIVE IMPLICATIONS****Section 60 of the Local Government Act 1993.****Ministerial approval required for certain council works**

A council **must not**, except in accordance with the approval of the Minister for Water, Property and Housing, do any of the following:

- (a) (Repealed);
- (b) as to water treatment works – construct or extend any such works;**
- (c) as to sewage – provide for sewage from its area to be discharged, treated or supplied to any person; and
- (d) (Repealed).

Australian Standards 4902-2000.

**POLICY IMPLICATIONS**

Council's Procurement and Disposal Policy.

**RISK RATING**

Moderate.

**CONCLUSION**

Council has clearly not followed the required process regarding the design and construction of the Balranald Water Treatment Plant as has been highlighted in this report. The fault for the non completion of contract number 19/20-08 lies squarely with Council and not Microfloc Pty Ltd.

Council should therefore accept the termination payment that has been put forward by Microfloc Pty Ltd in order to settle their noncompliance with this contract.

**ATTACHMENTS**

1. Letter of acceptance by Council RFT 19/20 - 08 Design and Construct of Balranald Water Treatment Plant
2. Letter from Council requesting section 60 Ministerial Approval
3. Letter from Microfloc Pty Ltd in May 2021 offering termination of the contract.
4. Letter from Microfloc Pty Ltd in May 2024 agreeing to a full and final termination of the contract.

**David Mckinley**

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**From:** Bill Day <bill.day@microfloc.com.au>  
**Sent:** Thursday, 25 July 2024 11:44 AM  
**To:** David Mckinley  
**Cc:** Glenn Carroll; Edna Mendes; Council  
**Subject:** 240717 Termination of Contract 19/20-08 - Balranald Water Treatment Plant  
**Attachments:** 210524 Offer of Termination.pdf; 240517 Termination.pdf; 200923 RFT 19/20-08 s60 revised , Schedule of Variations post RFT; 924 01 Tax Invoice.pdf; 924 02 Tax Invoice.pdf

Hello David,

Microfloc does not accept: - *Council in settling the termination payment of \$53,737.00 is of the belief that it has met all financial requirements concerning the Design and Construct of the Balranald Water Treatment Plant.*

The termination claim for interest was calculated on outstanding invoice 924\_02; in itself, the payment of \$53,737 does not satisfy *all financial requirements .....*

Correspondence 210524 Offer of Termination (attached): *Payment of Invoice 924-2, - in the amount of \$200,000 plus GST, shall be full and final consideration under termination. (at that time)*

Correspondence 240517 Termination (attached): *Microfloc is content with termination provided Tax Invoice 924\_02 dated 21 May 2021, and \$53,737 interest over the subsequent 3 year trailing period to date is paid before 30 June 2024.*

Microfloc refers to the delay claim to May '21 also to May '24; both were waived to assist in the circumstances; - which were not of Microfloc's making.

We respectfully request Council's review.

Should a meeting assist in reaching resolution, we would be pleased to attend.

Kind regards,

William G Day  
Microfloc Pty Ltd  
ABN 83 163 694 728  
31/14 Loyalty Rd.,  
Nth Rocks, NSW 2151  
0425 239 145  
[microfloc@microfloc.com.au](mailto:microfloc@microfloc.com.au)  
[www.microfloc.com.au](http://www.microfloc.com.au)  
[www.platypusdaftestaccessories.com](http://www.platypusdaftestaccessories.com)  
[www.platypusjartesters.com](http://www.platypusjartesters.com)

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**From:** David Mckinley <dmckinley@balranald.nsw.gov.au>  
**Sent:** Wednesday, July 17, 2024 1:57 PM  
**To:** Bill Day <bill.day@microfloc.com.au>  
**Cc:** Glenn Carroll <gcarroll@balranald.nsw.gov.au>; Edna Mendes <edna.mendes@bigpond.com>; Council <council@balranald.nsw.gov.au>  
**Subject:** FW: 240712 Termination of Contract 19/20-08 - Balranald Water Treatment Plant

Good afternoon William,

In the absence of a signed contract and a separate purchase order (outside of purchase order number 31509 which has been paid by Council in the amount of \$220k (GST Incl.)) RFT 19/20 – 08 Design and Construct of Balranald Water Treatment Plant, Council in settling the termination payment of \$53,737.00 is of the belief that it has met all financial requirements concerning the Design and Construct of the Balranald Water Treatment Plant.

I trust this is to your satisfaction.

Thank you kindest regards



David McKinley

Director of Infrastructure and Planning Services

dmckinley@balranald.nsw.gov.au  
03 5020 1300 | 0408 506 384  
70 Market Street Balranald NSW 2715

www.balranald.nsw.gov.au | www.visitbalranald.com.au



@balranaldshirecouncil

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

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Sat phone 0147 160 643

**From:** Bill Day <[bill.day@microfloc.com.au](mailto:bill.day@microfloc.com.au)>

**Sent:** Friday, 12 July 2024 4:45 PM

**To:** Craig Bennett <[cbennett@balranald.nsw.gov.au](mailto:cbennett@balranald.nsw.gov.au)>

**Cc:** David McKinley <[dmckinley@balranald.nsw.gov.au](mailto:dmckinley@balranald.nsw.gov.au)>; Fiona Scoleri <[fscoleri@balranald.nsw.gov.au](mailto:fscoleri@balranald.nsw.gov.au)>; Jane Day <[jane.day@microfloc.com.au](mailto:jane.day@microfloc.com.au)>

**Subject:** 240712 Termination of Contract 19/20-08 - Balranald Water Treatment Plant

Hi Craig,

The \$53,737 termination payment has been received – many thanks.

Microfloc invoice 924\_02 dated 21 May 2021, in the amount of \$200,000 plus GST remains outstanding.

Please confirm this invoice will be paid in due course.

Yours sincerely,

William Day  
Microfloc Pty Ltd  
ABN 83 163 694 728  
31/14 Loyalty Rd.,  
Nth Rocks, NSW 2151

0425 239 145  
[microfloc@microfloc.com.au](mailto:microfloc@microfloc.com.au)  
[www.microfloc.com.au](http://www.microfloc.com.au)  
[www.platypusdaftestaccessories.com](http://www.platypusdaftestaccessories.com)

---

**From:** Fiona Scoleri <[fscoleri@balranald.nsw.gov.au](mailto:fscoleri@balranald.nsw.gov.au)>  
**Sent:** Friday, July 12, 2024 12:29 PM  
**To:** Jane Day <[jane.day@microfloc.com.au](mailto:jane.day@microfloc.com.au)>; Bill Day <[bill.day@microfloc.com.au](mailto:bill.day@microfloc.com.au)>  
**Cc:** David Mckinley <[dmckinley@balranald.nsw.gov.au](mailto:dmckinley@balranald.nsw.gov.au)>; Craig Bennett <[cbennett@balranald.nsw.gov.au](mailto:cbennett@balranald.nsw.gov.au)>  
**Subject:** RE: 240711 Termination of Contract 19/20-08 - Balranald Water Treatment Plant

Hello Bill,

Just to complete the process - please find attached the contract termination agreement signed by the General Manager.  
Your invoice is with our finance team and should be paid later today.

Kind Regards

Fiona Scoleri

---

**From:** Jane Day <[jane.day@microfloc.com.au](mailto:jane.day@microfloc.com.au)>  
**Sent:** Thursday, 11 July 2024 2:32 PM  
**To:** Craig Bennett <[cbennett@balranald.nsw.gov.au](mailto:cbennett@balranald.nsw.gov.au)>  
**Cc:** David Mckinley <[dmckinley@balranald.nsw.gov.au](mailto:dmckinley@balranald.nsw.gov.au)>; Fiona Scoleri <[fscoleri@balranald.nsw.gov.au](mailto:fscoleri@balranald.nsw.gov.au)>; Bill Day <[bill.day@microfloc.com.au](mailto:bill.day@microfloc.com.au)>  
**Subject:** 240711 Termination of Contract 19/20-08 - Balranald Water Treatment Plant

You don't often get email from [jane.day@microfloc.com.au](mailto:jane.day@microfloc.com.au). [Learn why this is important](#)

Craig

Very much appreciate the contract termination arrangements.

Please see attached signed Termination Agreement and Invoice 924\_03 as requested.

Yours sincerely  
William Day

MICROFLOC PTY LTD  
ABN 83 163 694 728  
31/14 LOYALTY ROAD  
NORTH ROCKS NSW 2151  
AUSTRALIA  
PHONE: 612 9894 6777  
MOBILE: 0425 239 145  
EMAIL: [microfloc@microfloc.com.au](mailto:microfloc@microfloc.com.au)  
EMAIL: [bill.day@microfloc.com.au](mailto:bill.day@microfloc.com.au)

---

**From:** Fiona Scoleri <[fscoleri@balranald.nsw.gov.au](mailto:fscoleri@balranald.nsw.gov.au)>  
**Sent:** Thursday, July 11, 2024 1:55 PM  
**To:** Bill Day <[bill.day@microfloc.com.au](mailto:bill.day@microfloc.com.au)>

Cc: David Mckinley <[dmckinley@balranald.nsw.gov.au](mailto:dmckinley@balranald.nsw.gov.au)>; Craig Bennett <[cbennett@balranald.nsw.gov.au](mailto:cbennett@balranald.nsw.gov.au)>  
Subject: Termination of Contract 19/20-08 - Balranald Water Treatment Plant

Hello Bill,

Please find attached:

- 1) Letter from Council with a formal proposal to terminate Contract 19/20-08 as resolved at the Ordinary Council Meeting on 25 June 2024
- 2) Agreement between Microfloc and Balranald Shire Council for signing.

Please sign the agreement and return to Council with an invoice for the termination payment as described in the correspondence.

Thank you for your patience and understanding in dealing with this matter.

Kind Regards



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# BALRANALD SHIRE COUNCIL

ALL COMMUNICATIONS  
MUST BE ADDRESSED TO  
THE GENERAL MANAGER

Contact: GC:FS:D24.102748

70 Market Street, Balranald NSW 2715  
PO Box 120, Balranald NSW 2715

Tel: 03 5020 1300

Fax: 03 5020 1620

Email: [council@balranald.nsw.gov.au](mailto:council@balranald.nsw.gov.au)

Web: [www.visitbalranald.com.au](http://www.visitbalranald.com.au)

2 December 2024

William G Day  
Microfloc Pty Ltd  
31/14 Loyalty Road  
North Rocks NSW 2152

Dear William,

**Re: Termination of Contract 19/20-08 – Balranald Water Treatment Plant  
Microfloc Offer to Accept on Invoice 924 02**

Reference is made to your email dated 16 October 2024 regarding the above.

It is suggested that a \$30,000 (exc. GST) payment be made by Council to finalise all obligations by both parties regarding Contract 19/20-08 – Balranald Water Treatment Plant, which would be subject to Council approval.

I will await your further advice.

Yours faithfully,

Glenn Carroll  
**ACTING GENERAL MANAGER**



ABN 83 163 694 728

31/14 Loyalty Rd.,  
North Rocks, NSW, 2151 Australia

[microfloc@microfloc.com.au](mailto:microfloc@microfloc.com.au) | [info@platypusjartester.com](mailto:info@platypusjartester.com) | [info@platypusdaftestaccessories.com](mailto:info@platypusdaftestaccessories.com)  
[www.microfloc.com.au](http://www.microfloc.com.au) | [www.platypusjartester.com](http://www.platypusjartester.com) | [www.platypusdaftestaccessories.com](http://www.platypusdaftestaccessories.com)

The General Manager  
Balranald Shire Council  
70 Market Street  
Balranald, NSW 2715

3 December 2024

Dear Sir

**Balranald Water Treatment Plant Augmentation - Contract 19/20-08****CONTRACT FINALISATION and FINAL PAYMENT AGREEMENT**

This letter shall confirm payment of \$33,000 (GST inclusive), against Invoice/Claim 924-04 shall constitute **full and final payment also settlement of both parties' obligations in respect of the matter.**

Microfloc appreciates Council's cooperation with concluding the matter.

Yours faithfully  
MICROFLOC PTY LTD

WILLIAM G DAY  
Managing Director  
0425 239 145



**10.7 NOMINATIONS FOR THE WESTERN JOINT REGIONAL PLANNING PANEL**

<b>File Number:</b>	<b>D25.105072</b>
<b>Reporting Officer:</b>	<b>Ray Mitchell, Health, Environmental and Development Coordinator</b> <b>Nikkita Manning-Rayner, Planning Officer</b>
<b>Responsible Officer:</b>	<b>David McKinley, Director of Infrastructure and Planning Services</b>
<b>Operational Plan Objective:</b>	<b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b>

**PURPOSE OF REPORT**

To nominate Council representatives to the Western Joint Regional Planning Panel (Western JRPP).

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**OFFICER RECOMMENDATION**

**That Council:**

- 1. Nominate four (4) representatives as delegates to participate in the Western Joint Regional Planning Panel; and**
- 2. Notify these nominations to the Planning Panels Secretariat.**

**PURPOSE OF REPORT**

To nominate Council representatives to the Western Joint Regional Planning Panel (Western JRPP).

**REPORT**

Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the Environmental Planning & Act 1979. These five member panels are comprised of three members appointed by the Minister and two members appointed by Council to determine development proposals of regional significance, including:

- development with a capital investment value (CIV) over \$30 million
- council-related development with a CIV over \$5 million, lodged by or on behalf of the Crown (State of NSW), private infrastructure and community facilities or eco-tourist facilities
- designated development involving extractive industries, waste facilities and marinas
- development with a CIV between \$10 million and \$20 million that is referred to the regional panel by the applicant after 120 days.

Council can make nominations for a maximum period of 3 (three) years.

Panel nominees can be councillors, staff not involved in assessment of applicable applications or members of the community. However, Council would need to consider Section 4.4 of the Sydney and Regional Planning Panel Operational Procedures, which states that two council members are appointed by each council to an assessment panel. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism. Council should also note Section 4.5 of the attachment which notes the due-diligence Council should consider undertaking when considering possible delegates.

To reduce the opportunity to improperly influence panel members, it is recommended that councils should consider appointing a minimum of 4 alternate members to enable regular rotation.

Property developers and real estate agents are not eligible to be members of a Planning Panel.

Council should consider appropriate nominations to the Western JRPP and notify the Planning Panels Secretariat of these nominations, with the nomination period being 3 years.

**FINANCIAL IMPLICATION**

Costs associated with Council delegates attending any panel hearing will be borne by Council.

**LEGISLATIVE IMPLICATION**

Environmental Planning & Assessment Act 1979

**POLICY IMPLICATION**

Nil

**RISK RATING**

Nil

**ATTACHMENTS**

1. **Sydney District & Regional Planning Panels Operational Procedures**



# **Sydney District & Regional Planning Panels Operational Procedures**

September 2022

These procedures are provided for general guidance and information only and are made available on the understanding that the NSW Department of Planning and Environment (Department) is not providing legal advice.

The Department has compiled the procedures in good faith, exercising all due care and attention.

The procedures do not affect or replace relevant statutory requirements.

Where an inconsistency arises between the provisions of the procedures and relevant statutory provisions, the statutory requirements prevail.

While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

The procedures are not intended to give rise to any rights, claims, benefits, privileges, liabilities, or obligations with respect to matters the subject of the procedures.

It should be noted that the procedures may be affected by changes to legislation at any time and/or be subject to revision without notice.

It is recommended that independent advice be sought in respect of the operation of the procedures and the statutory requirements applying to Sydney District and Regional Planning Panels under the *Environmental Planning and Assessment Act 1979*.

Sydney District and Regional Planning Panels Operational Procedures  
© State of New South Wales through the NSW Department of Planning and Environment  
August 2022  
NSW Department of Planning and Environment  
Four Parramatta Square, 12 Darcy Street, Parramatta, NSW 2150.  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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## Definitions

*Capital Investment Value* or *CIV* has the same meaning as 'capital investment value' defined in the Dictionary in Schedule 7 of the *Environmental Planning and Assessment Regulation 2021*.

*Commission* means the Greater Cities Commission.

*Council* means the council for the local government area in which the land the subject of a panel matter is located.

*Days* means calendar days unless otherwise stated.

*Department* means the Department of Planning and Environment.

*Development Application* or *DA* means an application for consent under Part 4 of the *Environmental Planning & Assessment Act 1979* to carry out development but does not include an application for a complying development certificate.

*District* means any part of the Greater Cities Region, or other region of the State, declared to be a district by the Minister.

*EP&A Act* means the *Environmental Planning & Assessment Act 1979*.

*EP&A Regulation* means the *Environmental Planning & Assessment Regulation 2021*.

*Greater Sydney Region* means the region comprising the local government areas as described in Schedule 1 of the *Greater Cities Commission Act 2022*.

*GCC Act* means the *Greater Cities Commission Act 2022*.

*LALC* means Local Aboriginal Land Council.

*LEP* means local environmental plan.

*LGA* means local government area.

*LGNSW* means Local Government NSW.

*LG Act* means the *Local Government Act 1993*.

*LPP* means local planning panel.

*Minister* means the Minister for Planning.

*Panel* or *Planning Panel* means a Sydney District Planning Panel or Regional Planning Panel constituted under Schedule 2 of the *Environmental Planning & Assessment Act 1979*.

*Planning Panel meeting* means a public briefing meeting or a public determination meeting.

*Planning proposal* has the same meaning as a 'planning proposal' under section 3.33 of the *Environmental Planning & Assessment Act 1979*.

*Planning Systems SEPP* or *PS SEPP* means the *State Environmental Planning Policy (Planning Systems) 2021*.

*Regional Planning Panel* means a regional planning panel constituted under clause 10 of Schedule 2 of the *Environmental Planning & Assessment Act 1979*.

*Regionally significant development* means development that meets criteria set out under Part 2.4, Part 3.3 and Schedule 6 of the *State Environmental Planning Policy (Planning Systems) 2021*.

*Planning proposal authority* or *PPA* means the public authorities identified under section 3.32 of the *Environmental Planning & Assessment Act 1979*.

*SCC* means a Site Compatibility Certificate issued under the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

*Secretariat* means the Planning Panels Secretariat of the Department which provides technical and administrative support to Planning Panels.

*Secretary* means the Secretary of the Department of Planning and Environment.

*Strategic Planning Panel* means a Sydney District or Regional Planning Panel convened for the specific function of considering a strategic or Aboriginal land planning matter.

*Sydney District Planning Panel* means a Sydney district planning panel constituted under clause 9 of Schedule 2 of the *Environmental Planning & Assessment Act 1979*.

*Transport and Infrastructure SEPP* means the *State Environmental Planning Policy (Transport and Infrastructure) 2021*

*Unique submission* means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

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## 1. Introduction

The Planning Panels were introduced in NSW on 1 July 2009 to strengthen decision making for regionally significant development and certain other planning functions under the EP&A Act.

These procedures relate to the operation of the Sydney District Planning Panels and Regional Planning Panels.

The Planning Panels are independent bodies representing the Crown and are not subject to the direction of the Minister, except on matters relating to Planning Panel procedures or where the Minister issues a formal direction under the EP&A Act.

These procedures are the Planning Panels charter and have been developed to explain the objectives, powers, and authorities of the Planning Panels. They also detail the means of operating the Planning Panels and clarify the roles of various parties in the work of the Planning Panels.

The procedures should be read in conjunction with the Local Environmental Plan Making Guidelines, relevant Planning Circulars and the Planning Panels Code of Conduct which explains the standard of conduct expected of Planning Panel members.

These procedures will be kept under review and may be amended periodically.



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## **2. Defining the regions and districts**

Planning Panels are constituted for each region of the State (other than the Greater Sydney Region), and each district of the Greater Sydney Region (see sections 2.12, 3.2 and Part 3 of Schedule 2 of the EP&A Act).

The nine Planning Panels are the:

- Hunter and Central Coast Regional Planning Panel,
- Northern Regional Planning Panel,
- Southern Regional Planning Panel,
- Western Regional Planning Panel,
- Sydney Eastern City Planning Panel,
- Sydney North Planning Panel,
- Sydney South Planning Panel,
- Sydney Central City Planning Panel, and
- Sydney Western City Planning Panel.

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### 3. Functions of Planning Panels

#### 3.1 Functions

The principal functions of Planning Panels are to determine regionally significant DAs and undertake rezoning reviews of planning proposals. Other functions of Planning Panels include:

- determining Crown DAs,
- determining modification applications for regionally significant development,
- determining DA reviews,
- determining SCCs,
- undertaking independent reviews for specific Local Aboriginal Land Council lands,
- advising the Minister or the Secretary upon request, and
- preparing planning proposals if they are directed to be a planning proposal authority.

**Note:** Section 2.15 of the EP&A Act contains the functions that may be exercised by Planning Panels.

**Note:** In relation to preparing planning proposals, see Chapter 14 of this Operational Procedures.

#### 3.2 Legislation

Legislation governing Planning Panels includes:

- the EP&A Act for the constitution and functions of Planning Panels and obligations in respect to councils, with the following key provisions:
  - Division 2.4 and Schedule 2 provides for the constitution of Planning Panels, member appointments, functions and general procedures,
  - Division 3.4 allows for a Planning Panel to act as the planning proposal authority and undertake planning proposal reviews,
  - Section 4.5 specifies that a Planning Panel is the consent authority for regionally significant development, and
  - Section 4.7 sets out the consent functions of a Planning Panel which are to be exercised by the relevant council.
- the EP&A Regulation contains provisions for where a Planning Panel is exercising consent authority functions,
- the Planning System SEPP sets out in Parts 2.4, 3.3 and Schedule 6 development declared to be regionally significant,
- the Transport and Infrastructure SEPP sets out the process for consideration and determination of relevant applications for Site Compatibility Certificates.

#### 3.3 Classes of regionally significant development

The Planning System SEPP identifies the types of development classified as regionally significant (see Parts 2.4, 3.3 and Schedule 6 of the SEPP). The relevant Planning Panel will be the consent authority for regionally significant development.

**Note** State significant development or development within the City of Sydney cannot be declared as regionally significant development (see section 4.7 of the EP&A Act).

On lodgement of a DA, the council will decide if a DA is regionally significant development.

The capital investment value (CIV) is relevant for some regionally significant development and should be calculated at the time of lodgement. Councils should request a quantity surveyor's certificate or another relevant expert assessment to confirm the CIV from the applicant. The CIV is to be calculated in accordance the Planning Circular PS 21-020 (or as updated).

The Planning Panels determine applications to modify consent for regionally significant development under section 4.55(2) of the EP&A Act which seek to modify:

- new or amended conditions of consent imposed by the Panel;
- development for which the applicant or landowner is:

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- the council,
- a councillor,
- a member of council staff who is principally involved in the exercise of council's functions under the Act,
- a member of the NSW or Commonwealth Parliament, or
- a relative (within the meaning of the *Local Government Act 1993*) of a person referred to above;
- development that is subject to 10 or more unique submissions by way of an objection; or
- development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

All other modification applications under sections 4.55(2), 4.55(1) or 4.55(1A) to development consents granted by a Panel are to be determined by the relevant council. A court granted consent may be modified by a Panel under section 4.56 if it is in relation to regionally significant development.

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## 4. Membership of Planning Panels

(Part 4, Schedule 2 of the EP&A Act)

### 4.1 Chairs and Members

Each Panel consists of 5 members:

- 3 members, including the chair, appointed by the Minister (State members), and
- 2 members appointed by the relevant council (council members).

Property developers and real estate agents are not eligible to be members of a Panel.

The agenda of a Panel meeting may include consideration of multiple matters, each located in different council areas. The council members may change from time to time, depending on the LGA in which the matter under consideration is located.

Panel members can be appointed to more than one Panel, either as a Panel member and/or as an alternate member.

When there is a vacancy on a Panel, the Minister in the case of a State member, and the relevant council in the case of a council member, will appoint another member to that vacancy.

Terms of appointment for Panel members (both State and council members), must not exceed 3 years. Members are eligible for re-appointment. A State member of a Sydney District Planning Panel must not be a member for more than 9 years in total.

The Secretariat is responsible for maintaining a register of all Panel members.

The chair (or, in the absence of the chair, a deputy chair, or a person elected by the members) presides at Panel meetings. The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

**Note:** In relation to the membership of a Planning Panel responsible for preparing planning proposals, see further Chapter 14 of this Operational Procedures.

### 4.3 Expertise requirements for members appointed by the Minister

All Panel members appointed by the Minister, including alternates, must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

### 4.4 Council members

Two council members are appointed by each council. At least one council member must have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, or tourism.

To reduce the opportunity to improperly influence panel members councils should consider appointing a minimum of 4 alternate members to enable regular rotation.

### 4.5 Selection of council members

Each council determines how their members are selected. In selecting members, councils should have regard to any conflict of duties that would be created for a person nominated to the Panel if they are in any way responsible or involved in the assessment of matters to be determined by the Panel or involved in voting or deliberating on matters that come before the Panel.

When appointing its nominees to a panel, council should require a statutory declaration to be signed by proposed nominees stating that they are not property developers or real estate agents, as required by section 2.13 of the Act. Council should also arrange probity checks. These checks should include, at a minimum:

- a. public register of real estate agents check
- b. bankruptcy record check
- c. National Police check (ACIC).

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This is in line with the checks and declarations required for State members.

Councils are not restricted to nominating people from the council's local area. They can appoint, terminate, and reappoint members at any time, and can determine the duration of each appointment. Generally, so as to ensure the greatest degree of continuity for the Panels, councils should consider appointing members for the maximum term of 3 years. However, councils should reconsider if the nominations to the Panels are appropriate within 12 months following a council election.

Following a change to its nominees, council is to forward the new member's contact details to the Secretariat as soon as possible and this must be a minimum of 14 days before any meeting at which they will act as a Panel member.

If a council fails to nominate 1 or more council members, a Panel may still exercise its functions in relation to the area of the council concerned.

#### **4.6 Payment of council members**

Councils determine the fees they pay their Panel members. The Minister has provided guidance to all councils on appropriate rates of remuneration for travel and subsistence allowances for their members.

Each council is responsible for making any payments to its Panel members when they attend Panel meetings.

#### **4.7 Alternate members**

The Minister may at any time appoint a person to be the alternate of another member appointed by the Minister and may revoke any such appointment.

A council may also at any time appoint a person to be the alternate of a member nominated by the council and may revoke any such appointment.

Any changes are to be notified in writing to the Secretariat as soon as possible and at least 14 days before undertaking any Panel business.

The alternate will act in the place of the member with all the powers of the member. Although a member may be appointed as an alternate for two or more members, they will only have one vote on any Panel decision.

#### **4.8 Rotation of members**

To ensure there is a level of randomisation involved in which panel members and alternates hear a matter, all members are required to regularly rotate with alternate members. This will reduce opportunities for panel members to be improperly influenced. The chair is to determine the frequency of rotation in consultation with the Planning Panel secretariat.

Following a matter being deferred, where possible the same members should reconvene to finalise the determination.

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August 2022

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## **5. Code of Conduct considerations**

### **5.1 Planning Panels Code of Conduct**

All Panel members must comply with the Planning Panels Code of Conduct when exercising their functions as a Panel member and make impartial merit-based decisions in accordance with their statutory obligations. The latest version of the Planning Panels Code of Conduct is available online at [www.planningpanels.nsw.gov.au](http://www.planningpanels.nsw.gov.au). On appointment each Panel member must acknowledge in writing that they will abide by the Planning Panels Code of Conduct.

### **5.2 Declaration of interests**

On being informed of a matter to come before the Panel members should consider if they have an actual, potential or reasonably perceived conflict and, if so, declare the conflict and take any appropriate action, such as allowing an alternate member to take their place.

Panel members are required to complete and sign a declaration of interest form in relation to each matter which is considered by the Panel, either before, or at the commencement of, the Panel's determination proceedings. Any verbal declarations are to be recorded in writing.

To avoid any perceptions of bias, and to meet requirements of the Code of Conduct, councillors who have previously deliberated or voted on a matter that is to come before the Panel (such as a submission from the council on a DA for regionally significant development, a related voluntary planning agreement or a planning proposal) must stand aside from their place on the Panel and allow council's nominated alternative member to take their place. Alternatively, the member may choose to not participate in the deliberations or voting on the matter at the council (or council committee) meeting. They should also not remain in the council chamber during the council's deliberations.

### **5.3 Representations to Planning Panel members**

If a Panel member is approached by any person about a matter to come before the Panel, the Panel member must not discuss the matter.

Any person that approaches a Panel member should be encouraged to make a written submission to the council planning staff for DAs during the exhibition period, or if the matter relates to a planning proposal for which the Panel is the PPA, to the Secretariat. Issues raised in submissions will be addressed in the assessment report to be provided to the Panel.

### **5.4 Interactions with third parties about matters before the Planning Panel**

Panel members are not to discuss any matter that is to be considered by the Panel with councillors, the applicant, their consultants, parties who have made a submission, or any other person with an interest in the matter outside of a Panel briefing, meeting or site visit.

### **5.5 Public meetings organised by the council or community about the proposed development**

To avoid any perception of bias, Panel members should avoid attending public meetings about a proposed development organised by members of the community or council, unless the meeting has been organised at the request of the Panel.

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## 6. Administration

Administration and support for the Panels is provided by the Planning Panels Secretariat. Support includes:

- scheduling of meetings, briefings, and site visits,
- preparing and issuing agendas,
- notification of meetings,
- arranging for travel and accommodation for State appointed Panel members,
- preparing records of decision (with assistance from council),
- arranging for the audio recording of public Panel meetings,
- record keeping for the Panels, and
- being the first point of contact for councils to notify a Panel of any decision made by the Panel which is the subject of a merit appeal in the Land and Environment Court.

The Secretariat is the first point of contact for all Panel matters and publishes a wide range of information on its website:

[www.planningportal.nsw.gov.au/planningpanels](http://www.planningportal.nsw.gov.au/planningpanels)

The contact details for the Secretariat are:

phone: (02) 8217 2060

email: [enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)

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## **7. Government information, privacy and complaints**

### **7.1 Right to information and privacy management**

The Department assists Planning Panels in managing applications made under the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Protection Act 1998*.

For applications of this nature visit the Department's website at:

<http://www.planning.nsw.gov.au/About-Us/Right-to-Information/How-Can-I-Access-Information>

### **7.2 Complaints**

The Department assists Planning Panels in managing complaints. Complaints are investigated and managed in accordance with the Department's Management of Complaints Policy.

Dissatisfaction with determinations of the Planning Panels will not be regarded as a complaint.

If you wish to make a complaint visit the Department's website at: telephone, write or email the Department at:

<https://www.planning.nsw.gov.au/Contact-Us?>

Complaints made in this way will be recorded in the Department's Complaints Register and will be allocated to the appropriate level for investigation and response.

If you are not satisfied with a response, you can ask for the issue to be considered by a more senior officer.

Code of conduct complaints will be dealt with under the Planning Panels Code of Conduct.

At any time, a person can complain to external bodies such as the Independent Commission Against Corruption (ICAC), the Ombudsman, or the Audit Office of NSW. Allegations of corrupt conduct, misconduct, or serious waste of resources are encouraged to be made directly to these organisations.

Complaints about council, councillors, council staff or local planning panels should be directed to the relevant council.



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## 8. Monitoring, review, and reporting

The Secretariat monitors the progress of DAs referred to the Panels. It is expected that council will complete its assessment report within 60 days after the close of the public exhibition period.

The performance of the Panels is monitored and reported in the Department's Annual Report.

Once a planning assessment is completed by the council and referred to the Panel, the Panel will be expected to:

- d. determine the matter within 2 weeks (14 calendar days) for development and modification of consent applications; and
- e. provide its advice within 2 weeks (14 calendar days) on planning proposals.

To ensure assessment and determination times are not subject to delay:

- a. Panel chairs are obliged to work with senior council staff to ensure that key issues are addressed during assessment, in order to minimise the number of deferrals by the panel at determination stage.
- b. Should an application experience unreasonable delays in excess of 180 calendar days from lodgement the Panel chair may require the council to report the matter to the Panel within 4 weeks for determination.

**Note:** The requirements relating to the timeframes for assessing development applications under the *Environmental Planning and Assessment Regulation 2021* must be considered by Panels.

### 8.1 Availability of information

The Secretariat makes a range of information publicly available on its website, including:

- Panel notices with dates, locations, meeting format and times (at least 7 days before the Planning Panel meeting),
- the relevant council's assessment report and recommendation (at least 7 days before the Panel meeting),
- records of briefings and Panel meetings, Determinations and Statements of Reasons, decisions on rezoning reviews and Site Compatibility Certificates, resolutions of the Planning Panels and any advice provided by the Panels to the Minister, Secretary or GCC, as relevant,
- audio recordings of Panel meetings, and
- a schedule of meeting dates reserved for Panel business.

Councils remain responsible for receiving, notifying and exhibiting DAs and supporting documents in accordance with statutory provisions and council's own notification and exhibition requirements set out in its community participation plan and for issuing the notice of determination.

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## **9. Liability and indemnification**

Panel members are excluded from personal liability as long as the act or omission was done in good faith for the purpose of carrying out their duties under the EP&A Act (see s 2.28 of the EP&A Act).

The NSW Government extends insurance indemnity cover to Panel members. For indemnification provisions to apply Panel members must act honestly and in accordance with the Panel Code of Conduct in the performance of their responsibilities.

For further information please contact the NSW Self Insurance Corporation (icare) at:  
<https://www.icare.nsw.gov.au>

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## 10. Roles of councils and other panels

### 10.1 Role of councillors and council staff

The elected council and council staff have different roles in the assessment of DAs. Under the *Local Government Act 1993*, the independence of council staff is protected in the preparation of advice and recommendations. Staff members are not subject to direction by the council or by a councillor as to the content of any advice or recommendation made by the staff member. Equally, a council or councillor is not bound by the advice or recommendation made by a member of staff.

### 10.2 Assessment role

Council staff undertake the assessment of a DA. The assessment of a DA includes accepting the DA, consultation, concurrence and obtaining general terms of approval from an agency if required, carrying out community participation requirements and assessment of the matters set out in 4.15 of the EP&A Act. The assessment is documented in a report with recommendations. The report is then considered by the person or body that is the consent authority.

Council is responsible for carrying out community participation requirements on behalf of the Panels (see section 4.7(2)(d) and Division 2.6 of the EP&A Act).

The Department undertakes the assessment of planning proposals and applications for site compatibility certificates referred to the Panels.

### 10.3 Determination role

Historically, one of the roles of an elected council has been to determine or make decisions on DAs in their capacity as a consent authority. There are occasions, however, where the determination role is performed by other people or bodies, either because the council has delegated that function, or because it has been conferred upon another person or body. For example, where local planning panels have been introduced, elected councils no longer determine DAs (see section 2.17 of the EP&A Act).

The Panel for the area in which the development is to be carried out is the consent authority for regionally significant development (see section 4.5 of the EP&A Act).

### 10.4 Post-determination role

Council staff are responsible for post-determination functions including:

- notifying Panel determinations on DAs (see sections 4.7(2)(e), 4.18 and 4.59 of the EP&A Act),
- registering Panel development consents on the NSW Planning Portal (see sections 4.7(2)(e) and 4.20 of the EP&A Act), and
- monitoring and enforcing compliance with conditions of the development consent.

The notice of determination should be issued once council receives a copy of the endorsed and final determination from the Panel. The notice of determination must include all conditions imposed by the Panel, including any additional or amended conditions.

The council has no power to amend conditions or include additional conditions following the Panel's determination.

Council will advise any person who made a submission on the DA of the determination.

The council continues to be responsible for the monitoring of, and enforcing compliance with, any conditions of the development consent.

Where an application has been approved subject to a 'deferred commencement' condition council is responsible for determining whether the requirements of the condition have been met (see section 4.16(3) of the EP&A Act). Council advises the chair of the Panel in writing when the matter specified in the condition has been satisfied (see section 277(2) of the EP&A Regulation).

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### 10.5 Support provided to Planning Panels by councils

Planning Panels are entitled on request to the general manager of a council, to use the staff and facilities of the relevant council, have access to council records, and any other assistance or action for the purpose of carrying out their functions (see section 2.27 of the EP&A Act).

It is expected that use of council facilities such as meeting rooms would be arranged prior to Panel meetings.

Support, such as recording the written decisions of the Panel, audio recording of Panel meetings, copying of documents and the provision of professional advice, may also be required.

Generally, the relevant council bears the administrative and council staffing costs associated with Panel meetings. Administrative costs may include those associated with the meeting venue and set up, the attendance of council staff, as well as administrative support.

The chair and members of a Panel will need to be mindful of the regular duties and responsibilities of council staff when requests for assistance are made. Requests by members of Panels for support and assistance from councils should be made through the chair to the general manager (or other person nominated by the general manager) of the council concerned.

### 10.6 Role of design review panels

Design review panels are established by councils either formally under *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development* with the approval of the Minister, or informally to bring special design expertise to the assessment of certain types of DAs.

Design review panels that are properly integrated in the assessment process are an effective tool which helps to improve the quality of design outcomes. The quality of design has a bearing on many, but not all, of the matters considered in the assessment of a DA.

The role of design review panels in the assessment of applications is not changed by the fact that the application is to be determined by a Panel. However, it is generally more effective in terms of design quality outcomes and timeliness if the design review panel is convened at the pre-DA stage or early in the assessment phase.

Council assessment officers and the Panels should consider the advice of the design review report in their assessment reports and in making a determination. The design review report may be used in the following ways:

- to support the application of relevant planning controls in a flexible manner where the design review panel has identified this will achieve better outcomes
- to establish if the reasonable recommendations of the design review panel have been followed
- as evidence for refusing development consent where the advice of the design review panel has not been adopted

In some instances, the Panel may require additional design quality advice or clarification of design quality matters to finalise their recommendations or to make a determination. In this instance, they may refer the project back to the design review panel. The following criteria can be used to establish when to re-engage with the design review panel:

- The application is poor and has not considered the advice of the design review panel – refusal.  
**No return to design review panel**
- Application will require minor modifications – to be managed via conditions of consent.  
**No return to design review panel**
- The application will require significant modification, the extent and nature of which requires advice from the design review panel.  
**Return to design review panel**

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#### **10.7 Role of local planning panels**

Although similar in operation, the roles of local planning panels and the Sydney district and Regional Planning Panels do not overlap. Local planning panels determine all DAs that meet criteria set by the Minister.

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## **11. Development application and assessment**

### **11.1 Pre-development application meetings**

Pre-DA meetings between applicants and assessment officers are commonly used to inform lodgement requirements and likely assessment pathways before applications are submitted to the consent authority.

Applicants are encouraged to meet with council before lodging a DA, and to respond to the advice of council when preparing the DA.

Applicants should consider the Local Government Design Review Panel manual in relation to pre-application design reviews and the requirements to be met in that process.

### **11.2 Making of development applications**

DAs for regionally significant development are made to the relevant local council.

In the case of development located in two or more LGAs, a separate DA must be lodged with the councils of each LGA. Additionally:

- each DA should only address that part of the development located on land in the relevant LGA,
- neighbouring councils may wish to consider setting up joint assessment procedures, if appropriate, and
- the Panel will determine each DA separately (although the determinations may be made concurrently).

### **11.3 Notification to the Secretariat**

Within 7 days of receiving a DA for regionally significant development, the council registers the DA with the Secretariat.

The registration is made via the NSW Planning Portal. Documents can be automatically linked via the NSW Planning Portal meaning that DA documents and any updated information are electronically transmitted to the Secretariat.

The Secretariat advises relevant Panel members of the DA once the registration is accepted. The DA documents, including the application form are made available to Panel members electronically via the NSW Planning Portal.

These documents allow Panel members to become familiar with the development and to identify if they have any potential conflicts of interest prior to their review of the assessment report and before determining the application.

### **11.4 Kick-off briefing and timing for determination**

Generally within 28 days of the lodgement of a DA, the Secretariat will arrange a Kick-off briefing between the Panel, relevant council staff and the applicant. At this meeting, the applicant will be invited to outline the DA to the Panel, and the Panel chair will identify key issues including areas where further information is required. Importantly, for larger matters, the Panel chair will outline a timeframe for a subsequent briefing between all parties (generally around day 128 since lodgement), and an estimated date for determination (generally no more than 250 days since lodgement).

### **11.5 Public exhibition of development applications by council**

Public exhibition of the DA is undertaken by council staff in accordance with the requirements of the EP&A Act, EP&A Regulation and Council's Community Participation Plan or any relevant development control plan or policy of council. Public exhibition can commence or occur after the Kick-off briefing.

Notification of exhibition, including letters and advertisements, should contain appropriate statements to advise:

- that the {name of relevant} Panel is the consent authority for the application,

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- that submissions made in respect of the application should be made to {name of relevant} Council, but will be provided to the Panel and may be viewed by other persons with an interest in the application,
- names and addresses of submitters will be provided to the Panel for notification purposes, and
- other information required by the EP&A Act or EP&A Regulation.

#### **11.6 Requests for additional information**

It is the applicant's responsibility to provide adequate information and technical reports on potential impacts of the proposed development.

Holding a pre-DA meeting with council staff will often clarify council requirements for the lodgement of an application. However, the applicant may be requested by council staff to provide further information or reports to properly address all relevant aspects of the development, or to enable an assessment report to be completed.

During the assessment process the Panel may identify issues at a briefing that must be addressed or clarified in council's assessment report, and for which council may request further information.

Amended plans or additional information for a DA must be lodged with council.

#### **11.7 Status reports**

Councils must advise the Secretariat if it is evident that there are difficulties in assessing the DA or the assessment report will not be completed within the timeframe indicated in the referral notification.

The Secretariat tracks the progress of DAs registered with it and requests status updates from council for DAs lodged for 70 days or more.

Where a response or concurrence from public agencies delays the assessment of a DA, a council can ask the Secretariat for assistance to ensure the agency responds to council in a timely manner.

Where there is an ongoing and unreasonable delay in the processing of a DA, council may be requested by the Panel to complete its assessment without further delay.

#### **11.8 Assessment of the development application**

The council that received the DA is responsible, through its staff, for the assessment of the application.

It is council's responsibility to prepare an assessment report addressing all statutory requirements and properly considering all issues. Usually councils will rely on their own professional staff, however where they do not have the technical expertise required in-house, they may engage external expertise. All costs associated with the preparation of the assessment report are to be covered from application fees, which are retained by council.

The assessment report must clearly identify how the proposal meets the relevant requirements for regionally significant development, and that the Panel is responsible for determining the application.

The assessment report must include a recommendation on the proposed development:

- if the recommendation is for approval of the application, the report must include recommended conditions of consent, and
- if the recommendation is for refusal, the report must include reasons for refusal based on the assessment in the report.

The chair of the Panel may request without prejudice draft conditions of consent where council's report recommends refusal.

In considering an application, a Panel may request additional information to assist in its determination of the application.

Council assessment officers (and the Panels) should consider the advice of any design review report in their assessment reports and in making a determination. The design review report may be used in the following ways:

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- to support the application of relevant planning controls in a flexible manner where the design review panel has identified this will achieve better outcomes
- to establish if the reasonable recommendations of the design review panel have been followed
- as evidence for refusing development consent where the advice of the design review panel has not been adopted

In some instances, the Panel may require additional design quality advice or clarification of design quality matters to finalise their recommendations or to make a determination. In this instance, they may refer the project back to the design review panel. The following criteria can be used to establish when to re-engage with the design review panel:

- The application is poor and has not considered the advice of the design review panel – refusal.  
**No return to design review panel**
- Application will require minor modifications – to be managed via conditions of consent.  
**No return to design review panel**
- The application will require significant modification, the extent and nature of which requires advice from the design review panel.

**Return to design review panel**

#### **11.9 Varying development standards**

Where a DA includes a variation to a development standard, an application under clause 4.6 of the relevant LEP is required. Council's assessment report includes an assessment of the application against the relevant statutory provisions.

The function of obtaining concurrence from the Secretary under clause 4.6 is a matter for the council. However, where concurrence is assumed, the council does not need to obtain concurrence. The Panel will determine whether a clause 4.6 application is well founded on the basis of the applicant's justification.

#### **11.10 Local infrastructure contributions**

The assessment report should address contributions required in accordance with the council's relevant contributions plan (see section 7.11 and 7.12 of the EP&A Act). The Panel is able to impose additional or different contributions than those set out in the contributions plan. For Crown developments, councils should address contributions in accordance with the relevant planning circular (Circular No. D6, issued September 1995 or as updated).

#### **11.11 Special infrastructure contributions and certification requirements**

If the development falls within a special contributions area the council should address the relevant requirements in its assessment report and recommend appropriate conditions in accordance with the Ministerial direction (see section 7.24 of the EP&A Act).

The council must address any "Satisfactory Arrangements" clause in the applicable LEP in its assessment report. These clauses usually state that development consent must not be granted by a consent authority until arrangements to the satisfaction of the Secretary have been made to contribute to regional or State infrastructure. A Panel cannot provide consent to the DA until the Secretary (or delegate) of the Department has certified in writing that satisfactory arrangements have been made.

#### **11.12 Development subject to delays in determination**

An applicant with a DA that has a CIV between \$10 million and \$30 million can refer the DA to the relevant Panel for determination if it remains undetermined for 120 days after being lodged with council (see Schedule 6 of the Planning Systems SEPP). The referral process is outlined below:

- when making a referral, applicants must use the Regional Development Request form available on the Panels website,



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- the applicant is to complete the relevant part of the form and submit it to **both** the relevant council and the Secretariat,
- once the council receives the referral form it cannot determine the DA until a decision has been made regarding whether the Panel will have the function of determining the DA, however council can continue to assess the DA,
- the council sends the completed referral form and copies of all DA documents, to the Secretariat within seven days. Council should also send its explanation for the delay in completing its assessment,
- the chair will consider the information in the referral form and advise the Secretariat if the referral is accepted (i.e. the applicant is not responsible for a delay in the application), generally within 14 days of the applicant making the referral. The chair will consider a number of matters in making this decision, including:
  - permissibility and zoning, including whether the determination is dependent on a rezoning,
  - whether the determination is dependent on a voluntary planning agreement or the approval of a masterplan or DCP,
  - whether the landowner's consent has been provided,
  - whether the required referrals and concurrences have been obtained,
  - whether there have been requests for further information, and what the responses were to those requests, and
  - if council has considered the DA and the outcome of that consideration,
- once the chair decides, the Secretariat will notify the council and the applicant as to whether the development is regionally significant development,
- if the referral is not accepted the chair must advise the reason(s) for not accepting the referral,
- if the referral is accepted, council completes the assessment of the application and prepares an assessment report for submission to the Secretariat, and
- a briefing with council may be held prior to determination.

#### **11.13 Council representation to the Planning Panel**

An elected council may make a submission on a DA within their LGA that is to be determined by a Panel up to seven days before the Panel meeting.

After the assessment report is sent to the Secretariat, it may be given to the elected council to assist in its decision as to whether it will be making a submission to the Panel. The elected council's submission should not be prepared by persons involved in the assessment of the application but could be prepared by another council officer, or a consultant.

A council submission should not be specifically referenced in the assessment report or recommendations prepared by the council staff. If council makes a submission, a staff representative or individual Councillors may register to address the Panel at the meeting to express the views of council.

Councillors who are also Panel members have an independent role because they have been nominated by their council as its nominee to the Panel.

#### **11.14 Submission of assessment report to the Secretariat**

The completed assessment report and recommendation is to be immediately uploaded to the NSW Planning Portal such that it is sent via electronic means to the Secretariat.

The assessment report is not to be endorsed or presented to the elected council before being sent to the Secretariat.

The following items are to be uploaded to the NSW Planning Portal:

- assessment report and any attachments and recommendations (including conditions),
- the Council Assessment Report cover sheet (available on the Planning Panels website),

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- final architectural drawings and plans and other reports that the assessing officer considers that the Panel may require in order to make an informed decision,
- copies of each submission received in respect of the DA
- a completed List of Submitters (available on the Planning Panels website) containing the names, postal addresses and email addresses (if provided) of every person or body who made a submission to allow the Secretariat to notify submitters of the details of the Panel meeting,
- in the case of petitions, only the name and address of the head petitioner should be provided, if that person can be identified, and
- the final number of unique submissions received.

**Note:** Council's assessment report must include a summary and assessment of all submissions so that the Planning Panel can consider the submissions as part of the assessment of the DA. Based on the details provided by council, the Secretariat will notify persons who made submissions of the time, date and venue of the Panel meeting at which the relevant application will be considered. Councils should also upload copies of any late submissions to the NSW Planning Portal and, where necessary, provide further assessment if the issues are not already covered in council's assessment report.

#### **11.15 Written submissions to the Planning Panel**

All written submissions must be sent directly to council to be considered as part of the assessment of the DA.

Submissions sent to the Panel will be given to council for assessment. If additional late information is received from the applicant it will be published on the NSW Planning Portal for transparency. Panels will not normally accept information "in confidence" that is not also given to council. However, if confidentiality is requested, the reason must be clearly stated as to why it is confidential and relevant to the assessment matter before the Panel and the chair will consider the request.

#### **11.16 Rezoning, development control plans and planning agreements**

Where a DA is lodged concurrently with a planning proposal seeking the rezoning of land under the LEP Council's assessment report must address the DA against the proposed zoning. Council is responsible for progressing the planning proposal. The Panel cannot determine a DA to approve such development until the land is rezoned to permit that development.

Where the provisions of an environmental planning instrument require a development control plan (DCP), (previously known as a master plan) to be adopted by the council before granting development consent, it is the responsibility of council to prepare and adopt the DCP prior to sending the assessment report to the Panel. In such circumstances, the Panel will not determine the application until the DCP is adopted by the council.

If a planning agreement is proposed, it should be negotiated by council staff. Council's assessment report for the Panel would normally make reference to any planning agreement and its relationship to the DA. The planning agreement would normally be exhibited by the council before the assessment report is provided to the Panel, and the planning agreement would be provided to the Panel as part of the supporting documentation for the DA.

The Panel may only impose a condition of consent requiring a planning agreement be entered into if the condition reflects the terms of any offer made by the applicant to enter into a planning agreement (see section 7.4 of the EP&A Act).

#### **11.17 Referral of Crown development applications with a CIV less than \$5 million**

Crown DAs with a CIV greater than \$5 million are regionally significant development. Crown DAs with a CIV under \$5 million can be referred to the relevant Panel (see section 4.33 of the EP&A Act) by either:

- the applicant where council (or LPP, if relevant) has not determined in the prescribed period, or
- the council at any time including before the end of the prescribed period.

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Before the end of the prescribed period, only a council (not the applicant) can refer an application to the Panel.

For Crown DAs with a CIV of less than \$5 million where a council or LPP seeks to refuse consent or impose a condition to which the applicant has not provided their agreement, the application is also to be referred by council to the relevant Panel (see section 4.33(2) of the EP&A Act).

The referral to the Panel must be in writing. Additional procedures for the referral, including the requirement to notify the other party in writing of the referral are set out at sections 4.33(6) and section 4.33(7) of the EP&A Act.

Once the application is referred to a Panel, the council registers the DA on the NSW Planning Portal and uploads its assessment report to the NSW Planning Portal for the Planning Panel to consider.

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## 12. Determination of development applications

### 12.1 Determining regionally significant development applications

Planning Panels determine regionally significant development as the consent authority.

For contentious matters, where the DA has attracted 10 or more unique submissions by way of objection, the Panels will generally hold a public determination meeting to consider the DA. Refer to **Schedule 1** for more information on the detailed procedures for Panel meetings.

The purpose of the public determination meeting is for the Panel to hear views of the community and other interested parties, such as the applicant and the council, on the DA before the Panel makes a decision.

Public determination meetings may be held wholly or partly by audio link, audio visual link or other electronic means (EP&A Act Schedule 2 clause 25(4)). Such meetings must be recorded with the recording made publicly available on the Planning Panel website.

After reviewing written submissions on a DA, considering the recommendation in council's assessment report and hearing from those wishing to address the Panel, the Panel may determine the application or defer its decision for reasons that will be stated in the meeting record.

In circumstances where the DA is the subject of less than 10 unique submissions by way of objection a Panel is able to determine the application by an electronic circulation of papers.

In some instances, the Panel may require additional design quality advice or clarification of design quality matters to finalise their recommendations or to make a determination. In this instance, they may refer the project back to the design review panel. The following criteria can be used to establish when to re-engage with the design review panel:

- The application is poor and has not considered the advice of the design review panel – refusal.  
**No return to design review panel**
- Application will require minor modifications – to be managed via conditions of consent.  
**No return to design review panel**
- The application will require significant modification, the extent and nature of which requires advice from the design review panel.  
**Return to design review panel**

### 12.2 Obligation to consult council – if adverse financial impacts

A Panel must not make a decision that will have, or that might reasonably be expected to have, a significantly adverse financial impact on a council without first consulting the council (see section 2.26 of the EP&A Act).

The consultation must be in writing, with the council being given a specified time to respond in writing. Where a briefing with the general manager (or nominee) is to be held to discuss the matter, all relevant Panel members should be present, and a meeting record and outcomes should be sent to the Secretariat.

### 12.3 Determining Crown development applications

A consent authority for Crown development cannot refuse consent to a Crown DA except with the approval of the Minister, nor can it impose a condition on a development consent for Crown development except with the approval of the applicant or the Minister.

This requirement applies to Crown development that is to be considered by a Panel, where the application is for regionally significant development, or where the DA is referred to the Panel under Division 4.6 of the EP&A Act.

Where the Panel wishes to either refuse an application or impose conditions not agreed by the applicant, or where a Panel fails to determine the DA within the prescribed period, the applicant or the

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Panel may refer the DA to the Minister. The Minister may then direct the Panel to approve or refuse the Crown DA within a specified time.

#### **12.4 Determining DAs for coastal protection works**

Certain coastal protection works are classified as regionally significant development. Where a Panel is to determine a DA for coastal protection works the chair and the council nominated members will remain on the panel, however the State members will be replaced by members appointed by the Minister who have expertise in coastal engineering or coastal geomorphology (see EP&A Act Schedule 2 clause 20(2) and clause 8A, Schedule 6 of the Planning System SEPP).

#### **12.5 Delegation to council to determine applications**

If the Minister agrees, Panels may delegate the determination of applications to councils, a local planning panel of a council or the general manager or other staff of council (see section 2.16(2) of the EP&A Act). Delegation may be for development in a specified area, for a class of application, or be made on a case-by-case basis.

In situations where the determination is delegated, councils must:

- register the application on the NSW Planning Portal,
- inform and update the Secretariat on the processing of the application as requested, and
- provide a copy to the Secretariat of all determination documents, including the assessment report and Notice of Determination.

The chair of the relevant Planning Panel may request the council to not exercise the delegated function in certain circumstances.

Any determination made by council under delegation is a decision of the Panel.

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## 13. Reviews and appeals

### 13.1 Decision reviews

Planning Panels also review decisions made on DAs by the Panels (see Division 8.2 of the EP&A Act). The Council notifies the Panel when a request to review a decision has been lodged through lodging it on the NSW Planning Portal. The Panel reviewing the decision will be comprised of different members to those members that made the original decision and will be called the Decision Review Panel of the [relevant] Planning Panel.

**Note** that decision reviews cannot be requested where the following applies:

- the time to lodge a legal appeal has passed,
- a merit appeal has been determined regarding the DA, or
- it is an application for complying development, a Crown DA or a designated development DA.

The Decision Review Panel may ask to be briefed on the decision review request, either by the applicant, Council staff undertaking the assessment, or other experts engaged to assess the application.

The circumstances where this may be needed include where the applicant for the DA has amended the development the subject of the original DA since the original determination.

If needed, the Decision Review Panel may also hold a site visit or public briefing meeting.

Council must prepare an additional assessment report to the Decision Review Panel if the DA or application to modify a development consent has been amended after its initial determination, or if submissions have been made following any further notification.

A Decision Review Panel will only need to hold a public determination meeting if the application was exhibited and 10 or more unique submissions by way of objection were received.

Council must give written notice to the applicant of the result of the review within 7 days of the completion of the review.

### 13.2 Appeals against a Planning Panel determination

#### *Merit appeals*

An applicant who is dissatisfied with a determination or deemed refusal of an application may lodge a merit appeal to the Land and Environment Court within six months against the decision as provided for in the EP&A Act.

**Note:** An application is deemed to have been refused if it is not determined within 40 days, or 60 days if the application is for designated or integrated development, requires concurrence of a concurrence authority or is accompanied by a biodiversity development assessment report and that proposes a discount in the biodiversity credits required under the report to be retired.

If the development is designated development, then an objector to the development who is dissatisfied with a determination may also lodge a merit appeal in the Land and Environment Court within 28 days as provided for in the EP&A Act.

The council for the area will be the respondent for any merit appeal against a determination made by a Panel on a development application. The council is subject to the control and direction of the Panel in connection with the conduct of the appeal.

The council is to give notice of the appeal to the Planning Panel. It must do this by notifying the Secretariat. Notification to the Panel must be made no more than seven days after the council receives notice of the appeal and must advise whether the council will be actively defending the appeal.

**Note:** Each Planning Panel chair has delegated authority to act as the Planning Panel's representative to provide instructions and seek legal advice in relation to appeals. Planning Panel delegations are published on the Planning Panels website.

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The Panel will determine its level of involvement in an appeal, and what directions (if any) it wishes to issue to the council, on a case-by-case basis. While a Panel has the power to direct and control the council, it may choose not to exercise the power. If a Panel wishes to take a more active role in a council's conduct of the appeal, the Panel can exercise its powers to control and direct council. In some circumstances the Panel may seek to join proceedings and act as the respondent in the place of the council.

Council is to:

- 1) provide the Panel with a copy of the application commencing the appeal within 7 days of the council being served with it,
- 2) provide the council's proposed statement of facts and contentions to the Panel at least 7 days before the earlier of:
  - a) the day of the first directions hearing for the appeal or
  - b) the day the statement is proposed to be filed,
- 3) identify in the council's statement of facts and contentions the steps taken by the council to notify the Panel of the appeal, and any response received by the council, and
- 4) provide the Panel, within 3 days, with:
  - a) a copy of any directions or orders made by the Court in relation to the appeal,
  - b) the dates on which the Court has arranged a conciliation conference under section 34 or section 34AA of the *Land and Environment Court Act 1979*,
  - c) the dates on which the appeal will be heard,
  - d) a copy of any judgment of the Court in relation to the appeal.
- 5) Request instructions if a conciliation conference has been arranged:
  - a) as to any agreement that might be reached between the parties as to the terms of a decision in the proceedings that would be acceptable to the parties, at least 14 days before the conciliation conference is held, and
  - b) as to any proposed in principle agreement that is reached between the parties at or after the conciliation conference, at the time of or no later than 2 days after an in-principle agreement is reached and before any written agreement is executed.

The Panel is to respond to requests from council for instructions within 7 days of the request.

#### *Deemed Refusals*

A Panel may determine a DA even though it is subject to a deemed refusal appeal. When a deemed refusal appeal has been filed with the Court, the usual practice is for council's assessment officer to complete their assessment report.

Applications may be deemed to have been refused before a Panel has been briefed on the application. Where a Panel has not been briefed on an application that is subject to an appeal, the Panel may request a briefing from the council.

#### *Judicial review and civil enforcement proceedings*

Any person may commence judicial review or civil enforcement proceedings in the Land and Environment Court against a Panel determination. Unlike merit appeals, in these types of proceedings the Panel will be named as a respondent.

A submitting appearance may be filed by the Panel if the grounds of challenge are not related to the powers or procedures of the Panel in determining the application.

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*Appeals against determinations where council is the applicant*

The Panel will be the respondent in merit appeal and judicial review proceedings in the Land & Environment Court where council is the applicant.



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## 14. Planning proposals - Strategic Planning Panels

Planning Panels also undertake LEP making functions, including:

- acting as the planning proposal authority in relation to LEP making if directed by the Minister and in certain circumstances,
- undertaking administrative reviews in relation to LEP making,
- overseeing Aboriginal land planning proposals, and
- providing advice to the Minister or the Secretary on matters relevant to LEP making.

**Note:** The Independent Planning Commission undertakes these functions if directed by the Minister in relation to LEP making for the City of Sydney LGA.

### 14.1 Strategic Planning Panels

When convened for specific strategic and Aboriginal land planning functions a Planning Panel will be known as the Strategic Planning Panel of the [relevant] Planning Panel.

### 14.2 Strategic Planning Panel members

The constitution of a Strategic Planning Panel is to comply with the EP&A Act and this Chapter 14 of the Operational Procedures.

A Strategic Planning Panel will consist of 5 members:

- 3 members, including the chair, appointed by the Minister (State members), and
- 2 members appointed by the relevant council (council members).

At least 2 of the State members appointed by the Minister must have expertise in strategic planning (district or regional strategic planning). The State members may be members or alternate members, so long as they have relevant strategic or Aboriginal land planning expertise.

For matters relating to Aboriginal land planning, specifically land in a development delivery plan made under the Planning Systems SEPP, at least 1 of the State members with strategic planning expertise should also identify as being Aboriginal or Torres Strait Islander or have expertise in Aboriginal land planning.

**Note:** This Chapter should be read together with Chapter 4 of this Operational Procedures.

### 14.3 Reviews

A Strategic Planning Panel may conduct certain LEP related reviews, including:

- Rezoning reviews — that may be requested by a proponent before a planning proposal has been submitted to the Department for a Gateway determination,
- Independent reviews — that may be requested by a LALC before a planning proposal for land subject to a development delivery plan made under the Planning Systems SEPP has been submitted to the Department for a Gateway determination.

The Department's LEP Making Guidelines sets out how to apply for a rezoning review, fees and costs, eligibility requirements and information the council or proponent must provide for reviews to be undertaken.

### 14.4 Rezoning reviews

The Department will provide the Strategic Planning Panel with the rezoning planning proposal, council's comments on the proposal and a summary briefing report for review.

The Strategic Planning Panel will be briefed by the proponent and council and may request a site visit to assist in its consideration of any matter relevant to the planning proposal. All briefings or site visits should follow the procedures set out in Schedule 1 of this Operational Procedures.

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### *Assessment and Determination*

The Strategic Planning Panel's review and determination are to be in accordance with the LEP Making Guidelines.

The Strategic Planning Panel will assess the rezoning planning proposal, having regard to the matters outlined in the LEP Making Guidelines and determine whether the planning proposal has:

- strategic merit, and
- site-specific merit.

Planning proposals that do not reasonably meet the strategic and site-specific merit tests are unlikely to proceed to a Gateway determination.

The Department will monitor the progress of the rezoning review to achieve an outcome within a target of 100 days of receiving the initial rezoning review request.

### *Recommendation*

If the Strategic Planning Panel recommends that the planning proposal should proceed to a Gateway determination, it will:

- notify the relevant council that the Strategic Planning Panel will assume the PPA role, if the council has refused to support the planning proposal, or
- identify the PPA (either council or itself) where council has not made a determination on a planning proposal but has informed the panel in writing prior to the Strategic Planning Panel meeting of its nomination.

### *Planning Proposal Authority*

The Strategic Planning Panel may be directed to be the PPA for a planning proposal by the Minister.

The Strategic Planning Panel has delegated authority to direct itself to be the PPA in the following cases:

- a. in a case where the recommendation relates to a proposed instrument relating to land owned by a Local Aboriginal Land Council and to which Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 applies:
  - i. before the recommendation was made, a written request to prepare a planning proposal has been submitted to the Department of Planning and Environment by the Local Aboriginal Land Council, or
- b. in any other case:
  - i. before the recommendation was made, a written request to prepare a planning proposal has been submitted to the council, and
  - ii. after the recommendation was made, the council has been given an opportunity to be the planning proposal authority, unless the council has previously refused to support the request to prepare a planning proposal.

**Note:** The appointment function under s 3.32(2)(c) of the EP&A Act has been delegated by the Minister to the Planning Panels and the Independent Planning Commission under an instrument of delegation.

### **14.5 Independent reviews**

An independent review is an administrative review process closely aligned with rezoning reviews. Independent proposal reviews give LALCs an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan made under the Planning Systems SEPP.

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### *Assessment and Determination*

When a Strategic Planning Panel is undertaking an independent review, it must consider the:

- strategic merit - consideration must be given to the consistency of the planning proposal with the relevant development delivery plan for the land, and
- site-specific merit - consideration must be given to the social and economic benefit to the Aboriginal community facilitated by the proposal.

The Strategic Planning Panel must determine whether or not to recommend that a planning proposal be submitted for a Gateway determination under section 3.34 of the EP&A Act.

Further detail on the independent review process can be found in Planning Circular PS 22-001 Independent review of planning proposals for identified Aboriginal land, or as updated.

### **14.6 Planning Proposal Authority**

As the PPA, the Strategic Planning Panel performs functions that a council normally would in preparing a LEP. This includes:

- submitting a planning proposal that satisfies the requirements of section 3.33 of the EP&A Act including any requirements issued by the Secretary for a Gateway determination,
- undertaking any necessary agency consultation prior to public exhibition of the planning proposal,
- exhibiting the planning proposal in accordance with the terms of the Gateway determination (if all relevant Gateway conditions have been met Panel endorsement to proceed to exhibition is not necessary),
- considering a recommendation report, addressing submissions received during public exhibition,
- holding a public meeting if the planning proposal is the subject of 10 or more unique submissions by way of objection following public exhibition,
- if required by the Minister, conducting a review of the planning proposal if there has been any delay in the matter being finalised, or if for any other reason the Minister considers it appropriate to do so,
- providing a revised planning proposal to the Minister following consideration of any submission or report during community consultation or for any other reason,
- submitting a request to the Department, as delegate of the Minister, that the LEP be legally drafted and made.

The Minister (or delegate) remains responsible for determining the planning proposal.

The Secretary is responsible for making arrangements for the drafting of any required LEP to give effect to the final proposals of the PPA.

### **14.7 Support provided to the Planning Panel in its role as PPA**

The Secretariat are to provide any necessary support for agency and community consultation (public exhibition) and can facilitate the provision of technical support from other parts of the Department and briefings to the Strategic Planning Panel.

### **14.8 Strategic Planning Panel decisions and advice to be made publicly available**

A Strategic Planning Panel will need to make decisions throughout the LEP making process when undertaking reviews or acting as PPA. Decisions of the Strategic Planning Panel must be made publicly available on the relevant Planning Panels website within 7 business days of any decision.

### **14.9 Community consultation**

There is no requirement for a Strategic Planning Panel meeting to be held prior to determining a rezoning review. The Gateway determination details requirements, if any, for community consultation on planning proposals. The Strategic Planning Panel may hold Panel meetings at any time, at the discretion of the chair, and request briefings from relevant parties at any time.

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Submissions received as part of the public exhibition of a planning proposal for which the Strategic Planning Panel is the PPA must be made publicly available on the Panels' website.

### **15. Site compatibility certificates**

Panels determine applications for SCCs made under section 3.14 of the Transport and Infrastructure SEPP.

Written applications are to be lodged with the Department. The Department prepares an assessment of the application and a recommendation for the relevant Panel. The Panel considers the application and the Department's assessment report and those matters set out at section 3.14(6) of the SEPP. The Panel may determine an application by issuing a SCC or refusing to do so.

The Panel may request a briefing and/or a site visit to assist in its considerations.

A briefing or site visit will be attended by the Panel and Department staff and follow the procedures set out in Schedule 1.

Decisions on SCCs will generally be made by a resolution following a circulation of papers in accordance with the procedures set out in Schedule 1.

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## **Schedule 1: Procedures for briefings, meetings and decisions.**

### **1 Briefings and site visits**

The chair may agree to a site visit or a briefing prior to a Planning Panel making a decision or providing advice on a matter.

A site visit or briefing is solely to identify and clarify issues with the proposal. Panel members will not offer opinions on the merits of the proposal or ask those involved with the assessment of the proposal for their opinion or recommendations at site visits or briefings.

However, the Panel may identify issues that it expects to be addressed or clarified in any assessment report.

A site visit or briefing will be attended by the Panel and relevant council or Department assessment staff or other persons engaged in the assessment of the DA or matter to be determined by the Panel. Secretariat staff may also attend site visits and briefings. In some circumstances, other parties, including the applicant or people who made submissions on an application or matter may also be invited to attend a site visit or briefing. The invitation of parties is at the discretion of the chair.

Briefings on DAs may include a presentation by council assessment staff on key elements of the proposal and the planning controls that affect it (such as zoning), and an overview of issues of concern arising through the Council's assessment or raised in submissions. The timing of the submission of the assessment report and tentative date for a determination may also be discussed.

The assessment officer briefing the Panel during a site visit should have available a set of large-scale plans and be able to point out relevant features of the site and the proposed development.

Only Panel members who will sit on the Panel to determine the matter should attend the briefing.

Briefings and site visits on planning proposals and site compatibility certificates follow the same format, with Departmental staff briefing the Panel.

It is not mandatory that the Panel be briefed prior to considering a matter. However, the Panel will typically hold a Kick-off briefing within 28 days of the DA being lodged. At this Kick-off briefing, the Panel chair will identify key issues, any areas where further information is to be requested and set out a timetable for the next phases of the assessment process, including the estimated timing for determination. Where there is an additional assessment briefing, it should take place no later than 128 days after the lodgement of the DA. The assessment of a DA should not be delayed for a briefing to occur.

Panel members may identify further issues where they need clarification or more information. A Panel may request briefings with council or Department staff or the applicant at any time to clarify any element of the proposal and the assessment report prior to the Panel making its decision.

Briefings are not determination meetings and Panel members should not make any comment that would indicate pre-determination of the matter.

The chair should take into consideration the availability of all members of the Panel and any other necessary persons when deciding to conduct a site visit.

Entry to any private land may only take place with the express permission of the owner of the land, and it is the responsibility of council staff, in relation to a DA, or Department staff in relation to a planning proposal, to seek owner's consent when required.

A written record of the briefing or site visit is made including time, date, attendees, any declarations and key issues discussed and is published on the Planning Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

It may be appropriate to invite the applicant or proponent to attend a briefing or site visit when:

- it would be beneficial to gain a joint understanding between the Panel, council and applicant of the key issues and timing for resolution relating to a DA or planning proposal,
- the Panel could benefit from additional technical explanation on a complex matter,

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- the development or other options are still being considered (e.g. if a major re-design has been requested by the council), or if
- material to be presented may be commercially sensitive or confidential.

Site inspections and briefings are not public meetings of the Panel.

## **2 Meetings**

The Panel may meet on-line, in-person or a combination of both. The Panel will generally conduct its business on-line.

### *Public briefing meetings*

If the matter before the Panel attracts significant community interest, the Panel may consider calling a public briefing meeting.

Public briefing meetings are held to hear submissions in a public forum and to meet with key stakeholders to discuss unresolved issues. Community groups and individuals may register to speak to the Panel at the public briefing meeting. Public briefing meetings are held at the discretion of the Panel. A recording will be made of public briefing meetings and made available on the Planning Panel website.

Panel members should not make any comment that would indicate pre-determination of the application at a public meeting.

### *Determination meetings*

For contentious matters, where a DA has attracted 10 or more unique submissions by way of objection, the Panels will generally hold a public determination meeting to consider the DA.

Notice of a public determination meeting is given at least 7 days before the meeting. Notice of the meeting (including the time, date, meeting format and if relevant, venue for the meeting) are:

- notified on the Panels website, and
- given to every person who made a submission to the council (in the case of petitions, only the head petitioner).

The meeting agenda, any business papers, assessment reports and attachments (including any representations made by council) are distributed to members of the Panel and uploaded on the Planning Panels website in advance of the meeting.

People wishing to address the Panel must register prior to the meeting.

The chair determines the order of presentations to the Panel and the amount of time given to each speaker. At the meeting, it is acceptable to provide the Panel with written material which summarises the matters to be presented to the panel by the speaker. However, written material must be kept to a minimum. Any written material provided may be made available on the Planning Panel website.

## **3 Procedures for public meetings**

Planning Panel meetings are to be conducted in public.

### *Meeting dates and agendas*

Expected determination timeframes for DAs are estimated soon after the DA is lodged and referred to the Planning Panels. Regular status updates on DAs ensure that DAs are determined in a timely manner. Briefings and meetings are scheduled on an as-needs basis. Generally, Panels will have a regular schedule of proposed meeting dates that is determined at the beginning of each year by the Secretariat in consultation with the chair. Meeting dates can be utilised for any Panel related business including public briefing meetings, Panel briefings including Kick-off briefings and site visits, meetings with relevant Government agencies (eg concurrence authority) or Panel meetings. Panel public determination meetings are generally arranged within 14 days of receiving council's assessment report.

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Additional meetings or briefings of a Panel may be organised at the discretion of the chair and via the Secretariat.

The council notifies the Secretariat of any revised date for completion of the assessment report as soon as it is aware of any delay and advises of the reasons for the delay.

#### *The meeting time and venue*

The meeting time, meeting format and if relevant, venue is determined by the chair in consultation with relevant councils, and taking into account:

- the location of the proposed developments to be considered at the Panel meeting,
- the number of persons who have expressed an interest in the different matters to be considered at the Panel meeting,
- if the meeting is being held on site, the availability of a suitable venue and the accessibility of the proposed venue for those persons, and
- local considerations and logistics.

The meeting time, meeting format and if relevant, venue should:

- maximise accessibility to people who have expressed an interest in the matters to be considered at the meeting, and
- facilitate the open exchange of information between the Panel members and other parties.

#### *Notice of meeting*

Notice of a Panel meeting is to be given by the Secretariat at least 7 days before the meeting. Notice is given to Panel members, the general managers (or their nominee) of the councils in that region or district, every person who made a submission to the council (in the case of petitions, only the head petitioner) in respect of an item to be considered at the meeting and the applicants for those items. A notice is placed on the Panels website and may be placed in the local newspaper.

The notice is to include details of:

- the time, date and format of the meeting,
- if relevant, the venue for the meeting,
- the matter under consideration (DA/s or planning proposal),
- the availability of the assessment report, supporting documentation and recommendations, and
- other matters to be considered at the meeting.

#### *Distribution of meeting papers*

The meeting papers including assessment reports and attachments, including any representations made by councils, are to be distributed to members of the Panel and uploaded on the Panels website by the Secretariat no less than 7 days prior to the meeting.

#### *Opening and closing meetings*

The chair will open the meeting with an Acknowledgement of Country followed by introducing the Panel and its members, state the purpose of the meeting, read out any apologies and call for declarations of interest following the declarations of interest procedures.

The chair will note any site visits or briefings the panel has had the benefit of and describe the order of proceedings and time limits for speakers.

The chair may also request council staff to briefly summarise the key issues that have arisen in the assessment report.

The panel will then listen to those wishing to address the panel. After the presentations the panel will make its determination and the chair will read out the decision of the panel before closing the meeting.

#### *Declarations of interest procedures*

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The declarations of interest procedures set out below follow the requirements of the Panels Code of Conduct (Code):

1. The chair calls on Panel members to complete and sign written declarations of interest forms prior to the meeting for each panel matter (under clause 4.1 of the Code). Any verbal declarations must be recorded in writing.

**Note:** Under the Code, a panel member should declare the following interests:

- a. an actual, potential or reasonably perceived conflict of interest (see clause 3.1 of the Code),
  - b. a pecuniary interest listed under clauses 3.10 – 3.12 of the Code,
  - c. a non-pecuniary interest (see clause 3.14 of the Code),
  - d. a conflict of duties listed under clauses 3.18 – 3.25 of the Code,
  - e. a pecuniary interest or non-pecuniary interest arising from a political contribution or donation (see clause 3.26 of the Code),
  - f. a position and pecuniary interest in corporations, partnerships or other businesses that may be relevant to the activities of the Panel in accordance with the Department of Premier and Cabinet's Guidelines 'Conduct Guidelines for Members of NSW Government Boards and Committees' (see clause 4.3 of the Code),
  - g. a personal dealing with council (see clause 5.1 of the Code), and
  - h. a gift or benefit listed under clauses 5.2 – 5.6 of the Code.
2. The chair reviews the written and signed declarations and the management measures put in place for any declared interests.
  3. If the chair is satisfied that reasonable and appropriate management measures are consistent with those set out in the Code, then a note to this effect is to be made on the meeting record.
  4. Should the chair have concerns, the chair is to raise these concerns with the member and suggest additional reasonable and appropriate management measures including, if warranted, that the member not take part in the determination for the matter (see clause 3.8 of the Code).
  5. The chair is to provide the member an opportunity to respond.
  6. The chair is to consider any response prior to making a final decision on the reasonable and appropriate management measures and note the response, the decision, and the chair's reasons for the decision in the meeting record.

#### *Presentations at a Panel meeting*

The chair determines the order of presentations to the Panel. Panel members may ask questions of those making presentations. The amount of time given to each speaker is at the discretion of the chair.

At the Panel meeting, it is at the chair's discretion whether to accept written material which summarises the matters to be presented to the Panel by the speaker. Any allowed written material must be kept to a minimum.

By registering to speak at a meeting, speakers agree to being audio recorded and to the publication of that recording on the Panels website.

#### *a) Presentation by the assessment officer*

The chair may request that the assessing officer responsible for preparing the assessment report (or a representative) presents a summary of the DA or planning proposal, as the case may be, and outline any relevant assessment issues at the start of the presentations. For meeting being held in person, the assessment officer should have available at the Panel meeting a set of large-scale plans (including any amended plans).

Generally, it is council's professional planning and assessment staff that prepare DA assessment reports for the Panel's consideration.



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Where a Panel is acting in the role of the PPA for a planning proposal matter the Department provides technical assistance, which may include the provision of an assessment report for the Panel.

The assessment officer (or representative) should inform the chair of any late submissions received, and of any issues raised which may not have been addressed in the assessment report.

The assessment officer (or representative) should be present throughout the Panel meeting, so that the chair can seek clarification where necessary of assessment issues that may arise during the course of the meeting. Other technical experts from the council/Department may also be present (such as traffic engineers) and the chair may ask for clarification of specific issues. Any questions to council/Department staff can only be made by Panel members and are to be directed through the chair.

b) Presentation by the applicant or proponent

The applicant, in the case of a DA, or the proponent, in the case of a planning proposal, will be given the opportunity to outline the proposal and respond to the assessment report. The applicant/proponent may also be required to respond to submissions made at the meeting. The time allocated to the applicant/proponent, including their consultant(s), is at the discretion of the chair, but is generally 15 minutes. Additional time may be allocated where professional consultants have been engaged by the applicant/proponent to present at the meeting.

c) Presentation by people or groups who made submissions

Panel meetings enable people or groups to make a presentation to the Panel meeting. People who wish to address the Panel must register with the Secretariat prior to the meeting by contacting the Secretariat by telephone or email within the timeframe specified in the notification letter (generally two days before the Panel meeting).

For those people who are of the view that they would not be appropriately or adequately represented by any groups, they may register to speak to the Panel as individuals.

The chair will advise on the time allocated for verbal submissions which will vary from meeting to meeting depending on a number of considerations such as the number of registered speakers.

As a guide:

- individual submitters will have 3 minutes to speak,
- a speaker for a community organisation/group will have 10 minutes to present. Additional time may be allocated where professional consultants have been engaged by community groups to present at the meeting.

In addition, where a large group of people have common issues to raise at the meeting, the chair may ask that a spokesperson be appointed to speak on behalf of the group. In such cases, the spokesperson will generally be allocated more time than individual speakers.

The chair seeks to ensure that all groups or individuals who request to address the Panel are heard. Any requests for extending time limits should be made to the Panel at the meeting and may be granted at the discretion of the chair.

Speakers should focus their oral presentations on the assessment report and its recommendation rather than re-stating information outlined in their earlier written submissions. The Panel has been provided with all submissions and associated documents before the Panel meeting.

d) Presentation by people or groups that have not made a submission

The chair has the discretion to allow any member of the public to address the Panel, even if they have not made a submission or registered to speak by the relevant deadline. Considerations may include the number of persons that made submissions and have requested to address the meeting and the available time.

e) Presentation by an expert engaged by the Panel

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For the purpose of making a decision on a matter, such as a DA or a planning proposal, a Panel may obtain independent assessment reports, advice and assistance that the Panel may require, particularly in relation to complex technical matters. This would be in addition to any assessment report or other information provided by the relevant council/Department in assessing the application.

Selection of such experts is to be determined by the chair in consultation with the other Panel members.

Depending on the circumstances, the expert may submit a report with recommendations directly to the Panel. In addition, the expert may be invited to present the outcomes of their report at the Panel meeting.

The independent assessment report should be made available on the Planning Panels website prior to the meeting, except where this information includes legal advice provided to the Panel and is subject to legal professional privilege.

#### *Adjourning during a Planning Panel meeting*

A Panel may adjourn a meeting where:

- a briefing is required to hear confidential or sensitive information, and/or
- the panel wishes to confer amongst itself before reconvening the meeting for voting and determination.

Before the adjournment the panel chair publicly states the reasons for the adjournment which are recorded in the audio and written record of the meeting.

If the meeting is adjourned so that the panel may confer amongst themselves prior to making a decision, the chair briefly summarises the matters discussed in the adjournment after reconvening the meeting. The panel may discuss the matter further in the meeting and/or make its determination.

Panel discussions during adjournments are not recorded.

#### **4 Decisions and determinations**

The Panel will strive to make its decisions unanimously. Where a decision cannot be made by unanimously, the decision will be made by majority vote. The chair will have a second or casting vote if required because of an equality of votes.

#### *Quorum for a Planning Panel decisions*

A quorum is a majority of the Panel's members, including the chair, i.e. a total of three members. The decision of the Panel will be deferred if a quorum is not present.

Where conflicts of interest are known before a decision is to be made, alternate members will be used to make a quorum.

#### *The Planning Panel's consideration*

In addition to the assessment report, the Panel is to take into account all written submissions, as well as the views expressed by those addressing the Panel should a public meeting be required.

#### *Deferring the decision*

A decision may be deferred for any reason including to obtain additional information or advice.

Should the Panel determine to defer a decision on an application, it must provide a written record of the reasons for deferral.

Where the determination of a proposal is deferred pending the provision of additional information, the panel must specify the timeframe in which the information is to be provided to the council for assessment.

It is the council's responsibility to follow up on any requests for additional information or amendments from the applicant, to determine whether re-exhibition is required, and to provide a supplementary assessment report to the Panel.

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### *The Panel's reasons*

The Panel must provide reasons for its decisions, which are to be recorded in the 'Determination and Statement of Reasons' template provided by the Secretariat.

The Panel may rely on the conclusions and recommendations within the assessment report, however, the Panel must identify where it has its own reasons for making the decision and where it adopts the reasons from any assessment report of Council or the Department. As part of setting out its reasons the Panel is to:

- provide a summary of the main issues raised in submissions,
- demonstrate how the Panel considered the community's concerns, and
- demonstrate how the Panel dealt with the issues raised, should they have been found to have merit i.e. requested further studies, applied appropriate conditions or, agreed with council recommendation that the applicant had satisfactorily addressed the concerns.

### *Determinations on DAs*

The determination must clearly state whether a DA is unconditionally approved, approved with conditions, has a deferred commencement or refused.

Any new conditions of consent or changes to the recommended conditions of consent must be recorded.

If the Panel resolves to approve an application that is recommended for refusal, the Panel may seek a further report from the council's planning officer providing recommended conditions of consent. The Panel may request without prejudice conditions of consent before a Panel meeting if council's report recommends refusal.

The determination and statement of reasons must include the following:

- the decision of the Panel,
- the date of the decision,
- the reasons for the decision (having regard to any statutory requirements applying to the decision), and
- how community views were considered in making the decision.

DA determinations must be publicly notified in accordance with clause 20 Schedule 1 of the EP&A Act. The date that the determination has effect is the date that it is registered (by the Panel secretariat) on the NSW Planning Portal (EP&A Act s.4.20(1)). The council will provide the Notice of Determination after this date.

The decision of the Panel is not subject to a 'Rescission Motion' as in local government.

Decisions of Decision Review Panels are called a 'Review of Decision' Determination and Statement of Reasons.

### *Determinations on matters other than DAs*

Decisions made by the Panels on SCCs, Rezoning Reviews and where the Panel is the PPA will include the following:

- the decision of the Panel,
- the date of the decision, and
- the reasons for the decision (having regard to any statutory requirements applying to the decision).

### *Resolutions of the Panels*

The Panels may from time to time make resolutions on certain matters, e.g. to authorise the chair to provide instruction in relation to legal appeals on behalf of the Panel.

Resolutions of the Panel will be published on the Panels website.

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#### *Dissenting views*

If the decision (and reasons for the decision) is not unanimous, all members of the Panel (i.e. including the minority) still need to give reasons.

#### *Timing of Determination and Statement of Reasons*

It is preferable that the Panel record both its decision and its reasons at the time of the determination.

#### *Signatures*

All members of the Panel must sign the Determination and Statement of Reasons. Where one or two members are in dissent, they must still sign, as the reasons will set out their dissenting views.

### **5 Transactions of business outside meetings**

A Panel can transact its business by the circulation of papers, (including the electronic transmission of the information in the papers) (known as an electronic determination) (see Schedule 2, Clause 26 of the EP&A Act). The chair and each Panel member have the same voting rights as they have at a public meeting.

The chair may decide that the Panel can complete its business through an electronic determination. These circumstances may arise when:

- there are less than 10 unique submissions by way of objection,
- the Panel has held a public meeting and deferred its decision to request specific additional information from an applicant or council (such as amended drawings) and if council, after having accepted the amended drawings, has decided that re-exhibition of is not required,
- the Panel is voting on a procedural matter, or
- the Panel is voting on a decision following a briefing in relation to a Rezoning Review, Planning Proposal or site compatibility certificate.

Prior to an electronic determination the council report and recommendation is made available on the Planning Panels website for 7 days.

Following consideration of the assessment report, the Panel advises the Secretariat of its decision and a record of decision is completed and endorsed by all members.

Resolutions approved by circulation of papers are recorded in writing and made publicly available on the Panels website within 7 days. The circulation of papers is generally done electronically and are not recorded by audio/ video record, an audio record or a transcription record.

### **6 Records of proceedings**

The chair is responsible for ensuring that full and accurate records are kept of the proceedings of Panel meetings, briefings and other business.

An audio recording will be made for all public briefing meetings and determination meetings and will be published on the Panels website. By registering to speak at a meeting, speakers agree to being recorded and to the publication of that recording. Where a speaker has not registered to speak but wants to make a submission at the meeting it is at the chair's discretion and the speaker is asked to agree to being recorded and that recording being published.

Document templates for written records of proceedings are provided by the Secretariat.

Secretariat or council staff will assist in the preparation of draft written records. A copy of the unconfirmed written record is provided to all Panel members who participated in the proceedings. Panel members may submit any proposed corrections to the unconfirmed record to the Secretariat for confirmation by the chair.

Alternatively, a Panel may choose to complete and endorse the final record immediately after completing the meeting or briefing. In this case, draft records are not circulated.

When the written records have been confirmed and endorsed by the chair the written record is placed on the Panels website.

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The confirmed written record is available within 7 days of the Panel meeting or briefing.

Record details are to include:

- the opening and closing times of the meeting,
- the details of the matter considered by the Panel,
- the names of all members of the Panel, including the chair, and any other attendees at the meeting,
- any disclosure of interest made by a member, the reason for that disclosure of interest and whether the member making the disclosure participated in the discussion or determination of the matter,
- any adjournments and reasons for the adjournment,
- the names of each person heard by the Panel in respect of a matter,
- any decision of the Panel,
- reasons for the decision,
- the names of each member who voted for or against the decision, and reasons for dissent, where the decision is not unanimous, and
- the signatures of all the members making the decision.

A written record of briefings or site visits are made including time, date, attendees, any declarations and key issues discussed and are published on the Panels website within 7 days. Site visits or briefings are not recorded by audio/ video record, an audio record or a transcription record.

The Secretariat, with assistance from the relevant council, is responsible for recording decisions for Panel meetings.

Panel members are required to provide any notes made during a meeting, briefing or site inspection to the Secretariat for registration as a record. This includes handwritten or electronic notations.

**10.8 DRAFT EUSTON COURTHOUSE CONSERVATION MANAGEMENT PLAN**

<b>File Number:</b>	<b>D25.105295</b>
<b>Reporting Officer:</b>	<b>Nikkita Manning-Rayner, Planning Officer</b> <b>Ray Mitchell, Health, Environmental and Development Coordinator</b>
<b>Responsible Officer:</b>	<b>David McKinley, Director of Infrastructure and Planning Services</b>
<b>Operational Plan Objective:</b>	<b>Pillar 2: Our Place – A liveable and thriving community that maintains lifestyle opportunities and addresses its disadvantages.</b>

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**PURPOSE OF REPORT**

To exhibit a draft Conservation Management Plan for the Euston Courthouse.

**RECOMMENDATION**

**That Council:**

- 1. Places the draft Conservation Management Plan for the Euston Courthouse on public exhibition for a period of 28 days; and**
- 2. The Euston-Robinvale Historical Society Inc be sent a copy of the draft Conservation Management Plan for comment within the 28-day public exhibition period in addition to consultation already undertaken; and**
- 3. Receive a further report following conclusion of public exhibition to consider any submissions.**

**REPORT**

Council was gazetted as Trustee of the Euston Courthouse in May of 1998. Council allocated funds to undertake a conservation management plan (the Plan). The objectives of the plan include guidance for Council around appropriate resource allocation and work programming to ensure the longevity of this historic building.

Noel Thomson Architecture was engaged to undertake the preparation of the Plan.

The Plan is shown at **Attachment 1: Euston Courthouse – Draft Conservation Management Plan**.

Council's endorsement is sought to enable the public exhibition of the Plan.

The document would be placed on public exhibition for a period of 28 days, including a copy of the draft plan being sent to current tenants of the complex, being the Euston-Robinvale Historical Society Inc.

**FINANCIAL IMPLICATION**

Council has allocated own source funds to complete this project.

**LEGISLATIVE IMPLICATION**

Access to Premises Code

National Construction Code

Disability Discrimination Act 1992

**POLICY IMPLICATION**

Community Strategic Plan (Item 2.4)

**RISK RATING**

Low

**ATTACHMENTS**

1. **Euston Courthouse – Draft Conservation Management Plan (under separate cover)**

**PART B – ITEMS FOR INFORMATION****11 GENERAL MANAGER’S REPORTS****11.1 INTEGRATED PLANNING AND REPORTING (IP & R) - 2025-2029 DRAFT DELIVERY PROGRAM**

**File Number:** D25.105052  
**Author(s):** Glenn Carroll, Director of Governance Business & Community Services  
**Approver:** Peter Bascomb, Interim General Manager  
**Operational Plan Objective:** Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.

**PURPOSE OF REPORT**

To update Council on the status of the development of the Draft Delivery Program **(DP)** for the 2025/2029 Financial Years.

**OFFICER RECOMMENDATION**

That Council notes the report.

**REPORT**

The Draft Delivery Program (DP) is being prepared in accordance with Section 404 of the Local Government Act 1993 and the Integrated Planning and Reporting **(IP & R)** requirements.

To facilitate the development of the DP workshops will be held on Tuesday 1 and Tuesday 8 April 2025.

It is planned to submit the draft DP to the Ordinary Council meeting to be held on Tuesday, 15 April 2025 for Council to endorse and approve the OP to be placed on public exhibition, prior to it being re-submitted to Council for formal adoption at the June 2025 Council Meeting.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

*Local Government Act, 1993*

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil



**11.2 INTEGRATED PLANNING AND REPORTING (IP & R) - 2025/2026 DRAFT OPERATIONAL PLAN**

File Number: D25.105051

Author(s): Glenn Carroll, Director of Governance Business & Community Services

Approver: Peter Bascomb, Interim General Manager

Operational Plan Objective: Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected.

**PURPOSE OF REPORT**

To update Council on the status of the development of the Draft Operational Plan (**DOP**) for the 2025/2026 Financial Year.

**OFFICER RECOMMENDATION**

**That Council notes the report.**

**REPORT**

The Draft Operational Plan (DOP) is being prepared in accordance with Sec 405 of the Local Government Act, 1993 and the Integrated Planning and Reporting (**IP & R**) requirements.

To facilitate development of the DOP and in particular the Revenue Policy which includes the draft budget, workshops will be held on Tuesday 1 and Tuesday 8 April 2025.

It is planned to submit the DOP to the ordinary Council meeting to be held on Tuesday, 15 April 2025 for Council to endorse and approve the OP to be placed on public exhibition, prior to it being re-submitted to Council for formal adoption at the June 2025 Council Meeting.

**FINANCIAL IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

Local Government Act, 1993.

**POLICY IMPLICATIONS**

Nil.

**RISK RATING**

Low.

**ATTACHMENTS**

Nil

**11.3 INTEGRATED PLANNING AND REPORTING (IP & R) - RESOURCING STRATEGY**

<b>File Number:</b>	<b>D25.105068</b>
<b>Author(s):</b>	<b>Glenn Carroll, Director of Governance Business &amp; Community Services</b>
<b>Approver:</b>	<b>Peter Bascomb, Interim 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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**PURPOSE OF REPORT**

To update Council on the status of the development of the Resourcing Strategy for the 2025/2035 period.

**OFFICER RECOMMENDATION**

**That Council notes the report.**

**REPORT**

The Draft Resourcing Strategy for 2025/2035 is currently being developed and will be presented to the ordinary Council meeting to be held on Tuesday, 15 April 2025 with a recommendation that the strategy be placed on public exhibition for comment prior to it being resubmitted to the June 2025 Council meeting for formal adoption.

The Resourcing Strategy is comprised of:

- Asset Management Plans for
  - Drainage
  - Parks and Gardens
  - Sewer
  - Building
  - Roads and Transport
  - Waste
  - Plant and Equipment
- Workforce Management Plan
- Long Term Financial Management Plan

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

*Local Government Act, 1993*

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**11.4 REPORT ON FINANCIAL INFORMATION AS AT 28 FEBRUARY 2025**

**File Number:** D25.105283  
**Author(s):** Kristy Cameron, Finance Officer  
**Approver:** Glenn Carroll, Director of Governance Business & Community Services  
**Operational Plan Objective:** Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.

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**PURPOSE OF REPORT**

The purpose of this report is to advise and report to council on the status of the following financial information as at, 28 February 2025:

1. Monthly Summary of Revenue and Expenditure for the Caravan Park;
2. Monthly Summary of Revenue and Expenditure for the Bidgee Haven Retirement Hostel;
3. Monthly Summary of Revenue and Expenditure for the Tourism and Economic Development Centre; and
4. Monthly Summary of Revenue and Expenditure for the Library.

**OFFICER RECOMMENDATION**

**That Council notes the financial information contained in this report for the period ending, 28 February 2025.**

**REPORT**

The following is a summary on each piece of financial information as at 28 February 2025:

**Monthly Summary of Revenue and Expenditure for the Caravan Park**

For the 2024/2025 Financial Year, the Caravan Park has a revised budgeted operating revenue of \$732,000 and a revised budgeted operating expenditure of \$564,405. The budgeted operating surplus for the 2024/2025 Financial Year is \$167,595. The proposed operating surplus for the 2024/2025 Financial Year as at 28 February 2025 is \$87,300.

**Monthly Summary of Revenue and Expenditure for the Bidjee Haven Hostel**

For the 2024/2025 Financial Year, the Bidjee Haven hostel has a revised budgeted operating revenue of \$2,643,000 and a revised budgeted operating expenditure of \$2,598,795. The budgeted operating surplus for the 2024/2025 Financial Year is \$44,205. The proposed operating surplus for the 2024/2025 Financial Year as at 28 February 2025 is \$44,205.

**Monthly Summary of Revenue and Expenditure for the Tourism & Economic Development**

For the 2024/2025 Financial Year, the Tourist Information Centre has a revised budgeted operating revenue of \$98,600 with a revised budgeted operating expenditure of \$556,695. The budgeted operating deficit for 2024/2025 Financial Year is **(\$458,095)**. The proposed operating deficit for the 2024/2025 Financial Year as at 28 February 2025 is **(\$457,699)**.

**Monthly Summary of Revenue and Expenditure for the Library**

For the 2024/2025 Financial Year, the Library has a revised budgeted operating revenue of \$53,600 and a revised budgeted operating expenditure of \$156,674. The budgeted operating deficit for 2024/2025 Financial Year is **(\$103,074)**. The proposed operating deficit for the 2024/2025 Financial Year as at 28 February 2025 is **(\$101,812)**

1 Monthly Summary of Revenue and Expenditure for the Caravan Park

CARAVAN PARK 2024/25	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to the budget for December QBR	Revised Budget	Actual YTD 28 February 2025	Remaining Budget	Proposed Budget as at 30 June 2025	YTD Actual %
REVENUE								
Fees	\$600,000	\$50,000	\$70,000	\$720,000	\$481,772	\$238,228	\$720,000	66.9%
Washing Machine Charges	\$4,000	\$2,000	\$0	\$6,000	\$4,710	\$3,290	\$8,000	58.9%
Merchandise Sales	\$6,000	\$0	\$0	\$6,000	\$1,582	\$4,418	\$6,000	26.4%
TOTAL OPERATING REVENUE	\$610,000	\$52,000	\$70,000	\$732,000	\$488,064	\$245,936	\$734,000	66.5%
EXPENDITURE								
Salaries	\$223,000	\$0	\$0	\$223,000	\$174,677	\$65,323	\$240,000	72.8%
Advertising	\$1,500	\$0	\$0	\$1,500	\$0	\$1,500	\$1,500	0.0%
Bank Charges	\$5,000	\$0	\$0	\$5,000	\$4,140	\$860	\$5,000	82.8%
Cleaning Materials	\$8,000	\$0	\$0	\$8,000	\$4,355	\$3,645	\$8,000	54.4%
Electricity - Operational	\$40,000	\$10,000	\$0	\$50,000	\$49,256	\$30,744	\$80,000	61.6%
Admin Fee	\$125,700	\$0	\$0	\$125,700	\$83,800	\$41,900	\$125,700	66.7%
Rates & Charges	\$14,705	\$0	\$0	\$14,705	\$31,780	\$8,220	\$40,000	79.5%
Software Support	\$6,500	\$0	\$0	\$6,500	\$3,120	\$3,380	\$6,500	48.0%
Telephone	\$3,000	\$0	\$0	\$3,000	\$1,629	\$1,371	\$3,000	54.3%
R & M	\$20,000	\$0	\$0	\$20,000	\$23,553	\$6,447	\$30,000	78.5%
Membership fees	\$20,000	\$0	\$0	\$20,000	\$0	\$20,000	\$20,000	0.0%
Consumables GST	\$25,000	\$0	\$0	\$25,000	\$14,595	\$10,405	\$25,000	58.4%
Consumables No GST	\$1,000	\$0	\$1,000	\$2,000	\$1,344	\$656	\$2,000	67.2%
Depreciation	\$60,000	\$0	\$0	\$60,000	\$40,000	\$20,000	\$60,000	66.7%
TOTAL OPERATING EXPENDITURE	\$553,405	\$10,000	\$1,000	\$564,405	\$432,250	\$214,450	\$646,700	66.8%
NET OPERATING SURPLUS / DEFICIT	\$56,595	\$42,000	\$69,000	\$167,595	\$55,814	\$31,486	\$87,300	
CAPITAL								
Capital Revenue								
Capital Grants - CRIF	\$0	\$0	\$0	\$0	\$17,352	\$0	\$17,352	0.0%
Transfer from Restriction	\$500,000	\$0	\$0	\$500,000	\$500,000	\$0	\$500,000	0.0%
Total Capital Revenue	\$500,000	\$0	\$0	\$500,000	\$517,352	\$0	\$517,352	0.0%
Capital Expenditure								
CRIF Grant Expenditure	\$0	\$0	\$0	\$0	\$17,352	\$0	\$17,352	0.0%
Transfer to Restriction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Riverfront Upgrade	\$500,000			\$500,000	\$500,000	\$0	\$500,000	0.0%
Total Capital Expenditure	\$500,000	\$0	\$0	\$500,000	\$517,352	\$0	\$517,352	0.0%
Net Capital Surplus/ (Deficit)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0%
Net Overall Result Surplus/ (Deficit)	\$56,595	\$42,000	\$69,000	\$167,595	\$55,814	\$31,486	\$87,300	

SUMMARY

Caravan Park 2024/25	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to the budget for December QBR	revised budget	Actual YTD 28 February 2025	Remaining Budget	Proposed Budget to 30 June 2025
Total Operating Revenue	\$610,000	\$52,000	\$70,000	\$732,000	\$488,064	\$245,936	\$734,000
Total Operating Expenditure	\$553,405	\$10,000	\$1,000	\$564,405	\$432,250	\$214,450	\$646,700
Net Operating Surplus / Deficit	\$56,595	\$42,000	\$69,000	\$167,595	\$55,814	\$31,486	\$87,300
Total Capital Revenue	\$500,000	\$0	\$0	\$500,000	\$517,352	\$0	\$517,352
Total Capital Expenditure	\$500,000	\$0	\$0	\$500,000	\$517,352	\$0	\$517,352
Net Capital Surplus / (Deficit)	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Overall Result Surplus/ (Deficit)	\$56,595	\$42,000	\$69,000	\$167,595	\$55,814	\$31,486	\$87,300

2 Monthly Summary of Revenue and Expenditure for the Bidgee Haven Retirement Hostel

Bidgee Haven Hostel & Bidgee Manor Self Care Units 2024/25 Operational	Original Budget	Actual YTD 28 February 2025	QBR 1 (Sept 24) Adopted variations	QBR 2 (Dec 24) Adopted variations	Remaining Budget	Revised Budget to 30 June 2025	YTD Actual %
REVENUE - Bidgee Haven Hostel							
Resident Subsidies	\$1,500,000	\$797,306			\$702,694	\$1,500,000	53.2%
Hostel - Training Subsidy	\$4,000	\$0			\$4,000	\$4,000	0.0%
Hostel - Resident Accommm Fees	\$25,000	\$21,891		-\$5,000	-\$1,891	\$20,000	109.5%
Hostel - Resident Care Basic Daily	\$300,000	\$136,182		-\$70,000	\$93,818	\$230,000	59.2%
Hostel - Interest Received	\$85,000	\$56,667			\$28,333	\$85,000	66.7%
RN Supplement	\$780,000	\$464,709			\$315,291	\$780,000	59.6%
Business Improvement Fund c/fwd		\$130,734			\$130,734	\$130,734	
	\$2,694,000	\$1,476,755		-\$75,000	\$1,142,245	\$2,619,000	
REVENUE - Bidgee Manor Units							
Unit Rentals	\$24,000	\$11,686			\$12,314	\$24,000	48.69%
	\$24,000	\$11,686			\$12,314	\$24,000	
TOTAL OPERATING REVENUE	\$2,718,000	\$1,488,441		-\$75,000	\$1,154,559	\$2,643,000	54.8%
EXPENDITURE - Bidgee Haven Hostel							
Salaries	\$1,770,000	\$1,652,561		\$350,000	\$467,439	\$2,120,000	78.0%
RAD Interest Refund	\$1,000	\$62			\$938	\$1,000	6.2%
Medical Expenses	\$6,500	\$3,776			\$2,724	\$6,500	58.1%
Training	\$10,000	\$3,859			\$6,141	\$10,000	38.6%
Recruitment Expenses	\$5,000	\$24,743	\$25,000		\$5,258	\$30,000	82.5%
Agency Travel Expenses	\$2,000	\$2,002		\$1,000	\$998	\$3,000	66.7%
Advertising	\$1,000	\$416			\$584	\$1,000	41.6%
Audit Fees	\$5,500	\$5,362			\$138	\$5,500	97.5%
Electricity	\$45,000	\$29,886			\$15,115	\$45,000	66.4%
Gas	\$1,000	\$559			\$441	\$1,000	55.9%
General Expenses	\$2,000	\$2,588		\$1,000	\$413	\$3,000	86.3%
Laundry & Cleaning	\$20,000	\$7,794			\$12,206	\$20,000	39.0%
Administration Fees	\$144,930	\$96,620			\$48,310	\$144,930	66.7%
Commuter Bus & Sedan Running	\$10,000	\$6,667			\$3,333	\$10,000	66.7%
Freight	\$0	\$498			-\$498	\$0	0.0%
Printing & Stationary	\$2,000	\$2,117		\$1,000	\$883	\$3,000	70.6%
IT Expenditure	\$3,000	\$442			\$2,558	\$3,000	14.7%
Rates & Charges	\$7,365	\$8,083			-\$718	\$7,365	109.8%
Repairs & Maintenance	\$60,000	\$28,010			\$31,990	\$60,000	46.7%
Subscriptions & Memberships	\$7,000	\$4,421			\$2,579	\$7,000	63.2%
Telephone	\$3,500	\$3,132			\$368	\$3,500	89.5%
Chemist	\$12,000	\$6,267			\$5,733	\$12,000	52.2%
Food	\$60,000	\$26,883			\$33,117	\$60,000	44.8%
Policy & Procedures	\$0	\$15,500	\$15,500		\$0	\$15,500	100.0%
Business Improvement Fund c/fwd	\$0	\$29,342			\$101,392	\$130,734	22.4%
	\$2,178,795	\$1,932,247	\$40,500	\$353,000	\$741,440	\$2,572,295	
EXPENDITURE - Bidgee Manor Units							
Electricity	\$3,000	\$1,942			\$1,058	\$3,000	64.72%
Insurance	\$1,500	\$0			\$1,500	\$1,500	0.00%
Rates and Charges	\$10,000	\$6,681			\$3,319	\$10,000	66.81%
Repairs and Maintenance	\$5,000	\$15,822	\$7,000		-\$3,822	\$12,000	131.85%
	\$19,500	\$24,445	\$7,000		\$2,055	\$26,500	
TOTAL OPERATING EXPENDITURE	\$2,198,295	\$1,956,691	\$47,500	\$353,000	\$743,496	\$2,598,795	75.29%
NET OPERATING SURPLUS / DEFICIT	\$519,705	-\$468,250	-\$47,500	-\$428,000	\$411,063	\$44,205	

CAPITAL

Bidgee Haven Hostel & Bidgee Manor Self Care Units 2024/25 Capital	Original Budget	Actual YTD 28 February 2025	QBR 1 (Sept 24) Adopted variations	QBR 2 (Dec 24) Adopted variations	Remaining Budget	Revised Budget to 30 June 2025
REVENUE						
Transfer from restriction	\$25,000	\$0			\$25,000	\$25,000
EXPENDITURE - Bidgee Manor Units						
Market Street Security Gate Replacement	\$5,000	\$0			\$5,000	\$5,000
EXPENDITURE - Bidgee Haven Hostel						
Furniture & Fittings	\$15,000	\$26,671	\$15,000		\$3,329	\$30,000
Medical Equipment	\$5,000	\$0			\$5,000	\$5,000
Transfer to restriction	\$519,705	\$0	-\$47,500	-\$428,000	\$44,205	\$44,205
NET OPERATING SURPLUS / DEFICIT	\$544,705	\$26,671	-\$47,500	-\$428,000	\$57,534	\$84,205

SUMMARY

Bidgee Haven Hostel & Bidgee Manor Self Care Units 2024/25	Original Budget	Actual YTD 28 February 2025	QBR 1 (Sept 24) Adopted variations	QBR 2 (Dec 24) Adopted variations	Remaining Budget	Revised Budget to 30 June 2025
TOTAL OPERATING REVENUE	\$2,718,000	\$1,488,441		-\$75,000	\$1,154,559	\$2,643,000
TOTAL OPERATING EXPENDITURE	\$2,198,295	\$1,956,691	\$47,500	\$353,000	\$743,496	\$2,598,795
NET OPERATING SURPLUS / DEFICIT	\$519,705	-\$468,250	-\$47,500	-\$428,000	\$411,063	\$44,205



3 Monthly Summary of Revenue and Expenditure for the Tourism and Economic Development

TOURISM 2024/25	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to Budget for December QBR	Revised Budget	Actual YTD 28 February 2025	Remaining Budget	Proposed Budget to 30 June 2025	YTD Actual %
REVENUE								
Fees	\$500	\$0	\$0	\$500	\$0	\$500	\$500	0.0%
Rent - Discovery Centre	\$20,000	\$0	\$0	\$20,000	\$13,867	\$6,133	\$20,000	69.3%
Souvenir Sales	\$70,000	\$0	\$0	\$70,000	\$39,192	\$30,808	\$70,000	56.0%
Sales Yanga HH Guides	\$3,000	\$0	\$0	\$3,000	\$2,493	\$1,507	\$4,000	83.1%
Commissions	\$100	\$0	\$0	\$100	\$105	\$45	\$150	105.5%
Sundry income	\$1,000	\$0	\$0	\$1,000	\$0	\$1,000	\$1,000	0.0%
Donations - Discovery Centre	\$4,000	\$0	\$0	\$4,000	\$2,005	\$1,995	\$4,000	50.1%
TOTAL OPERATING REVENUE	\$98,600	\$0	\$0	\$98,600	\$57,662	\$41,988	\$99,650	
EXPENDITURE								
Salaries	\$208,000	\$0	\$0	\$208,000	\$157,811	\$50,189	\$208,000	75.9%
Staff Uniforms	\$800	\$0	\$0	\$800	\$0	\$800	\$800	0.0%
Training	\$2,500	\$0	\$0	\$2,500	\$0	\$2,500	\$2,500	0.0%
Advertising	\$47,000	\$0	\$0	\$47,000	\$27,135	\$19,865	\$47,000	57.7%
Security Monitoring	\$1,000	\$0	\$0	\$1,000	\$277	\$723	\$1,000	27.7%
Conference Expenses	\$4,000	\$0	\$0	\$4,000	\$0	\$4,000	\$4,000	0.0%
General Expenses	\$2,000	\$0	\$0	\$2,000	\$1,076	\$925	\$2,000	53.8%
Admin Charges	\$82,030	\$0	\$0	\$82,030	\$54,687	\$27,343	\$82,030	66.7%
Postage	\$500	\$0	\$0	\$500	\$3	\$497	\$500	0.5%
Printing and Stationery	\$2,000	\$0	\$0	\$2,000	\$661	\$1,339	\$2,000	33.0%
Special Events - Shows / Movies	\$2,000	\$0	\$0	\$2,000	\$0	\$2,000	\$2,000	0.0%
Easter Events	\$2,000	\$0	\$0	\$2,000	\$0	\$2,000	\$2,000	0.0%
Seminars & Workshops - Local	\$2,000	\$0	\$0	\$2,000	\$99	\$1,901	\$2,000	4.9%
Subscriptions	\$4,000	\$0	\$0	\$4,000	\$800	\$3,200	\$4,000	20.0%
Christmas Decorations	\$500	\$0	\$0	\$500	\$530	\$0	\$530	106.1%
Telephone	\$2,000	\$0	\$0	\$2,000	\$1,229	\$771	\$2,000	61.5%
Internet	\$1,500	\$0	\$0	\$1,500	\$1,244	\$256	\$2,000	82.9%
Travelling Expenses	\$2,000	\$0	\$0	\$2,000	\$0	\$2,000	\$2,000	0.0%
Souvenirs	\$45,000	\$0	\$0	\$45,000	\$31,047	\$13,953	\$45,000	69.0%
Cleaning	\$6,000	\$0	\$0	\$6,000	\$2,726	\$3,274	\$6,000	45.4%
R & M	\$10,000	\$30,000	\$0	\$40,000	\$28,596	\$11,404	\$40,000	71.5%
Vernon control	\$0	\$6,000		\$6,000	\$5,860	\$0	\$5,860	97.7%
Council Donations	\$13,500	-\$10,000	\$0	\$3,500	\$0	\$3,500	\$3,500	0.0%
Electricity	\$20,000	\$20,000	\$0	\$40,000	\$29,581	\$10,419	\$40,000	74.0%
Rates	\$7,365	\$0	\$0	\$7,365	\$6,099	\$1,266	\$7,365	82.8%
Software & licensing	\$5,000	\$0	\$0	\$5,000	\$0	\$5,000	\$5,000	0.0%
Integrated Tourism Campaign	\$30,000	\$0	\$0	\$30,000	\$0	\$30,000	\$30,000	0.0%
Product development	\$2,000	\$0	\$0	\$2,000	\$0	\$2,000	\$2,000	0.0%
SW Arts Contribution	\$6,000	\$0	\$0	\$6,000	\$6,264	\$0	\$6,264	104.4%
TOTAL OPERATING EXPENDITURE	\$510,695	\$46,000	\$0	\$556,695	\$355,723	\$201,126	\$557,349	63.9%
NET OPERATING SURPLUS/DEFICIT	-\$412,095	-\$46,000	\$0	-\$458,095	-\$298,061	-\$159,138	-\$457,699	
Capital Revenue								
Grants - Joint Organisation	\$0	\$0	\$0	\$0	\$348,200	\$0	\$348,200	0.0%
Children & Young People Grant	\$0	\$0	\$0	\$0	\$6,717	\$0	\$6,717	0.0%
Economic Development Strategy	\$0	\$0	\$0	\$0	\$0	\$0	\$6,714	0.0%
Total Capital Revenue	\$0	\$0	\$0	\$0	\$354,917	\$0	\$361,631	0.00%
Capital Expenditure								
Joint Organisation Discovery Centre Complex	\$0	\$0	\$0	\$0	\$348,200	\$0	\$348,200	0.0%
Economic Development Strategy	\$0	\$0		\$0	\$0	\$0	\$6,714	
Children & Young People Grant	\$0	\$0	\$0	\$0	\$6,717	\$0	\$6,717	0.0%
Total Capital Expenditure	\$0	\$0	\$0	\$0	\$354,917	\$0	\$361,631	0.00%
Net Capital Surplus/ (Deficit)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Net Result Surplus/ (Deficit)	-\$412,095	-\$46,000	\$0	-\$458,095	-\$298,061	-\$159,138	-\$457,699	

SUMMARY

	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to Budget for December QBR	Revised Budget	Actual YTD 28 February 2025	Remaining Budget	Actual budget to 30 June 2025
TOURISM 2024/25							
Total Operating Revenue	\$98,600	\$0	\$0	\$98,600	\$57,662	\$41,988	\$99,650
Total Operating Expenditure	\$510,695	\$46,000	\$0	\$556,695	\$355,723	\$201,126	\$557,349
Net Operating Result Surplus / Deficit	-\$412,095	-\$46,000	\$0	-\$458,095	-\$298,061	-\$159,138	-\$457,699
Total Capital Revenue	0.00	0.00	0.00	0.00	\$354,917	0.00	\$361,631
Total Capital Expenditure	0.00	0.00	0.00	0.00	\$354,917	0.00	\$361,631
Net Capital Surplus / (Deficit)	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Net Overall Result Surplus / (Deficit)	-\$412,095	-\$46,000	\$0	-\$458,095	-\$298,061	-\$159,138	-\$457,699

4 Monthly Summary of Revenue and Expenditure for the Library

Library Services 2024/25	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to Budget for December QBR	Revised Budget	Actual YTD 28 February 2025	Remaining Budget	Proposed Budget to 30 June 2025	YTD Actual %
REVENUE								
Operational Subsidy	\$45,100	\$0	\$0	\$45,100	\$51,158	\$0	\$51,158	100.0%
Sundry Sales	\$1,000	\$0	\$0	\$1,000	\$625	\$375	\$1,000	62.5%
Museum other Revenue	\$500	\$0	\$0	\$500	\$111	\$389	\$500	22.2%
Room Hire	\$2,000	\$5,000	\$0	\$7,000	\$5,364	\$1,636	\$7,000	76.6%
TOTAL OPERATING REVENUE	\$48,600	\$5,000	\$0	\$53,600	\$57,258	\$2,400	\$59,658	
EXPENDITURE								
Salaries	\$87,000	\$0	\$0	\$87,000	\$61,721	\$25,279	\$87,000	70.9%
Training	\$2,000	\$0	\$0	\$2,000	\$278	\$1,722	\$2,000	13.9%
Electricity	\$3,000	\$0	\$3,000	\$6,000	\$5,452	\$548	\$6,000	90.9%
Office Expenses	\$1,000	\$0	\$0	\$1,000	\$213	\$787	\$1,000	21.3%
Administration Charge	\$16,770	\$0	\$0	\$16,770	\$9,783	\$6,988	\$16,770	58.3%
Printing and Stationery	\$1,000	\$0	\$0	\$1,000	\$581	\$419	\$1,000	58.1%
Books and Journals	\$6,000	\$0	\$0	\$6,000	\$7,032	\$968	\$8,000	87.9%
IT Expenditure	\$4,000	\$0	\$0	\$4,000	\$352	\$3,648	\$4,000	0.0%
Repairs and Maintenance	\$13,000	\$0	\$0	\$13,000	\$5,670	\$7,330	\$13,000	43.6%
Security Monitoring	\$2,000	\$0	\$0	\$2,000	\$339	\$1,661	\$2,000	16.9%
Conferences and travelling	\$3,000	\$0	\$0	\$3,000	\$443	\$2,557	\$3,000	14.8%
Cleaning	\$6,000	\$0	\$0	\$6,000	\$1,440	\$4,560	\$6,000	24.0%
Subscriptions	\$3,500	\$0	\$0	\$3,500	\$2,140	\$1,360	\$3,500	61.2%
Telephone and Communications	\$600	\$2,600	\$0	\$3,200	\$1,720	\$1,480	\$3,200	53.7%
Rates	\$2,204	\$0	\$0	\$2,204	\$3,814	\$1,186	\$5,000	76.3%
TOTAL OPERATING EXPENDITURE	\$151,074	\$2,600	\$3,000	\$156,674	\$100,977	\$60,493	\$161,470	62.5%
NET OPERATING SURPLUS / DEFICIT	-\$102,474	\$2,400	-\$3,000	-\$103,074	-\$43,719	-\$58,093	-\$101,812	
CAPITAL								
Capital Revenue								
Library Local Priority	\$25,000	\$0	\$0	\$25,000	\$19,235	\$5,765	\$25,000	76.9%
Library Infrastructure Grant 2	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Tech Savvy Program	\$0	\$8,150	\$0	\$8,150	\$8,163	\$0	\$8,163	100.0%
Sunraysia Solar Grant	\$2,700	\$0	\$0	\$2,700	\$2,700	\$0	\$2,700	100.0%
Holiday Break Funding	\$3,546	\$0	\$0	\$3,546	\$3,546	\$0	\$3,546	100.0%
Grandparents Grant	\$500	\$0		\$500	\$500	\$0	\$500	100.0%
WinterSpring Youth Program	\$6,414	\$0		\$6,414	\$6,414	\$0	\$6,414	100.0%
LWT & FOLA Grant	\$1,000	\$0		\$1,000	\$1,000	\$0	\$1,000	100.0%
Solar Farm Grant	\$0	\$800		\$800	\$800	\$0	\$800	100.0%
Total Capital Revenue	\$39,160	\$8,950	\$0	\$48,110	\$42,358	\$5,765	\$48,123	
Capital Expenditure								
Capital Items Library								
Grant Priority Project	\$25,000	\$0	\$0	\$25,000	\$9,050	\$15,950	\$25,000	36.2%
Infra Grant - 1	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Library Infra Grant - 2	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.0%
Library Grant - Tech Savy	\$0	\$8,150	\$0	\$8,150	\$1,491	\$6,672	\$8,163	18.3%
Holiday Break Funding	\$3,546	\$0	\$0	\$3,546	\$1,987	\$1,560	\$3,546	56.0%
Grandparents Grant	\$500	\$0	\$0	\$500	\$62	\$438	\$500	12.3%
WinterSpring Youth Program	\$6,414	\$0	\$0	\$6,414	\$5,548	\$865	\$6,414	86.5%
LWT & FOLA Grant	\$1,000	\$0	\$0	\$1,000	\$802	\$198	\$1,000	80.2%
Sunraysia Solar Expenditure	\$2,700	\$0	\$0	\$2,700	\$2,700	\$0	\$2,700	100.0%
Solar Farm Grant	\$0	\$800	\$0	\$800	\$110	\$690	\$800	13.8%
Total Capital Expenditure	\$39,160	\$8,950	\$0	\$48,110	\$21,750	\$26,373	\$48,123	
Net Capital Surplus/ (Deficit)	\$0	\$0	\$0	\$0	\$20,608	-\$20,608	\$0	
Net Overall Result Surplus/ (Deficit)	-\$102,474	\$2,400	-\$3,000	-\$103,074	-\$23,111	-\$78,700	-\$101,812	

SUMMARY

Library Services 2023/24	Original Budget	Actual Amendments to Budget for September QBR	Actual Amendments to Budget for December QBR	Revised Budget	Actual YTD 28 February 2025	Remaining Budget	Proposed Budget to 30 June 2025
Total Operating Revenue	48,600	5,000	0	53,600	57,258	2,400	59,658
Total Operating Expenditure	151,074	2,600	3,000	156,674	100,977	60,493	161,470
Net Operating Surplus / Deficit	-102,474	2,400	-3,000	-103,074	-43,719	-58,093	-101,812
Total Capital Revenue	39,160	8,950	0	48,110	42,358	5,765	48,123
Total Capital Expenditure	39,160	8,950	0	48,110	21,750	26,373	48,123
Net Capital Surplus / (Deficit)	0	0	0	0	20,608	-20,608	0
Net Overall Result Surplus/ (Deficit)	-102,474	2,400	-3,000	-100,074	-23,111	-78,700	-101,812

## **ORDINARY COUNCIL MEETING AGENDA**

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### **FINANCIAL IMPLICATIONS**

Nil.

### **LEGISLATIVE IMPLICATIONS**

Nil.

### **POLICY IMPLICATIONS**

Nil.

### **RISK RATING**

Low.

### **ATTACHMENTS**

Nil

**11.5 MONTHLY INVESTMENTS REPORT**

**File Number:** D25.105278  
**Author(s):** Kristy Cameron, Finance Officer  
**Approver:** Glenn Carroll, Director of Governance Business & Community Services  
**Operational Plan Objective:** Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.

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**PURPOSE OF REPORT**

The purpose of this report is to report to Council on the balances of cash and investments held by Council as at 28 February 2025.

**OFFICER RECOMMENDATION**

**That Council notes the information provided in this report.**

**REPORT****1 Cash and Investments Held**

Council's total cash and investments held as at 28 February 2025 is **\$29,697,192**.

This is a decrease of \$348,330 (1.15%) on the previous month's total of **\$30,045,522**.

The investments balance as at 28 February 2025 is **\$28m**.

A summary of Council's investments as at 28 February 2025 is detailed on the next page.

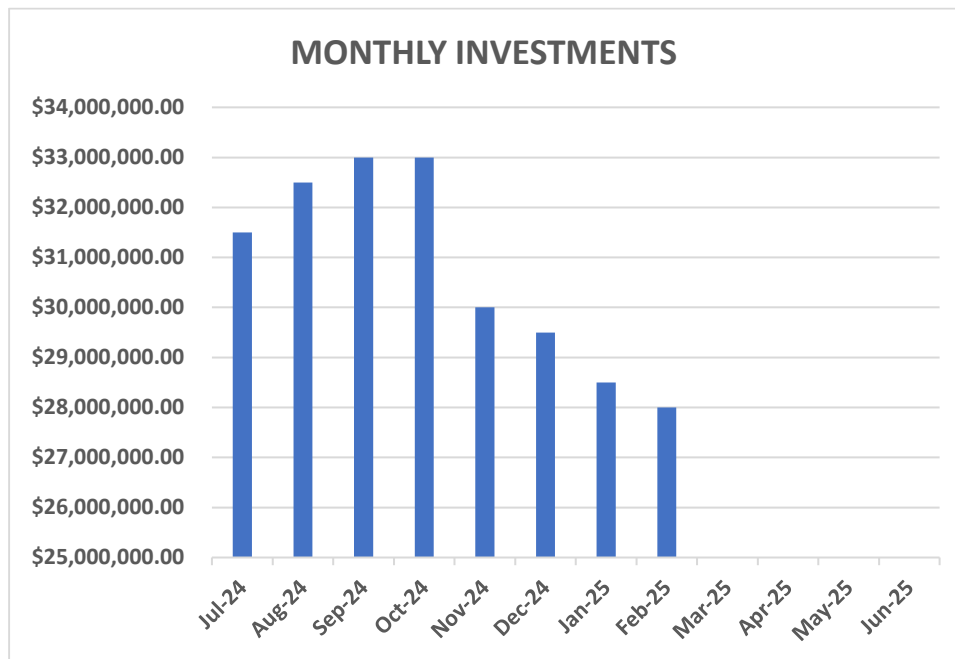
The table below also details the interest earned for February 2025 and the projected interest earnings for the Financial Year ending 30 June 2025.

## TERM DEPOSITS INVESTMENT REGISTER AND INTEREST EARNED 2024/25

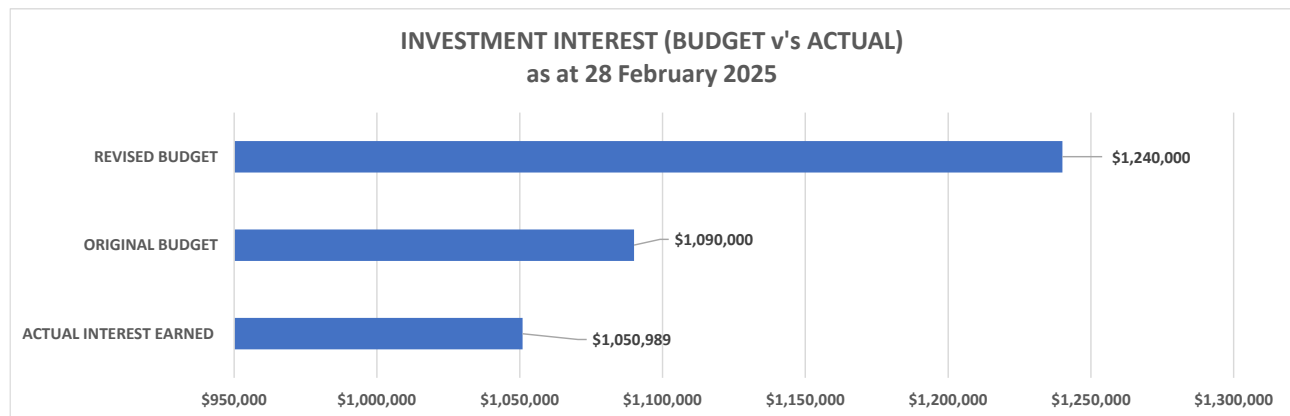
								28		
Term Deposits	S&P Rating	Term (Days)	Start Date	Maturity Date	Interest Rate	Investment Value	Daily Interest	Feb-25	Actual Interest Earnings to 30 June 2025	
Westpac Bank			matured				\$ 139.73		\$ 18,723.82	
Westpac Bank			redeemed				\$ 139.73		\$ 20,400.58	
Westpac Bank - 176576			matured				\$ 134.25		\$ 27,655.50	
Westpac Bank	A-1+	334	11/11/2024	11/10/2025	4.75%	1,000,000	\$ 130.14	\$ 3,643.84	\$ 30,061.64	
Westpac Bank - 176576	A-1+	243	22/01/2025	22/09/2025	4.80%	1,000,000	\$ 131.51	\$ 3,682.19	\$ 20,909.59	
AMP			matured				\$ 157.53		\$ 2,835.54	
AMP			matured				\$ 69.18		\$ 2,213.76	
AMP			matured				\$ 71.92		\$ 11,219.52	
AMP			matured				\$ 66.44		\$ 11,494.12	
AMP	A-2	300	19/07/2024	15/05/2025	5.20%	1,000,000	\$ 142.47	\$ 3,989.04	\$ 42,739.73	
AMP	A-2	300	1/08/2024	28/05/2025	5.20%	500,000	\$ 71.23	\$ 1,994.52	\$ 21,369.86	
AMP	A-2	302	12/08/2024	10/06/2025	5.20%	500,000	\$ 71.23	\$ 1,994.52	\$ 21,512.33	
AMP	A-2	302	26/08/2024	24/06/2025	5.02%	500,000	\$ 68.77	\$ 1,925.48	\$ 20,767.67	
AMP	A-2	300	30/08/2024	26/06/2025	5.02%	500,000	\$ 68.77	\$ 1,925.48	\$ 20,698.90	
AMP	A-2	209	6/09/2024	3/04/2025	4.90%	500,000	\$ 67.12	\$ 1,879.45	\$ 14,095.89	
AMP	A-2	273	3/12/2024	2/09/2025	5.10%	500,000	\$ 69.86	\$ 1,956.16	\$ 14,601.37	
AMP	A-2	180	20/12/2024	18/06/2025	5.20%	500,000	\$ 71.23	\$ 1,994.52	\$ 12,821.92	
AMP	A-2	152	12/02/2025	14/07/2025	4.80%	1,000,000	\$ 131.51	\$ 1,578.08	\$ 17,621.92	
Macquarie Bank			redeemed				\$ 66.85		\$ 3,609.90	
Macquarie Bank			redeemed				\$ 66.71		\$ 4,469.57	
Macquarie Bank			redeemed				\$ 71.51		\$ 10,798.01	
NAB Bank			matured				\$ 143.84		\$ 12,657.92	
NAB Bank			matured				\$ 142.47		\$ 16,668.99	
NAB Bank			matured				\$ 143.84		\$ 22,295.20	
NAB Bank			redeemed				\$ 138.36		\$ 2,352.12	
NAB Bank	A-1+	368	8/03/2024	11/03/2025	5.00%	1,000,000	\$ 136.99	\$ 3,835.62	\$ 34,794.52	
NAB Bank			redeemed				\$ 136.99		\$ 18,767.63	
NAB Bank	A-1+	364	18/04/2024	17/04/2025	5.00%	1,000,000	\$ 136.99	\$ 3,835.62	\$ 39,863.01	
NAB Bank	A-1+	367	3/05/2024	5/05/2025	5.25%	500,000	\$ 71.92	\$ 2,013.70	\$ 22,222.60	
NAB Bank	A-1+	272	4/06/2024	3/03/2025	5.10%	1,000,000	\$ 139.73	\$ 3,912.33	\$ 34,372.60	
NAB Bank	A-1+	365	4/06/2024	4/06/2025	5.15%	1,000,000	\$ 141.10	\$ 3,950.68	\$ 47,831.51	
NAB Bank	A-1+	365	5/06/2024	5/06/2025	5.20%	1,000,000	\$ 142.47	\$ 3,989.04	\$ 48,438.36	
NAB Bank	A-1+	365	2/07/2024	2/07/2025	5.40%	1,000,000	\$ 147.95	\$ 4,142.47	\$ 53,704.11	
NAB Bank	A-1+	359	3/07/2024	27/06/2025	5.40%	1,500,000	\$ 221.92	\$ 6,213.70	\$ 79,668.49	
NAB Bank	A-1+	365	19/08/2024	19/08/2025	4.95%	500,000	\$ 67.81	\$ 1,898.63	\$ 23,461.64	
NAB Bank	A-1+	243	26/09/2024	27/05/2025	4.95%	1,000,000	\$ 135.62	\$ 3,797.26	\$ 32,954.79	
NAB Bank	A-1+	270	25/10/2024	22/07/2025	4.95%	1,000,000	\$ 135.62	\$ 3,797.26	\$ 33,497.26	
NAB Bank	A-1+	150	2/12/2024	1/05/2025	5.05%	1,000,000	\$ 138.36	\$ 4,289.04	\$ 20,891.78	
Bank of Queensland			matured				\$ 150.68		\$ 602.72	
Bank of Queensland			matured				\$ 67.81		\$ 3,865.17	
Bank of Queensland			matured				\$ 138.36		\$ 11,207.16	
Bank of Queensland			matured				\$ 69.86		\$ 7,055.86	
Bank of Queensland			matured				\$ 68.49		\$ 5,890.14	
Bank of Queensland			matured				\$ 68.49		\$ 7,739.37	
Bank of Queensland			matured				\$ 69.86		\$ 8,383.20	
Bank of Queensland			redeemed				\$ 69.86		\$ 8,872.22	
Bank of Queensland			redeemed				\$ 143.84		\$ 26,898.08	
Bank of Queensland	A-2	270	4/07/2024	31/03/2025	5.20%	1,000,000	\$ 142.47	\$ 3,989.04	\$ 38,465.75	
Bank of Queensland			redeemed				\$ 65.75	\$ 1,643.75	\$ 12,032.25	
Bank of Queensland	A-2	180	19/09/2024	18/03/2025	4.95%	1,000,000	\$ 135.62	\$ 3,797.26	\$ 24,410.96	
Bank of Queensland	A-2	182	24/09/2024	25/03/2025	4.95%	500,000	\$ 67.81	\$ 1,898.63	\$ 12,341.10	
Bank of Queensland	A-2	180	9/10/2024	7/04/2025	4.95%	500,000	\$ 67.81	\$ 1,898.63	\$ 12,205.48	
Bank of Queensland	A-2	184	21/10/2024	23/04/2025	4.95%	500,000	\$ 67.81	\$ 1,898.63	\$ 12,476.71	
Bank of Queensland	A-2	274	28/10/2024	29/07/2025	4.90%	500,000	\$ 67.12	\$ 1,879.45	\$ 16,445.21	
Bank of Queensland	A-2	182	6/01/2025	7/07/2025	4.95%	1,000,000	\$ 135.62	\$ 3,797.26	\$ 23,732.88	
Bank of Queensland	A-2	181	25/02/2025	25/08/2025	4.60%	500,000	\$ 63.01	\$ 63.01	\$ 7,750.68	
Commonwealth Bank			redeemed				\$ 71.78		\$ 1,866.28	
Commonwealth Bank			matured				\$ 67.12		\$ 6,779.12	
Commonwealth Bank			matured				\$ 68.49		\$ 11,163.87	
Commonwealth Bank			matured				\$ 200.96		\$ 1,808.64	
Commonwealth Bank			redeemed				\$ 69.32		\$ 2,980.76	
Commonwealth Bank			redeemed				\$ 69.18	\$ 760.98	\$ 15,634.68	
Commonwealth Bank			redeemed				\$ 135.34		\$ 27,880.04	
Commonwealth Bank			matured				\$ 66.58		\$ 7,124.06	
Commonwealth Bank			redeemed				\$ 133.97	\$ 1,473.67	\$ 30,277.22	
Commonwealth Bank	A-1+	300	4/06/2024	31/03/2025	4.92%	500,000	\$ 67.40	\$ 1,887.12	\$ 18,466.85	
Commonwealth Bank	A-1+	330	9/07/2024	4/06/2025	5.03%	1,500,000	\$ 206.71	\$ 5,787.95	\$ 68,215.07	
Commonwealth Bank			redeemed				\$ 65.89		\$ 5,930.10	
Commonwealth Bank			matured				\$ 66.30		\$ 5,967.00	
Commonwealth Bank	A-1+	181	15/10/2024	14/04/2025	4.85%	500,000	\$ 66.44	\$ 1,860.27	\$ 12,025.34	
Commonwealth Bank	A-1+	120	10/12/2024	9/04/2025	4.91%	500,000	\$ 67.26	\$ 1,883.29	\$ 8,071.23	
Commonwealth Bank	A-1+	90	7/01/2025	7/04/2025	4.83%	500,000	\$ 66.16	\$ 1,852.60	\$ 5,954.79	
Total Term Deposits			Avg Rate		5.02%	\$ 28,000,000		\$ 108,610.18	\$ 1,365,583.68	
Total At Call Accounts						\$ 12,283		*	\$ 77.51	
Total as at 28 February 2025						\$ 28,012,283			\$ 1,365,661.19	

\* at call interest earned - 1 July 2024 - 30 June 2025

The graph below details the monthly balance of investments from 1 July 2024 until 30 June 2025:



The graph below details the actual interest earned as at 28 February 2025 (\$1,050,989), the original budget amount (\$1,090,000), and the revised budget (\$1,240,000) for the 2024/2025 Financial Year:





The table below details the composition of investments with financial institutions as at 28 February 2025:

Financial Institutions	Ratings	Composition %	Amount ('000)
Westpac	A-1+	7.18	2,012
AMP	A-2	19.63	5,500
CBA	A-1+	12.49	3,500
BOQ	A-2	19.65	5,500
NAB	A-1+	41.05	11,500
<b>Total</b>		<b>100.00</b>	<b>28,012</b>

Council is compliant with the Investment Policy.

The table below details the balances of external and internal restrictions as at, 28 February 2025.

The table also details the balance of unrestricted cash investments as at, 28 February 2025:

#### **Details of Restrictions**

##### **External Restrictions**

Specific Purpose Unexpended Capital Grants - Gen Fund	\$ 4,122,173.20
Specific Purpose Unexpended Operational Grants - Gen Fund	\$ 2,228,827.47
Other - Water Fund	\$ 4,598,000.00
Other - Sewer Fund	\$ 1,968,000.00
Other - Domestic Waste Management	\$ 585,810.80
Other - Stormwater Levy - Urban Drainage Improvements	\$ 38,833.96
<b>Total External Restrictions</b>	<b>\$ 13,541,645.43</b>

##### **Internal Restrictions**

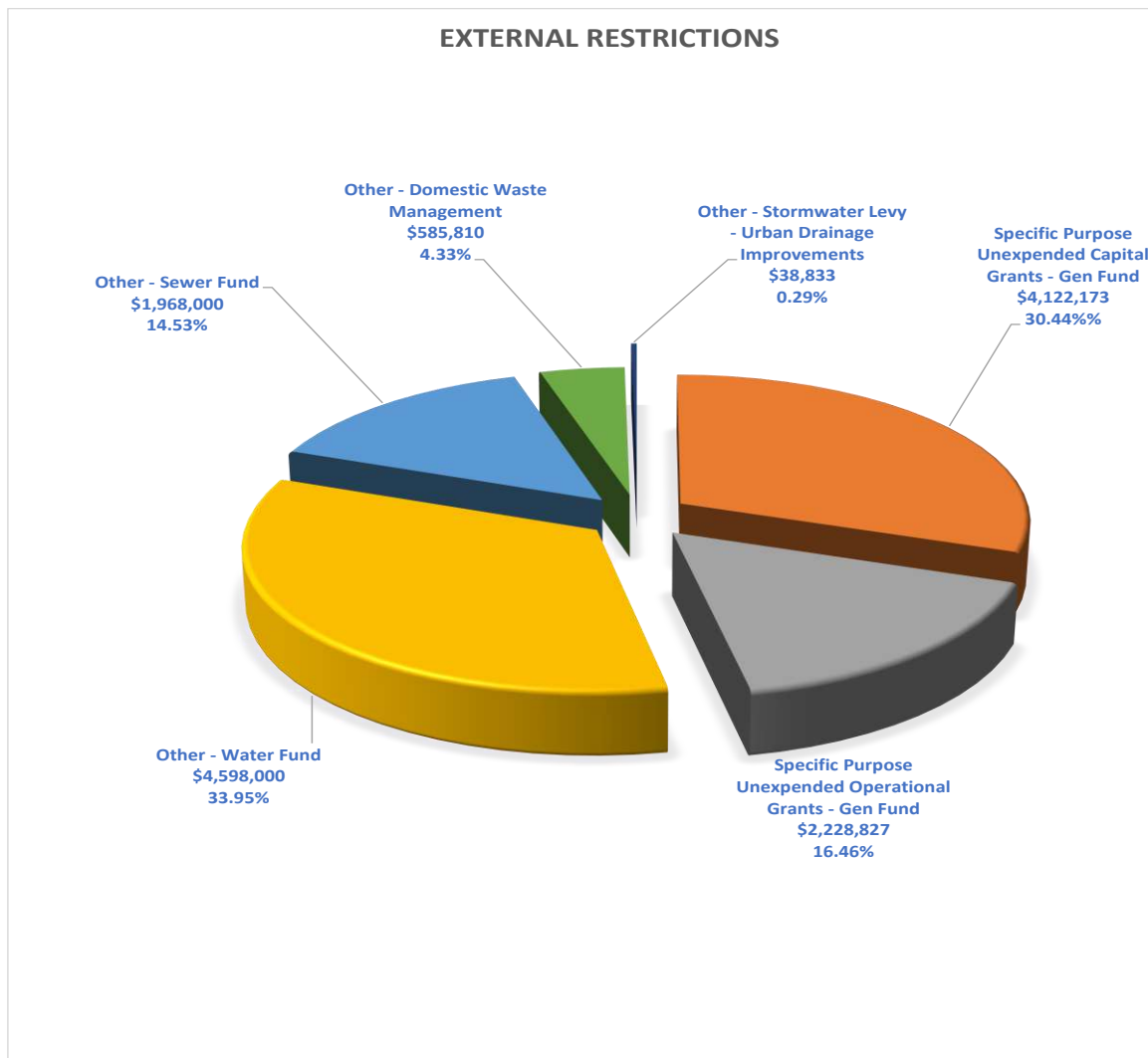
Plant and Vehicle replacement	\$ 2,048,418.32
Infrastructure replacement	\$ 1,664,399.51
Employee Leave Entitlements	\$ 252,439.76
Caravan Park	\$ 588,700.11
Gravel pits rehabilitation	\$ 242,200.34
Hostel bonds	\$ 1,313,677.00
Self Care Unit bonds	\$ 300,000.00
Self Care Unit Maintenance	\$ 16,165.83
Financial Assistance Grant	\$ 5,123,000.00
Future Development Fund	\$ 1,074,100.43
Levy Bank Restoration	\$ 160,000.00
Asset Revaluation	\$ 60,000.00
Insurance Premium	\$ 20,000.00
Council Properties (rental Income)	\$ 70,000.00
Elections	\$ 20,000.00
Water Supply Funds - Infrastructure upgrade	\$ 361,197.00
Sewer Fund - Infrastructure Upgrade	\$ 200,830.00
<b>Total Internal Restrictions</b>	<b>\$ 13,515,128.30</b>

**Total Restrictions** **\$ 27,056,773.73**

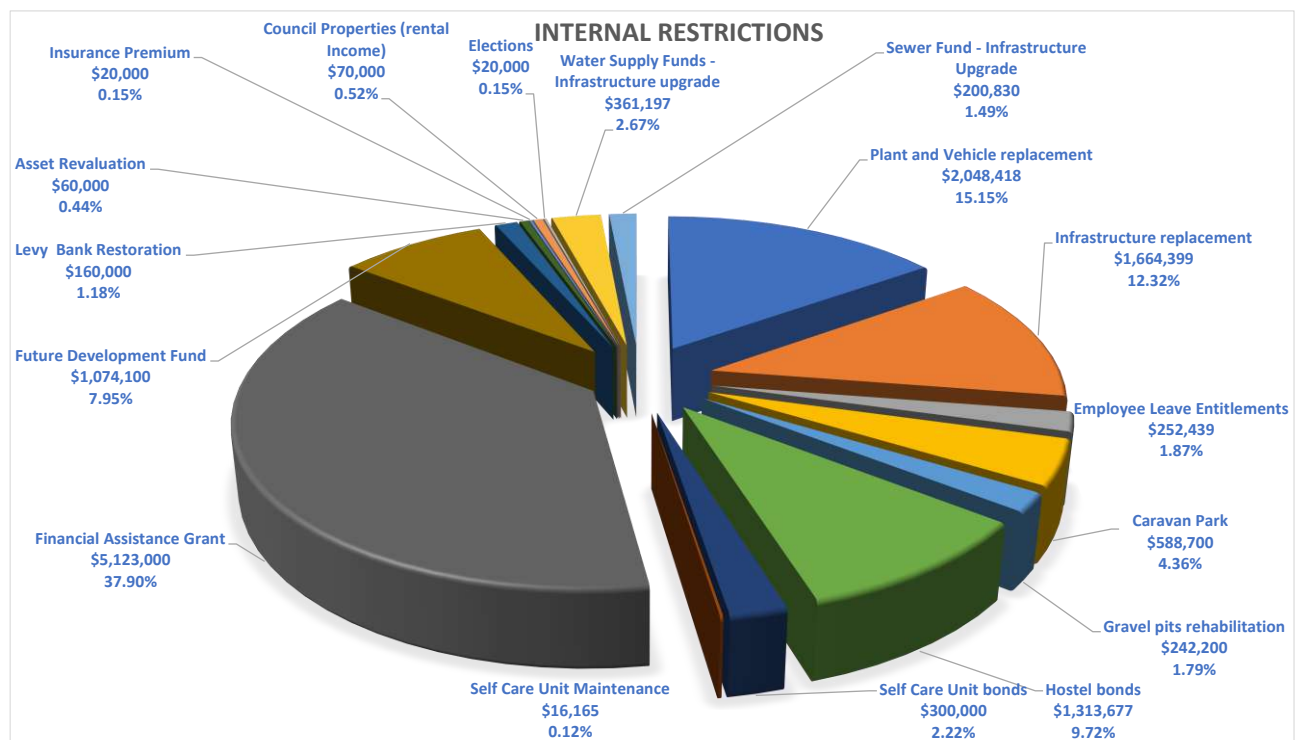
**Unrestricted Cash Investments** **\$ 2,640,418.27**

**Total Cash and Investments** **\$ 29,697,192.00**

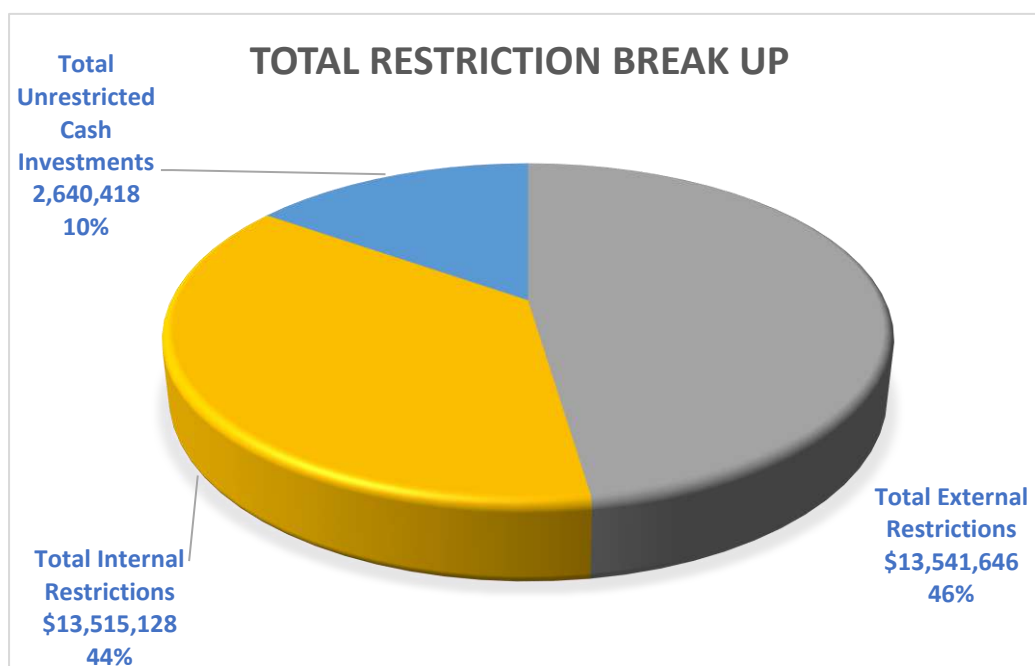
The chart below details the breakup of External Restrictions, detailing dollar value and percentage of each restriction as at 28 February 2025:



The chart below details the breakup of Internal Restrictions, detailing dollar value and percentage of each restriction as at 28 February 2025:



The chart below details an overall view of restricted cash as at 28 February 2025:



**SUMMARY**

Council currently holds \$29,697,192 in Cash and Investments. The average interest rate for February 2025 is 5.02%. The average interest rate is currently the same as last months.

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 2021 and Council's Investment Policy.

G. Carroll

**Responsible Accounting Officer**

5 March 2025

**2. Bank Reconciliation as at 28 February 2025**

The bank reconciliation on the Westpac cash account, or operating account, has been reconciled as at, 28 February 2025 and is detailed below:

Opening Cashbook Balance	1,533,249
Plus Receipts	3,402,865
Less Payments	(3,251,206)
<b>Cashbook Balance at 28 February 2025</b>	<b>1,684,908</b>

<b>Statement Summary</b>	
Opening Statement Balance	1,535,522
Plus Receipts	3,396,563
Less Payments	(3,251,206)
<b>Bank Statement Balance at 28 February 2025</b>	<b>1,680,879</b>
Plus Unpresented Receipts	7,017
Less Unpresented Payments	(2,988)
<b>Reconciliation Balance at 28 February 2025</b>	<b>1,684,908</b>

G. Carroll

**Responsible Accounting Officer**

5 March 2025

**FINANCIAL IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

The Local Government Act, 1993.

The Local Government (General) Regulation, 2021.

Ministerial Investment Order (Gazetted 11 February 2011).

**POLICY IMPLICATIONS**

Council's Investment Policy (Adopted October 2021).

**RISK RATING**

Low.

**ATTACHMENTS**

Nil

**11.6 OUTSTANDING RATES AND USAGE CHARGES AS AT 28 FEBRUARY 2025**

<b>File Number:</b>	<b>D25.105284</b>
<b>Author(s):</b>	<b>Danika Dunstone, Rates &amp; Debtors Officer</b>
<b>Approver:</b>	<b>Glenn Carroll, Director of Governance Business &amp; Community Services</b>
<b>Operational Plan Objective:</b>	<b>Pillar 3: Our Economy – A community that ensures a strong and resilient economy.</b>

**PURPOSE OF REPORT**

The purpose of this report is to advise Council of the outstanding Rates and Charges and outstanding Water and Sewer Usage Charges as at 28 February 2025.

**OFFICER RECOMMENDATION**

**That Council notes the information contained within this report.**

**REPORT****Outstanding Rates & Annual Charges**

The following table provides a summary of the outstanding rates and annual charges and the outstanding water and sewer usage charges as at 28 February 2025

	<b>Balance Outstanding as at 28 February 2025</b>
Rates & Charges	\$1,692,712.18
Water & Sewer Usage Charges	\$230,617.07
<b>TOTAL</b>	<b><u>\$1,923,329.25</u></b>

**Summary of all Rates and Charges**

The table on the following page provides more detail on all Rates and Charges and Usage Charges as at 28 February 2025.

The 2024/2025 Net Levy of \$6,160,067.51, includes any debit or credit levy adjustments for the current financial year, plus water and sewer usage charges, interest charged and less any pensioner rebates issued.

The total amount outstanding includes amounts due for Instalment 4 (31 May 2025).

The balance outstanding for rates and annual charges is 25.47 % (35.22 as at 31 January 25) of the total receivable as at 28 February,2025.

The balance outstanding for water and sewer usage charges is 28.13% (22.23% as at 31 January 2025) of the total receivable as at 28 February 2025.

It should be noted, the increase to the water and sewer is due to water bills being issued at the end of January 2025.

Balranald Shire Council - Statement of Rates and Charges							
As at 28-Feb-25							
Income Category	Arrears 30 June 2024	2024/25 Net Levy	Total Receivable	Amount Collected as at 28 February 2025	Collection as a % of Total Receivable	Total Balance Due	Total Balance Due as a % of Total Receivable
General Fund Rates incl Interest / Legal charges	\$315,777.77	\$3,802,998.31	\$4,118,776.08	\$3,121,786.68	75.79%	\$996,989.40	24.21%
Waste Management Charges	\$37,496.02	\$543,593.98	\$581,090.00	\$416,987.15	71.76%	\$164,102.85	28.24%
Stormwater Levy Charges	\$1,964.77	\$19,458.75	\$21,423.52	\$14,396.54	67.20%	\$7,026.98	32.80%
Water Fund - Access Charges	\$77,953.16	\$990,786.19	\$1,068,739.35	\$775,983.15	72.61%	\$292,756.20	27.39%
Sewerage Fund - Annual Charges	\$53,779.90	\$803,230.28	\$857,010.18	\$625,173.43	72.95%	\$231,836.75	27.05%
Subtotal	\$486,971.62	\$6,160,067.51	\$6,647,039.13	\$4,954,326.95	74.53%	\$1,692,712.18	25.47%
Water Fund - Consumption Charges	\$101,326.56	\$664,018.60	\$765,345.16	\$543,261.96	70.98%	\$222,083.20	29.02%
Sewerage Fund - Usage Charges Non Residential	\$13,118.75	\$41,363.01	\$54,481.76	\$45,947.89	84.34%	\$8,533.87	15.66%
Subtotal	\$114,445.31	\$705,381.61	\$819,826.92	\$589,209.85	71.87%	\$230,617.07	28.13%
	\$601,416.93	\$6,865,449.12	\$7,466,866.05	\$5,543,536.80	74.24%	\$1,923,329.25	25.76%

**FINANCIAL IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**RISK RATING**

Low.

**ATTACHMENTS**

Nil

**ATTACHMENTS**

Nil

**11.7 OUTSTANDING DEBTORS AS AT 28 FEBRUARY 2025**

**File Number:** D25.105280  
**Author(s):** Danika Dunstone, Rates & Debtors Officer  
**Approver:** Glenn Carroll, Director of Governance Business & Community Services  
**Operational Plan Objective:** Pillar 6: Our Leadership – A community that values and fosters leadership, lifelong learning, innovation and good governance.

**PURPOSE OF REPORT**

To provide Council with a report on the outstanding debtors as at 28 February 2025.

**OFFICER RECOMMENDATION**

**That Council notes the report.**

**REPORT**

The table below details the total amount of outstanding debtors as at 28 February 2025. As can be seen from the table below there are twenty-nine (29) accounts and three (3) grant funding accounts, that make up the debtors' balance of \$334,477.

There are thirteen (13) accounts that make up the current debtors' balance of \$163,339 and three (3) Grant funding debtors to the amount of \$99,170.

There are four (4) debtors that makes up the thirty (30) days debtors' amount of \$11,110.

There is one (1) account that makes up the sixty (60) days debtors' amount of \$715 and finally, there are eleven (11) accounts that make up the ninety (90) days debtors' amount of \$60,143.

Number of Accounts	Current	30 days	60 days	90 days	TOTALS
13	\$163,339				\$163,339
4		\$11,110			\$11,110
1			\$715		\$715
11				\$60,143	\$60,143
Grant Funding (3)	\$99,170				\$99,170
<b>TOTALS</b>	<b><u>\$262,509</u></b>	<b><u>\$11,110</u></b>	<b><u>\$715</u></b>	<b><u>\$60,143</u></b>	<b><u>\$334,477</u></b>

The balance of the outstanding debtors as at 31 January 2025 was \$368,764 There has therefore been an decrease of \$34,287 in outstanding debtors over the past month.

**Analysis of 90 days debtors**

The 90-day debtors balance is made up of the following significant amounts:

- \$15,408 - Relates to tip fees. Debt collection in progress.
- \$11,767 – Relates to Hostel fees 2019. Debt collection in progress.
- \$17,160 - This debtor is currently on a long-term payment plan.
- \$12,351 – Currently being reviewed by senior staff.

**TOTAL            \$56,686**

**FINANCIAL IMPLICATIONS**

It is vitally important that outstanding debtors are monitored and pursued by staff in order to ensure that Council is able to collect any debts owing in a timely, efficient and effective manner.

**LEGISLATIVE IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**RISK RATING**

Low.

**ATTACHMENTS**

Nil



**11.8 GRANT FUNDED PROJECTS STATUS UPDATE**

<b>File Number:</b>	<b>D25.105419</b>
<b>Reporting Officer(s):</b>	<b>Connie Mallet, Community Projects, Events and Grants Officer</b>
<b>Responsible Officer:</b>	<b>Glenn Carroll, Director of Governance Business &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>

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**PURPOSE OF REPORT**

To provide Council with an updated summary of the current and active non-roads infrastructure grant funded projects and non-infrastructure grant funded projects as at the 1 March 2025 (**Attachment 1**).

**OFFICER RECOMMENDATION**

**That Council**

1. **notes the report and**
2. **organise official opening ceremonies for both the Euston Oval-Multi-Court Upgrade and Shade Shelter and the Balranald Lions Park..**

**REPORT**

Listed in Attachment 1 are the grants and projects that are currently on the grants register, are actively being pursued or are in the process of being acquitted or have been recently acquitted.

There is currently one (1) grant application pending.

**FINANCIAL IMPLICATIONS**

Nil.

**LEGISLATIVE IMPLICATIONS**

Nil.

**POLICY IMPLICATIONS**

Nil.

**RISK RATING**

Low.

**ATTACHMENTS**

1. **BSC -Grants - Projects update as at 1st March 2025**

## Balranald Shire Council Grants/Projects Update Summary As at the 1<sup>st</sup> March 2025

Prepared by the Community Projects, Tourism/Economic Development & Grants Coordinator



### Page 1: Report Highlights

#### INFRASTRUCTURE PROJECTS (Non Roads)

##### Page 2:

- Bidgee Haven Expansion Grant

##### Page 3:

- Discovery Centre Redevelopment – Far West Joint Organisation (JO) Grant

##### Pages 4:

- Stronger Country Community Funds (SCCF) Round 4

##### Page 5:

- Business Improvement Fund 2022 – Dept. of Health

##### Page 6:

- Crown Stronger Country Communities Fund (SCCF) R5

##### Page 7:

- Local Roads Community Infrastructure Round 4 (LRCI4)

##### Page 8:

- **AGRN 1034** Floods 2022 Grant Funding – Office of Local Government

#### NON-INFRASTRUCTURE GRANTS/PROJECTS

##### Page 9:

- Office of Responsible Gambling NSW – Community Benefit Fund – Mental Health First Aid Training & related projects

##### Page 10:

Electronic Medications Management Grant (ENRMC 2024)

##### Page 11:

- LGP Procurement Capability Grant Fund 2024-EOI

##### Page 12:

- ORG Club Grant Category 3 Infrastructure Fund July 2024

#### APPLICATIONS PENDING

##### Page 13:

- Remote Airstrip Upgrade Program Round 11



## Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

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### REPORT HIGHLIGHTS:

#### Key Activities since Last Report

- The Bidgee Haven Retirement Hostel Expansion project has been reactivated with the development of amended plans, project scope and cost estimates in progress
- A variation for time extension for the Stronger Country Community Funds Round 4 has been submitted and has been acknowledged by the funding body with works scheduled to be finished by the end of March 2025

#### Completed Projects that have been taken off this Report from the last report:

- The Local Roads Community Infrastructure Round 3 has now been completed and taken off the report. This grant delivered 10 projects including:
  - ✓ The Euston Oval-Multi-Court Upgrade and Shade Shelter
  - ✓ Balranald Tennis Court Lighting
  - ✓ New Cricket Pitch at Greenham Park
  - ✓ New Cricket Nets at Greenham Park
  - ✓ Balranald Swimming Pool Fencing
  - ✓ New footpaths in Euston
  - ✓ New footpaths in Balranald
  - ✓ Heavy patching of the Balranald/Ivanhoe Road
  - ✓ Reseal of the Weimby Kyalite Road
  - ✓ Upgrade of the Marma Box Creek Rd & Wampo Magenta Rd
- The Crown Reserve Improvement Fund 21/22 for the Lions Park Upgrade has now been completed and taken off the report
- The Crown Reserve Improvement Fund 22/23 for the Caravan Park Upgrades has now been completed and taken off the report

#### New Projects and/or Successful Applications added to this Report from the last report:

- No new projects have been added since last report

#### New Applications submitted since last report or is still pending

- No new applications were submitted since last report

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025**INFRASTRUCTURE GRANTS/PROJECTS (Non Roads)**

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Bidgee Haven Retirement Hostel Expansion Grant – Department of Health</b>  <b>Job Code:</b> <b>2620-4999-0021</b>  <b>General Ledger:</b> <b>2620-1100-0001</b>	F19.244  Agreement: D19.20869	Director of Governance, Business & Community Services	Bidgee Haven Expansion Construction - Specialised Dementia Wing	Total potential funding: \$6,060,000  \$4,680,000 (Signed Funding Agreement) \$1,380,000 Aged Care Approvals Round (ACAR) Top-Up 2020 (Not Formalised due to uncertainty with project)  Funds Received to date Milestone 1 Payment: \$500,000 – Receipt 49078	<p>As at the 5<sup>th</sup> of April 2023 clarification was provided by Aged Care Approvals (ACAR) Operations in reference to the funding for this project. There is a further \$1,380,000 ACAR top up but this has not been formalised due to the uncertainty of the project.</p> <p>As at the 6<sup>th</sup> of July 2023 Council's General Manager went to Canberra on the 14<sup>th</sup> June 2023 and met with representatives from the Commonwealth Government to explore opportunities for operational funding. The General Manager will be following up with the Commonwealth Government representatives within the next couple of weeks.</p> <p>As at the 12<sup>th</sup> of September 2023 a project progress report had been submitted. Project still on hold.</p> <p>As at the 20<sup>th</sup> of March 2024 an updated letter was sent through to the ACAR grant funding body to advise that no decision regarding the current hold will be made until the end of this financial year.</p> <p>As at the 31<sup>st</sup> of October 2024 Council is awaiting confirmation of a proposed variation from the funding body.</p> <p>As at the 31<sup>st</sup> of January 2025 currently proposing to develop amended plans, project scope and a cost estimate to submit a project variation to the funding authority.</p> <p>As the 1<sup>st</sup> of March 2025 the development of amended plans, project scope and cost estimates are in progress.</p> <p><b>Percentage Completion: 0%</b>  <b>Percentage Budget Expended: 4%</b></p>

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Discovery Centre Redevelopment – Far West Joint Organisation</b>  <b>Job Code:</b> <b>6560-4999-0033</b>  <b>General Ledger:</b> <b>6560-4999-0000</b>	F20.593	Interim Acting Project Manager  <b>Proposed Project Start Date:</b> 1 <sup>st</sup> of April 2024  <b>Expected Project End Date:</b> 17 <sup>th</sup> March 2025	Discovery Centre Upgrade – New Pavilion at the Visitor Centre	\$950,000  <b>Expenses to date:</b> \$102,950 (for 21/22)	<p>As at the 31<sup>st</sup> of July 2024 site preparation was underway and the construction stage is scheduled to commence on the 5<sup>th</sup> of August 2024.</p> <p>As at the 30<sup>th</sup> of September 2024 the concrete slab and steel framing have been installed and the roofing has also been installed. The window and wall cladding are next to be installed and the project is running on schedule.</p> <p>As at the 31<sup>st</sup> of October 2024 the project is in lock up stage with the external elements being completed and the internal building is receiving floor treatment.</p> <p>As at the 30<sup>th</sup> of November 2024 the only remaining works on the construction of the new pavilion includes the fire door, plaster check, external landscaping and the final building clean.</p> <p>As at the 31<sup>st</sup> January 2025 the Internal fire door and fire check are to be installed on the adjoining wall to the existing museum.</p> <p>As at the 1<sup>st</sup> of March 2025 the fire door has arrived and work has commenced in installing the door and completing the work on the adjoining walls. Proposed designs for the interior are also underway.</p> <p><b>Percentage Completion: 90%</b>  <b>Percentage Budget Expended: 80%</b></p>



Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Stronger Country Community Funds Round 4 – Local Government NSW</b>  <b>General Ledger:</b> <b>4546-1100-0000</b> <b>4662-1100-0008</b>	F21.364	Interim Acting Project Manager  <b>Milestone 1 Completion Date:</b> 31 <sup>st</sup> of August 2023  <b>Milestone 2 Expected Finish Date:</b> 31 <sup>st</sup> of August 2023  <b>Milestone 3 Expected Finish Date:</b> 31 <sup>st</sup> of March 2025	Euston Netball Upgrade: Demolition of existing change netball rooms and public toilets at Euston and construction of new, inclusive, change rooms and public toilets combined. Renewed 200 lux LED outdoor sport lighting to both Balranald and Euston netball courts  <b>Milestone 1:</b> Design, Documentation & Procurement Phase and Milestone 1: substructure, plumbing/ reticulation, walls, superstructure  <b>Milestone 2:</b> Plumbing, electrical, internal/external fittings/fixtures, painting, flooring, finishes  <b>Milestone 3:</b> Court Lighting, landscaping and paths/entries	\$527,626  <b>Funds Received:</b> \$211,050.40 Receipt 56474	As at the 14 <sup>th</sup> of May 2024 the Variation for Time Extension to the 31 <sup>st</sup> December 2024 has been approved. The draft drawing of the change room works is currently being developed for approval.  As at the 12 <sup>th</sup> of June 2024 the draft drawing of the change room is completed and was submitted to EPAC for feedback.  As at the 30 <sup>th</sup> of June 2024 the draft drawing of the change room has been approved and works have commenced.  As at the 31 <sup>st</sup> of July 2024 the internal demolition of the existing change room facilities is scheduled for the 30 <sup>th</sup> of August 2024 and the offsite fabrication of the shade shelter structure is also scheduled for the 30 <sup>th</sup> of August 2024.  As at the 30 <sup>th</sup> of November 2024 the concrete extension to the change room has been completed. The installation of the wall frames and room trussing is next on the schedule.  As at the 31 <sup>st</sup> of January 2025 new trussing and roof have been installed and wall frames have been installed. The building is wrapped in sisalation paper and the electrical first fix has now been completed.  As at the 1 <sup>st</sup> of March 2025 a variation for time extension for completion of works to the end of March 2025 was submitted & was acknowledged by the funding body. The building is now clad with corrugated finish and the internal floors are now being epoxied.  <b>Percentage Completion:</b> 80% <b>Percentage Budget Expended:</b> 70%

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Business Improvement Fund 2022 – Department of Health</b>  <b>General Ledger: 2620-1100-0003</b>  <b>Job Cost Code: 2620-4999-0000</b>	F22.149  Contract: D22.699 99	Administration Officer  <b>Project Start Date:</b> 31 <sup>st</sup> of August 2022  <b>Expected Project Finish Date:</b> 29 <sup>th</sup> February 2025	Updating Hostel to a computer- based care program and staff training and restructuring costs  <b>Funding Value (excl GST) to be broken down as following:</b>  <b>Care Program: \$240,548</b> - IT Software: \$140,548 - IT Hardware: \$100,000  <b>Restructuring &amp; Staff Training: \$45,000</b>	\$285,548 (excl GST) \$314,103 (incl GST)  <b>Funds received to date:</b> Instalment 1 \$204,167 Receipt No: 56175  Instalment 2: \$109,936 Receipt No: 57910  <b>Expenses to date:</b> \$161,311.51	As at the 30 <sup>th</sup> of January 2024 The Care Keeper & Message Manager Modules have been implemented. The Critical Care Solutions review on the workforce and facility practices have been conducted. Reports and action plans were being created from CSS review and the Telstra Health Resident Manager module implementation will take place in February 2024.  As at the 20 <sup>th</sup> of March 2024 a Variation to extend the grant timeline has been signed and a new grant agreement has been received.  As at the 15 <sup>th</sup> of April 2024 the WIFI upgrades have been completed and a quote has been received for a power point instalment in the Hostel offices for the IT equipment setup.  As at the 14 <sup>th</sup> of May 2024 a request for time extension has been submitted and a staff development and training course has been engaged.  As at the 12 <sup>th</sup> of June 2024 the time extension request was approved and nominated hostel staff are to begin certain training courses.  As at the 31 <sup>st</sup> of October 2024 training is being undertaken to the extended time frame and Council is awaiting the new agreement.  As at the 31 <sup>st</sup> of January 2025 this project is nearing completion.  As at the 1 <sup>st</sup> of March 2025 the status remains unchanged.  <b>Percentage Completion: 75%</b> <b>Percentage Budget Expended: 55%</b>

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Stronger Country Communities Fund – Round 5</b>  <b>General Ledger: 4500-1145-0000</b>	CM Box: G22/11 App Folder: F22.461	Interim Acting Project Manager  <b>Project Start Date:</b> June 2023  <b>Expected Project Finish Date:</b> 31 <sup>st</sup> of January 2025	<b>1. Kyalite Memorial Park Rest Area:</b> to include public toilets & ancillary facilities (\$101,200)  <b>2. Balranald Shire Signage:</b> To undertake recognition of First Nations Lands upon entry into the Shire and enhance town entry signs in Balranald and Kyalite (\$203,500)  <b>3. Netball Courts Resurfacing &amp; Basketball Courts Balranald:</b> To resurface netball courts and design and construct new basketball courts and facilities (\$418,000)  <b>4. Hatfield Community Hall &amp; Precinct Upgrade:</b> Renovations of the Hatfield Community Hall (\$110,000)  <b>5. Safe Fencing at the Balranald Pool:</b> To installed approved fencing around the Balranald Pool (\$111,100)	<b>Balranald Shire Council Allocation:</b> \$943,758 for Council Community Projects  <b>Payments Received:</b> First instalment \$755,040 – Receipt 57488	<b>As at the 1<sup>st</sup> of March 2025</b> the following are in progress:  <b>PROJECT 1:</b> The Kyalite Memorial Park Rest Area is 100% completed <b>Percentage Completion:</b> 100% <b>Budget Expended:</b> 100%  <b>PROJECT 2:</b> Consultation workshops have commenced and design has now commenced. A variation for time extension is being requested for the completion of this project. <b>Percentage Completion:</b> 10% <b>Budget Expended:</b> 0%  <b>PROJECT 3:</b> Both the Netball Courts & the Basketball Courts are now completed, with bubbler, seating, counter levered shelter and awning extension now installed <b>Percentage Completion:</b> 100% <b>Budget Expended:</b> 95%  <b>PROJECT 4:</b> Upgrade works of the Hatfield Hall has been completed and funds expended. <b>Percentage Completion:</b> 100% <b>Budget Expended:</b> 100%  <b>PROJECT 5:</b> The Safe Fencing has been installed. <b>Percentage Completion:</b> 100% <b>Budget Expended:</b> 100%



Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Local Roads Community Infrastructure Round 4 (LRCI4) – Department of Infrastructure</b>  <b>Job Cost Numbers:</b>  <b>Euston Recreation Reserve Upgrade:</b> 4664-4999-0000  <b>Kilpatrick Road Reconstruction:</b> 6400-4999-0009	CM Box G23/5	<b>1.</b> Interim Acting Project Manager  <b>2.</b> Director, Infrastructure & Planning  <b>Project Start Date:</b> 5 <sup>th</sup> of March 2024  <b>Expected Project Finish Date:</b> 30 <sup>th</sup> April 2025	<b>1.</b> \$832,921 is allocated for the Euston Recreation Reserve Upgrade Project and any other infrastructure related project in Euston  <b>2.</b> \$480,447 is for the Kilpatrick Road Reconstruction	<b>Funding Value Total</b> \$1,313,368 \$832,921 for community infrastructure projects \$480,447 for road projects  <b>Funds Received:</b> \$525,348 – Remittance – 17 <sup>th</sup> May 2024	<p>As at the 30<sup>th</sup> of September 2024 the oval has been cut and graded to correct levels. The irrigation is currently being installed and will be completed by 13<sup>th</sup> of Oct 2024. The goal posts have been installed as well as all fencing posts. The score board has been procured and is awaiting installation. The project is scheduled to be completed by 30<sup>th</sup> Nov 2024.</p> <p>As at the 31<sup>st</sup> of October 2024 the irrigation work is completed and the seating will be completed by the end of November. Due to the delay in the procurement of the required lighting the project is scheduled to be completed within the first quarter of 2025 but still ahead of the expected project finish date.</p> <p>As at the 30<sup>th</sup> of November 2024 the irrigation works and grass seeding have been completed. All that remains for the Euston Recreation Reserve Upgrade project is the arrival and installation of the lighting. The Kilpatrick Road Reconstruction project is also completed.</p> <p>As at the 31<sup>st</sup> of January 2025 the remaining works on the Euston Recreation Reserve includes the installation of the irrigation main pump, score board installation, top dressing and reseeding the oval, field lighting and the player, observer and timekeepers boxes to be installed.</p> <p>As at the 1<sup>st</sup> of March 2025 the remaining works are in progress with a proposed completion date of the project to be by the 30<sup>th</sup> April 2025.</p> <p><b>Euston Recreation Reserve Project:</b>  <b>Percentage Completion:</b> 75%  <b>Percentage Budget Expended:</b> 60%</p> <p><b>Kilpatrick Road Reconstruction Project:</b>  <b>Percentage Completion:</b> 100% - (Repair work is now to be completed)  <b>Percentage Budget Expended:</b> (the balance of unspent funds will be allocated to repair works to the Kilpatrick Road project)</p>

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Office of Local Government - AGRN 1034 Floods 2022 Grant Funding</b>  <b>Job Cost Codes:</b> <b>Ben Scott Memorial Bird Trail Remediation Project 4686-4000-0001</b>  <b>Balranald Riverfront Precinct Remediation 4686-40001-0001</b>  <b>Euston Riverfront Precinct Remediation 4686-4002-0001</b>	CM Box G24/8	Interim Acting Project Manager  <b>Project Start Date:</b> August 2024  <b>Expected Project Finish Date:</b> 30 <sup>th</sup> of June 2025	This grant will fund three key projects as follows:  <b>Project 1</b> - Ben Scott Memorial Bird Trail Remediation Project <b>\$400,000</b>  <b>Project 2</b> - Balranald Riverfront Precinct Remediation <b>\$350,000</b>  <b>Project 3</b> - Euston Riverfront Precinct Remediation <b>\$250,000</b>	<b>Funding Value \$1,000,000</b>	<p>As at the 15<sup>th</sup> of April 2024 the Program of Works has been submitted and we await approval from the funding body to proceed.</p> <p>As at the 14<sup>th</sup> of May 2024 further information was required from the funding body in reference to the Program of Works. Council is currently in the process of providing the requested information.</p> <p>As at the 12<sup>th</sup> of June 2024 all information has now been submitted and planning has commenced.</p> <p>As at the <b>1<sup>st</sup> of March 2025</b> the status of each project remains as follows:</p> <p><b>Project 1:</b> Balranald riverfront installation of furniture at the Riverbend has been completed.  <b>Percentage Completion:</b> 10%  <b>Percentage Budget Expended:</b> 10%</p> <p><b>Project 2:</b> Design activities are currently underway.  <b>Percentage Completion:</b> 10%  <b>Percentage Budget Expended:</b> 10%</p> <p><b>Project 3:</b> Design activities are currently underway.  <b>Percentage Completion:</b> 10%  <b>Percentage Budget Expended:</b> 10%</p>



## Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

### NON INFRASTRUCTURE GRANTS/PROJECTS

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value/ Funds Received & Expenses	Status to Date
<b>Community Benefit Fund - Office of Responsible Gambling</b>  <b>General Ledger: 1020-3110-0001</b>	F22.220	Community Projects, Tourism & Economic Development Coordinator  <b>Project Start Date:</b> 17 <sup>th</sup> of August 2023  <b>Expected Project Finish Date:</b> 17 <sup>th</sup> of August 2026	Funds to: <b>Strengthening Community Access, Inclusion &amp; Wellbeing Advisory Committee</b> (SCAIWAC) - under the auspice of Balranald Shire Council  For the delivery of Mental Health First Aid Training for Community Members as well as Gambling Education & Awareness and other Mental Health related programs	Funds to Council's Advisory Committee: \$84,764 per year for 3 years <b>TOTAL: \$254,292</b>  <b>Funds Received:</b> \$93,240.40 – Receipt 59244	<p>As at the 30<sup>th</sup> of September 2024 the position of Project Officer (PO) has been finalised and an action plan has been provided to the new PO. A progress report has been submitted to the funding body and the 2 year budget has been revised. Planning has also commenced for the staging of the Health, Wellbeing and Services Expo taking place in October 2024.</p> <p>As at the 31<sup>st</sup> of October 2024 the Services Expo was delivered and research in procuring the supplier for the delivery of the Mental Health First Aid training courses had commenced.</p> <p>As at the 30<sup>th</sup> of November 2024 a supplier for the first set of Mental First Aid Training workshops has been appointed and the first draft of the Services Directory has been submitted for review. Council's Community Projects, Tourism &amp; Economic Development Coordinator and the Chair of SCAIWAC had an online meeting with the funding body to provide a progress update.</p> <p>As at the 31<sup>st</sup> of January 2025 activities for the Mental Health First Aid Training is underway. The training organisation to deliver the training has been selected, the dates for the workshops have been established, the venue has been booked and promotional flyer has been designed and promotional activities have commenced.</p> <p>As at the 1<sup>st</sup> of March 2025 delivery of the Mental Health First Aid Training was fully booked and was to be delivered on the 3<sup>rd</sup> and 4<sup>th</sup> of March.</p> <p><b>Percentage Completion:</b> 40%  <b>Percentage Budget Expended:</b> 40%</p>

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value	Status to Date
<b>Electronic Medications Management Grant (ENRMC 2024)– Dept. of Health &amp; Age Care</b>  <b>General Ledger 2620-1100-0005</b>	F23.547	Administration Officer  <b>Project Start Date:</b> 27 <sup>th</sup> of February 2024  <b>Expected Project End Date:</b> 29 <sup>th</sup> February 2025	Funds for an Electronic Medications Management System	<b>Funding Value:</b> \$20,000  <b>Funds Received:</b> \$20,000 Receipt: 60396	As at the 20 <sup>th</sup> of March 2024 the Funding Agreement has been signed and submitted and the funds received. As at the 15 <sup>th</sup> of April 2024 no further actions have been taken. As at the 14 <sup>th</sup> of May 2024 the Telstra Health Med Point was purchased and the Med Point Program implementation is underway in the Hostel and with the Doctor and the Pharmacy. As at the 12 <sup>th</sup> of June 2024 Aida care medication trolley was purchased. As at the 30 <sup>th</sup> of June 2024 the implementation program is in progress. As at the 31 <sup>st</sup> of July 2024 the program is in progress. As at the 31 <sup>st</sup> of October 2024 the Med Point program is on hold due to not having a GP to review. As at the 30 <sup>th</sup> of November 2024 the Med Point program will be implemented with the assistance of the new GP. As at the 31 <sup>st</sup> of January 2025 this project is nearing completion. As at the 1st of March 2025 the status remains unchanged.  <b>Percentage Completion: 80%</b> <b>Percentage Budget Expended: 77%</b>



Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value	Status to Date
<b>LGP Procurement Capability Grant Fund 2024-EOI</b>	CM Box G24/7	Community Projects, Tourism & Economic Development Coordinator  <b>Expected Project End Date:</b> 31 <sup>st</sup> December 2025	Funding to deliver a series of Procurement & Contract awarding related training courses to a number of Council staff.	<b>Grant Funding Value:</b> \$11,660	<p>As at the 30<sup>th</sup> of June 2024 an EOI was submitted on the 12<sup>th</sup> of June 2024 and we are awaiting a response to the EOI.</p> <p>As at the 31<sup>st</sup> of July 2024 Council has been successful with the EOI stage of the submission and now needs to submit a Project Plan for stage 2 of the application.</p> <p>As at the 30<sup>th</sup> of September 2024 Council have been given approval of the Project Plan and has had an online meeting with the funding body for a debrief. Council has also had a meeting with LGP's training department and they are currently developing a training plan and schedule for the delivery of the training programs. Once the training program has been completed and submitted to the funding body we will receive 50% of the funding.</p> <p>As at the 31<sup>st</sup> of October 2024 a delivery plan is still to be submitted by LGP's training department.</p> <p>As at the 31<sup>st</sup> of January 2025 Council is awaiting the training delivery plan from the LGP Procurement training department.</p> <p>As at the 1<sup>st</sup> of March 2025 follow-up activities has been implemented and training plan is being developed</p> <p><b>Percentage Completion: 0%</b> <b>Percentage Budget Expended: 0%</b></p>

Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value	Status to Date
<b>ORG Club Grant Category 3 Infrastructure Fund July 2024</b>	CM Box G24/11	Community Projects, Tourism & Economic Development Coordinator	Funding for the Euston Club multi-purpose court project to include: <ul style="list-style-type: none"> <li>• Application of surfacing paint material to court areas and surrounds.</li> <li>• Line marking to the court area in a multicourt motif for tennis, netball and basketball.</li> <li>• Tennis posts, netting, netball post / nets and counter levered basketball tower and backboards.</li> <li>• Bench seating and shelter.</li> <li>• Fencing, two pedestrian gates and one double gate</li> </ul>	<b>Funding Value:</b> <b>\$135,301</b>  <b>Grant:</b> \$50,000  <b>Council Contribution:</b> \$50,000 (via Euston Club)  <b>Euston Club Contribution:</b> \$35,301	<p>As at the 30<sup>th</sup> of September 2024 Council submitted an application on the 22<sup>nd</sup> July 2024. Council has received communications from the funding body during the assessment process and is awaiting the result.</p> <p>As at the 31<sup>st</sup> October Council was notified that our application has been successful and we will now progress to the next steps.</p> <p>As at the 30<sup>th</sup> November 2024 Council has been notified to raise an invoice for the first instalment.</p> <p>As at the 31<sup>st</sup> January 2025 the funding body has provided documentation to complete and the invoice is being raised.</p> <p>As at the 1<sup>st</sup> of March 2025 the first instalment invoice has been raised and sent to the funding body.</p> <p><b>Percentage Completion:</b> 0%  <b>Percentage Budget Expended:</b> 0%</p>



## Balranald Shire Council Grants/Projects Update Summary as @ the 1<sup>st</sup> March 2025

### APPLICATIONS PENDING

Grant/Project	CM Folder	Project Manager & Project Dates	Description	Funding Value	Status to Date
<b>Remote Airstrip Upgrade Program Round 11</b>	CM Box G24/13	Community Projects, Tourism & Economic Development Coordinator	Balranald Aerodrome Upgrade Project	<b>Funding Value:</b> \$3,126,263  <b>Council Contribution</b> \$3,126,263	As at the 31 <sup>st</sup> January 2025 an application had been submitted in November 2024 and Council is currently awaiting a response.  As at the 1 <sup>st</sup> of March 2025 Council is still waiting for a response.

**11.9 INFRASTRUCTURE UPDATE FOR FEBRUARY 2025**

<b>File Number:</b>	<b>D25.105213</b>
<b>Author(s):</b>	<b>Mandy Haley, Executive Assistant</b>
<b>Approver:</b>	<b>David McKinley, Director of Infrastructure and Planning Services</b>
<b>Operational Plan Objective:</b>	<b>Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.</b>

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**PURPOSE OF REPORT**

To provide Council with an update on the Infrastructure Activities to the end of February 2025.

**OFFICER RECOMMENDATION**

That Council notes the report.

**REPORT****1. ROAD CONSTRUCTION AND MAINTENANCE****1.1 Regional Roads – MR67 Balranald Ivanhoe Road**

- Slashing of high growth vegetation is taking place. Lowering the salt bush to give much better visibility for drivers. Once the work is completed a spraying program will be introduced by Biosecurity Officer.
- Road Widening work to take place at Hatfield for the distance of 3.68km both lanes has gone out to tender for construction work and supply of material both have been awarded and are awaiting start date.
- Patching and General maintenance is ongoing also some grids to be replaced in coming weeks.

**1.2 Unsealed Road Maintenance**

Maintenance grading has been carried out on Guthul Road and 7kms of Benanee Road.

**1.3 General Road Maintenance**

General Maintenance is an ongoing process from patching, vegetation control, signage, and grid repairs.

**1.4 Marma Box Creek Road Construction**

Construction has commenced on Marma box Ck Rd 3.9km. Material is being delivered from Bidura Pit after crushing. This has been creating a much better material for road construction. Work is approximately 50% complete.





### 1.5 Shailer Terrace Pavement Replacement

Shailer Terrace has had a long overdue pavement rejuvenation; the pavement has been replaced with concrete creating a spoon drain effect on the concrete.

The work was completed by contractors and is a vast improvement.





## 2. **FOOTPATHS**

Nothing to report for the month of February other than general maintenance works.

## 3. **COUNCIL BUILDINGS AND FACILITIES**

### 3.1 **Caravan Park**

The Caravan park has had some lawn seed spread and watering taking place to give the new earthworks a face lift.

## 4. **Water & Sewer**

### 4.1 **Maintenance**

Fire Hydrant replacement, mains flushing, third party asset repair works, plant maintenance and operation and monitoring.



**4 INFRASTRUCTURE ROAD GRANTS****4.1 Roads to Recovery (RTR / R2R) 2024-2029**

**Funding Body:** Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)

**Purpose of Funding:** For rural and local roads

**Funding Amount:** \$ 1,465,945 annually for five years (2024-2025 to 2029-2030)

RTR Work Schedule for 2024-2025	Estimated Cost	Status as at 28 February 2025		
		% Completion	% Expenditure	Comments
Shailer Terrace, Euston - Reinstall kerb & gutter	\$ 150,000.00	90	1	In Progress
Marma Box Creek Road - Seal construction 3.9km	\$ 1,315,945.00	50	22	In Progress
<b>Total Planned Expenditure for 2024-2025</b>	<b>\$ 1,465,945.00</b>			<b>Funding not yet received</b>

**4.2 Local Roads and Community Infrastructure Phase 3 (LRCI 3)**

**Funding Body:** Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)

**Purpose of Funding:** For rural and local roads

**Funding Amount:** \$ 330,842

LRCI 3 Work Schedule	Estimated Cost	Status as at 28 February 2025		
		% Completion	% Expenditure	Comments
<b>Marma Box Creek Road - Wampo Magenta Road Intersection upgrade works</b>	\$ 330,842.00	100	100	Completed.
<b>Total Planned Expenditure</b>	<b>\$ 330,842.00</b>			<b>This Project will be removed by the next Council Meeting</b>

**4.3 Local Roads and Community Infrastructure Phase 4 (LRCI 4)**

**Funding Body:** Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)

**Purpose of Funding:** For rural and local roads

**Funding Amount:** \$ 480,447

LRCI 4 Work Schedule	Estimated Cost	Status as at 28 February 2025		
		% Completion	% Expenditure	Comments

<b>Kilpatrick Road Reconstruction</b>	\$ 480,447.00	100	55	Planning Upgrade
<b>Total Planned Expenditure</b>	<b>\$ 480,447.00</b>			<b>Funding not yet received</b>

#### 4.4 Transport for NSW – Road Safety Program 2023/24 to 2025/26

**Funding Body:** Transport for NSW - Commonwealth Government

**Purpose of Funding:** For Ivanhoe Road Shoulder Widening and Shared Footpath from Endeavour Drive to Balranald Central School

**Funding Amount:** \$ 3,080,000

Road Safety Program Work Schedule for 2023/24 – 2025/26	Estimated Cost	Status as at 28 February 2025		
		% Completion	% Expenditure	Comments
Ivanhoe Road Shoulder Widening and Edge Line marking for 3.68km – Project 9277	\$ 1,350,000.00	2	2	Planning Stage
Shared Footpath from Endeavour Drive to BCS – Project 8872	\$ 1,730,000.00	0	0	Planning Stage
<b>Total Planned Expenditure for 2024-2025</b>	<b>\$ 3,080,000.00</b>			<b>Funding not yet received</b>

#### 4.5 Grants Applied For – Results pending

Grant/Project	Description	Funding Value	Council Co-contribution	Date Submitted
<b>TfNSW Road Safety Program Project 9278</b>	<b>Balranald Ivanhoe Road</b> - Shoulder Widening (Location 2)	\$2,310,000		9 May 2024
<b>TfNSW Natural Disaster AGRN1034</b>	Repair Oxley, Morris, Weimby Benongal, Island & Wooranbarra Corrong Roads	\$3,471,000		27 Jun 2024
<b>Public Works - Natural Disaster Non-Roads Assets</b>	Levee Bank Works	\$21,343.73		5 Aug 2024
<b>TfNSW Natural Disaster Emergency Works</b>	Grading works on rural local roads – making safe	\$1,485,260		23 Aug 2024
<b>SES Natural Disaster Non-Roads Assets</b>	Works at Balranald Caravan Park	\$ 25,206.79		4 Sep 2024
<b>Get NSW Active – Balranald &amp; Euston Transport Plan</b>	To create a walking and cycling plan for the townships of Balranald and Euston	\$75,000	0	25 Nov 2024
<b>Get NSW Active – Footpath Construction</b>	Footpath construction from Church Street to the Swimming pool entrance, Balranald.	\$48,000	0	25 Nov 2024
<b>Get NSW Active – Shared Footpath</b>	Shared Footpath from Selwyn Street to the Euston Recreational Reserve, Euston	\$659,000	0	25 Nov 2024

<b>Get NSW Active – Shared Footpath</b>	Shared Footpath from the Aboriginal Community residential at Endeavour Drive, along Endeavour Drive Road and Sturt Highway to the Balranald Shopping Centre (CBD)	\$1,393,000	0	25 Nov 2024
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**FINANCIAL IMPLICATIONS**

Nil

**LEGISLATIVE IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

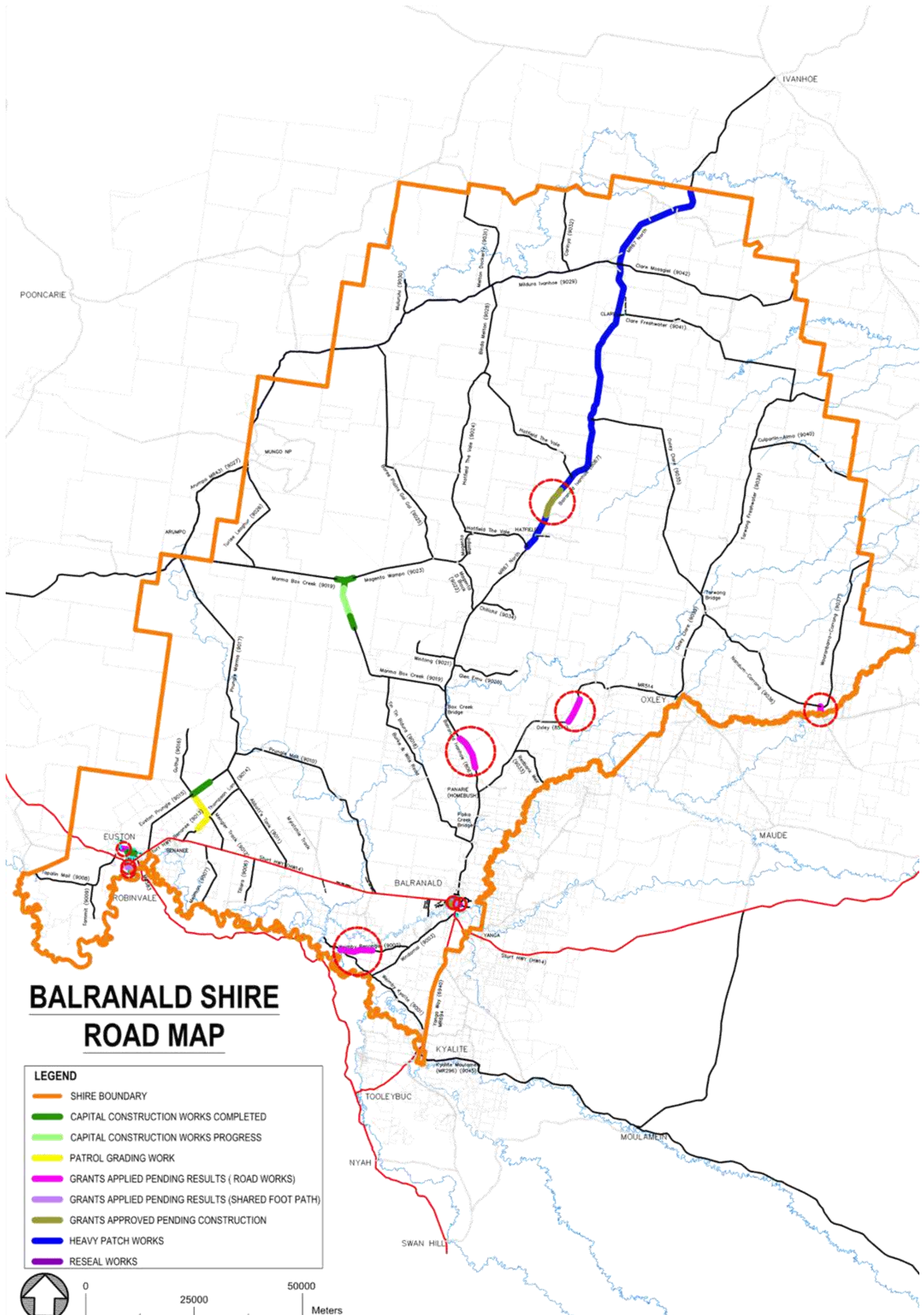
Nil

**RISK RATING**

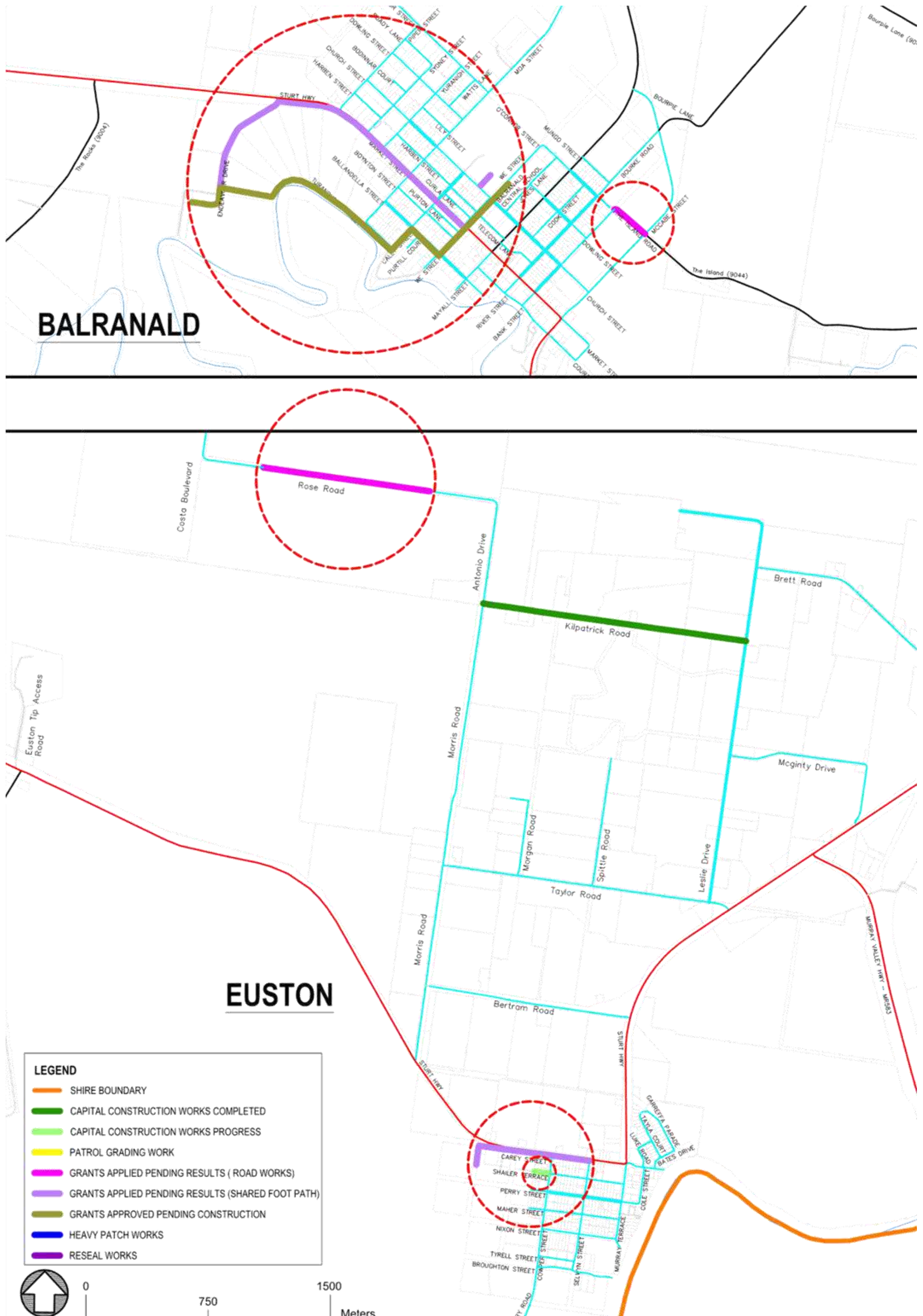
Low

**ATTACHMENTS**

1. Balranald Shire Roads - Developments Ongoing









**11.10 ACTIVITIES UNDERTAKEN WITHIN THE PLANNING DEPARTMENT**

**File Number:** D25.104323

**Author(s):** Nikkita Manning-Rayner, Planning Officer  
Ray Mitchell, Health, Environmental and Development Coordinator

**Approver:** David McKinley, Director of Infrastructure and Planning Services

**Operational Plan Objective:** Pillar 5: Our Infrastructure – A community that maintains and strengthens its natural and built environment.

**PURPOSE OF REPORT**

To advise Council of activities undertaken within the Planning Department in the month of February 2025.

**OFFICER RECOMMENDATION**

**That Council notes the report.**

**REPORT**

The following Notices of Determination (DA), Construction Certificates (CC), Complying Development Certificates (CDC), Section 68 Certificates (S68), Subdivision Certificates (SDC), Subdivision Works Certificates (SWC) and / or Occupation Certificates (OC) have been issued under delegated authority in the month of February 2025:

<b>Application</b>	<b>Applicant</b>	<b>Location</b>	<b>Description</b>
CC 08/2025	Eyan Ingles for Mick & Lorraine Bax	173 Market Street, Balranald	Shed
CC 09/2025	Limondale Battery Pty Ltd for Limondale Investments Pty Ltd	Windomal Road, Balranald	Limondale Battery Energy Storage System Sub-station Works
CC 10/2025	Nicholas Blake	140 Church Street, Balranald	Shed
SDC 05/2025	Price Merrett Consulting for Euston Co-operative Rural Society Ltd	9 Bates Drive, Euston (Sturt Highway)	Two Lot Subdivision for Public Land

The following numbers of certificates relating to conveyancing have been issued in the month of February 2025:

<b>Environmental Planning &amp; Assessment Act 1979</b> Planning Information Certificates (10.7)	3
<b>Environmental Planning &amp; Assessment Act 1979</b> Building Certificates (6.24)	0
<b>Local Government Act 1993</b> Outstanding Orders (735A)	0

<b>Local Government Act 1993</b> Drainage Diagram	2
<b>Biosecurity Act 2015</b> Outstanding Orders (Noxious Weeds)	0

The following Section 4.6 Variations have been issued under delegated authority in the month of February 2025:

<b>Application</b>	<b>Owner/Applicant</b>	<b>Location</b>	<b>Description</b>
Nil	-	-	-

#### **FINANCIAL IMPLICATIONS**

Nil

#### **LEGISLATIVE IMPLICATIONS**

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 IMPLICATIONS**

Nil

#### **RISK RATING**

Low

#### **ATTACHMENTS**

Nil

**11.11 CIRCULARS FROM THE OFFICE OF LOCAL GOVERNMENT**

**File Number:** D25.105291  
**Author(s):** Carol Holmes, Senior Executive Assistant  
**Approver:** Peter Bascomb, Interim 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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**PURPOSE OF REPORT**

To provide Council with copies of the circulars received from the Office of Local Government (OLG).

**OFFICER RECOMMENDATION**

That Council notes the report.

**REPORT**

Council receives circulars from the OLG for any updates and information that is relevant for Council.

Whilst many of the circulars are of an administrative nature, there may be matters that are of interest to the community.

**Circulars Received from the OLG**

25-03 Review of the NSW Companion Animal Laws – Discussion Paper  
25-04 Draft Quarterly Budget Review Statement Guidelines

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

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

Nil

**11.12 MEETINGS ATTENDED BY THE MAYOR, THE INTERIM GENERAL MANAGER AND DIRECTORS**

**File Number:** D25.105298  
**Author(s):** Carol Holmes, Senior Executive Assistant  
**Approver:** Peter Bascomb, Interim 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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**PURPOSE OF REPORT**

To advise Council of the meetings undertaken on behalf of Council by the Mayor, the Interim General Manager and the Director of Governance, Business and Community Services and the Director of Infrastructure & Planning Services since Tuesday 18 February 2025.

**OFFICER RECOMMENDATION**

**That Council notes the information.**

**REPORT**

**Attachment 1** details the meetings which the Mayor, the Interim General Manager and the Director of Governance, Business and Community Services and the Director of Infrastructure & Planning Services since Tuesday 18 February 2025.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

1. Meetings attended by the Mayor, Interim General Manager, and Directors

Date	Meeting	Topic	Who Was Involved
19.2.2025	Council Meeting De-Brief	Update on Council Meeting	DIPS
19.2.2025	Council Meeting De-Brief	Update on Council Meeting	DGBCS
19.2.2025	Radio Interview	Upcoming Events	IGM
19.2.2025	Growing Business Industry & Tourism Advisory Committee Meeting	Monthly Meeting	IGM & DGBCS
19.2.2025	Finance Meeting	Budget Proposals and Finance Matters	DGBCS
24.2.2025	Euston Progressive Advisory Committee Meeting	Monthly Meeting	Mayor & IGM
24.2.2025	Weekly Update	Weekly Meeting	Mayor & IGM
26.2.2025	Radio Interview	Upcoming Events	IGM
26.2.2025	Training	Councillor Planning	Mayor & IGM
27.2.2025	ELT	Updates	IGM, DIPS & DGBCS
27.2.2025	Meet & Greet	Michelle Millthorpe	IGM
28.2.2025	Meet & Greet	Michelle Millthorpe	Mayor
3.3.2025	Weekly Update	Weekly Meeting	Mayor & IGM
3.3.2025	Seniors Week Presentation	Volunteer Senior Presentation	Mayor & IGM
4.3.2025	Catch UP	StateCover update	IGM, DIPS & DGBCS
5.3.2025	Radio Interview	Upcoming Events	IGM
6.3.2025	Meeting	Workplace Culture	DIPS & DGBCS
6.3.2025	Seniors Luncheon	Annual Luncheon	Mayor & IGM
10.3.2025	Southern Cross	Progress	Mayor & IGM
11.3.2025	Meeting	Business Paper Review	IGM, DIPS & DGBCS
11.3.2025	Radio Interview	Upcoming Events	IGM
12.3.2025	Official Opening	Wentworth Information Centre	Mayor & IGM
12.3.2025	Meeting	Minister of Local Government	Mayor & IGM
12.3.2025	Weekly Update	Weekly Meeting	Mayor & IGM
17.3.2025	Weekly Update	Weekly Meeting	Mayor & IGM
18.3.2025	Workshop	Budget	Mayor, IGM, DIPS & DGBCS
18.3.2025	Workshop	Councillor Workshop	Mayor, IGM, DIPS & DGBCS
18.3.2025	Council Meeting	Monthly Meeting	Mayor, IGM, DIPS & DGBCS

Mayor – Cr Louie Zaffina
Interim General Manager (IGM) – Mr Peter Bascomb
Director of Governance, Business and Community Services (DGBCS) – Mr Glenn Carroll
Director of Infrastructure & Planning Services (DIPS) – Mr David McKinley
Acting Director of Infrastructure & Planning Services (ADIPS) Vince Scoleri

**11.13 OUTSTANDING ACTIONS AS AT TUESDAY 11 MARCH 2025**

**File Number:** D25.105467  
**Author(s):** Carol Holmes, Senior Executive Assistant  
**Approver:** Peter Bascomb, Interim 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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**PURPOSE OF REPORT**

To provide Council with the updated Action Sheets Report (**Attachment 1**), which details all outstanding actions from previous Council Meetings.

**OFFICER RECOMMENDATION**

**That Council notes the report.**

**REPORT**

A list of the outstanding actions from all previous Council Meetings has been provided for the information of Council.

**FINANCIAL IMPLICATION**

Nil

**LEGISLATIVE IMPLICATION**

Nil

**POLICY IMPLICATION**

Nil

**RISK RATING**

Low

**ATTACHMENTS**

- 1. Outstanding Actions - 11 March 2025**

<a href="#">Action Sheets Report</a>		<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed:</b> 11 March 2025 11:03 AM
Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Notice of Motion	Notice of Motion - Toilets at Anderson Park
<b>RESOLUTION 2025/10</b>  Moved: Mayor Louie Zaffina Seconded: Deputy Mayor Dwaine Scott  <b>That Council investigate the construction of a toilet block on Anderson Park in Euston.</b>			
			<b>CARRIED</b>
<b>03 Mar 2025 4:03pm Holmes, Carol - Reallocation</b> Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager			
Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Notice of Motion	Notice of Motion - Harben St Kerb and Guttering.
<b>RESOLUTION 2025/11</b>  Moved: Mayor Louie Zaffina Seconded: Deputy Mayor Dwaine Scott  <b>That Council investigate the installation of kerb and guttering in Harben St Balranald.</b>			
			<b>CARRIED</b>
<b>03 Mar 2025 4:03pm Holmes, Carol - Reallocation</b> Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager			
Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Notice of Motion	Notice of Motion - Medical Facility in Euston
<b>RESOLUTION 2025/12</b>  Moved: Mayor Louie Zaffina Seconded: Cr Tracy O'Halloran  <b>That Council investigate a possible building or building site to install a portable building office-rooms for the Doctor to use in Euston</b>			
			<b>.CARRIED</b>

<div style="display: flex; justify-content: space-between;"> <div> <div>Division:</div> <div>Committee: Council</div> <div>Officer:</div> </div> <div> <div>Date From:</div> <div>Date To:</div> </div> </div>	<div>Printed: 11 March 2025 11:03 AM</div>	
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03 Mar 2025 4:04pm Holmes, Carol - Reallocation

Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Mayor/Councillor Report	Mayoral Minute - Nomination for Willandra Lakes Region World Heritage Advisory Committee
<b>RESOLUTION 2025/3</b>			
Moved: Mayor Louie Zaffina			
Seconded: Cr Iain Lindsay-Field			
<b>That Council also nominate Cr Tracy O'Halloran as the local government representative on the Willandra Lakes Region World Heritage Advisory Committee.</b>			
<b>CARRIED</b>			
<b>03 Mar 2025 4:02pm Holmes, Carol - Reallocation</b>			
Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager			
<b>06 Mar 2025 11:27am Bascomb, Peter</b>			
Of the four councillors nominated, two withdrew. The completed applications have been forwarded to LGNSW and the delegate will be determined by the Minister.			

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Notice of Motion	Notice of Motion - Installation of Playground
<b>RESOLUTION 2025/9</b>			
Moved: Mayor Louie Zaffina			
Seconded: Cr Leigh Byron			
<b>That Council build a children's play area on a council owned lot that fronts Garreffa Parade and Tayla Court.</b>			
<b>CARRIED</b>			
<b>03 Mar 2025 4:03pm Holmes, Carol - Reallocation</b>			
Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager			



<a href="#">Action Sheets Report</a>	Division: Committee: Council Officer:	Date From: Date To: Printed: 11 March 2025 11:03 AM
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Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Part A - General Manager's Reports	Bidgee Haven Retirement Hostel - Engagement of Architects
<b>RESOLUTION 2025/18</b>  Moved: Cr Iain Lindsay-Field Seconded: Cr Alison Linnett  <b>That Council authorise the appointment of C4 Architects Pty Ltd (ABN 50 110 660 985) for the following reasons:</b> <ol style="list-style-type: none"> <li>1. Delays with, and the uncertainty about, the project has created a risk that Council could lose the funding grant that was first awarded in 2019 and it is critical for Council to quickly demonstrate that it will make constructive use of the funds</li> <li>2. C4 Architects completed the design for the originally planned 15-bed dementia facility and hence are already familiar with the site</li> <li>3. C4 Architects have successfully worked with Council on other recent projects.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>06 Mar 2025 11:34am Bascomb, Peter</b>          C4 have been engaged and they have provided a quote for the work. Work will commence subject to further liaison with the funding agency. The expectation is that Council will be in a position to lodge an application to vary the scope of works by end of April.</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Part A - General Manager's Reports	Variation of Lease Agreement - Discovery Centre Cafe
<b>RESOLUTION 2025/22</b>  Moved: Cr Iain Lindsay-Field Seconded: Cr German Ugarte  <b>That Council authorise the Interim General Manager to vary the Discovery Centre Café lease to reflect the request to vary the operating hours.</b>  <b>AMENDMENT</b>  Moved: Cr Tracy O'Halloran Seconded: Cr Alison Linnett  <b>That Council authorise the Interim General Manager to vary the Discovery Centre Café lease to reflect the request to vary the operating hours subject to the lessee reimbursing Council for any legal costs incurred in altering the lease or alternatively wait until the original lease is renewed in December 2025 to vary the lease.</b> <p style="text-align: right;"><b>CARRIED</b></p>			

<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: 11 March 2025 11:03 AM</b>
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**06 Mar 2025 11:33am Bascomb, Peter**

A quote for the variation of the lease was obtained and provided to the tenants who subsequently decided not to vary the lease.

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Notice of Motion	Notice of Motion - Garreffa Parade Median strip
<b>RESOLUTION 2025/8</b>  Moved: Mayor Louie Zaffina Seconded: Cr Iain Lindsay-Field  <b>That Council install sprinklers and establish lawn on Garreffa Parade median strip in the new development at Euston.</b>			
<b>CARRIED</b>			
<b>03 Mar 2025 4:02pm Holmes, Carol - Reallocation</b> Action reassigned to Bascomb, Peter by Holmes, Carol - Peter being the Interim General Manager			

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter Bascomb, Peter	Part A - General Manager's Reports	Consideration of Minister's Draft Code of Meeting Practice
<b>RESOLUTION 2025/13</b>  Moved: Cr Tracy O'Halloran Seconded: Cr Alison Linnett  <b>That Council provide the attached submission, as amended by this meeting, to the Minister for Local Government and the Office of Local Government.</b>			
<b>CARRIED</b>			
<b>06 Mar 2025 11:28am Bascomb, Peter</b> The submission was forwarded to the Office of Local Government on 20 February 2025.			

Meeting	Officer/Director	Section	Subject
Council 23/07/2024	Bascomb, Peter	Part A - General Manager's Reports	Review of Mayoral Minute - Sound Financial Management for Council

<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b>  <b>Printed: 11 March 2025 11:03 AM</b>
<p><b>RESOLUTION 2024/134</b></p> <p>Moved: Administrator Mike Colreavy</p> <ol style="list-style-type: none"><li>1. That Council reviews and notes the information provided in this report.</li><li>2. That the Acting General Manager follow up on the status of the matters raised in the Office of Local Government letter dated 24 April 2020 and report back to Council.</li></ol> <p style="text-align: right;"><b>CARRIED</b></p> <p><b>08 Aug 2024 5:01pm Holmes, Carol - Target Date Revision</b> Target date changed by Holmes, Carol from 20 August 2024 to 22 October 2024 - Action Deferred to October Council Meeting which will be the first full Council Meeting after the Local Government Elections.</p> <p><b>08 Aug 2024 5:02pm Holmes, Carol - Reallocation</b> Action reassigned to Carroll, Glenn by Holmes, Carol - General Manager has resigned and Glenn is now the Acting General Manager</p> <p><b>14 Aug 2024 11:03am Holmes, Carol</b> The matters raised in the Office of Local Government letter dated 24 April 2020 will be reviewed and addressed in conjunction with the Better Practice Review and the Performance Improvement Order recommendations.</p> <p><b>09 Oct 2024 10:49am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 22 October 2024 to 31 December 2024 - The action will be reviewed in conjunction with actions from the Better Practice Review and Performance Improvement Orders.</p> <p><b>21 Nov 2024 8:46am Holmes, Carol</b> Matters to be pursued</p> <p><b>10 Dec 2024 11:17am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 31 December 2024 to 31 March 2025 - To allow time to review in conjunction with Better Practice Review and Performance Improvement Orders.</p> <p><b>10 Feb 2025 8:53am Carroll, Glenn - Reallocation</b> Action reassigned to Bascomb, Peter by Carroll, Glenn - New interim General Manager appointed.</p>		

<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: 11 March 2025 11:03 AM</b>
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Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Bascomb, Peter	Part A - General Manager's Reports	Councillor and Staff Interaction Policy Update
<b>RESOLUTION 2025/14</b>  Moved: Deputy Mayor Dwaine Scott Seconded: Cr Leigh Byron  <b>That Council adopt the Councillor and Staff Interaction Policy 2025 as attached, noting that the General Manager may vary the table of authorised staff in Schedule 1 from time to time.</b>			
			<b>CARRIED</b>
<b>06 Mar 2025 11:31am Bascomb, Peter</b> Staff advised of new policy and placed on Council website.			

Meeting	Officer/Director	Section	Subject
Council 19/10/2021	Carroll, Glenn Holmes, Carol	Part B - Corporate & Community Services Reports	Bidgee Haven Retirement Hostel Expansion Project
<b>RESOLUTION 2021/186</b>  Moved: Administrator Mike Colreavy 1. Noting that: <ul style="list-style-type: none"> <li>a) The Ministerial Performance Improvement Order imposed on Council in 2017 envisages Council following a path to financial sustainability;</li> <li>b) Requirement No 16 of the Performance Improvement Order Action Plan 2018 originally required Council to consider divesting the management and possibly ownership of the Bidgee Haven Hostel to ensure losses do not impact on Council's limited budget and risks to Council are minimized. Although consideration was given by Council in September 2017 to various alternate management arrangements, in-house management arrangements for the Hostel have continued up to now;</li> <li>c) Until today's report, the Administrator's requests to successive General Managers to demonstrate categorically that the proposed Bidgee Haven Hostel extension project can be delivered within the funding approved by the Commonwealth Government and Council have not received a positive answer;</li> <li>d) Under Council in-house management:</li> </ul>			

<p>Action Sheets Report</p>	<p>Division: Council Committee: Officer:</p>	<p>Date From: Date To: Printed: 11 March 2025 11:03 AM</p>
	<p>(i) Bidgee Haven Hostel operates at a loss when all operating expenses (including depreciation) and capital costs are factored in; and</p> <p>(ii) financial viability of the expanded Hostel will, at best, only be marginal and permanently reliant on continuing occupancy rates around 90%, - at worst the Hostel will not be financially viable;</p> <p>e) Council's governance framework is already overstretched, and it lacks the kind of project management expertise required to deliver this project successfully, as is readily apparent from the report on the Better Practice Review in today's Council Meeting Agenda and other information under consideration by Council's Audit Risk &amp; Improvement Committee;</p> <p>f) Council's current and predicted long-term financial position is not sufficiently robust to assume the risks associated with expanding and operating the Bidgee Haven Hostel complex in-house;</p> <p>g) Other crucial Council services, particularly roads, are already overstretched and cannot absorb further losses if they are incurred by the Bidgee Haven Hostel;</p> <p>h) The expansion of Bidgee Haven Hostel could eventually proceed, in line with community expectations, but under the ownership/stewardship of a specialist operator with demonstrated capability in efficiently operating similar facilities elsewhere, and Council can act immediately to seek a suitable purchaser;</p> <p>i) A proposed sale will be more attractive to a specialist operator if there is an opportunity to modify the project design to satisfy their operational requirements prior to the construction phase;</p> <p>j) The recommendation of the Ageing Well, Aged-Care &amp; Facilities Advisory Committee to proceed with the build immediately, while simultaneously investigating the possibility of negotiating a sale of the Hostel complex, is a clear indication that community sentiment supports the Bidgee Haven Hostel's expansion proceeding;</p> <p>k) The recommendation of the responsible Director and the Acting General Manager is not to proceed with the tendering and construction of the 15-bed extension, and instead to call for expressions of interest for the potential sale of the Hostel complex and seek advice as to the transfer of grant funding to a future Hostel operator; and</p> <p>l) The two recommendations referred to in (j) and (k) above are incompatible – they cannot coexist and it would be financially irresponsible for Council not to follow Management's recommendation in this case.</p> <p>2. That tendering and construction of the 15-bed extension be placed on hold, at this stage.</p> <p>3. That advice be sought from the funding body about the potential to transfer the approved grant funding to a future hostel operator.</p> <p>4. That expressions of interest be called for the sale of the Bidgee Haven Hostel complex to an experienced, specialist aged-care operator.</p>	



<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b>  <b>Printed: 11 March 2025 11:03 AM</b>
<p>5. 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.</p> <p>6. That Council receives and notes the Minutes of the Ageing Well, Aged Care and Facilities Advisory Committee (AWACAFAC) meeting held on 14 October 2021.</p>		
<p style="text-align: right;"><b>CARRIED</b></p>		
<p><b>13 Dec 2021 3:56pm Holmes, Carol - Target Date Revision</b></p>		
<p>Revised Target Date changed by: Holmes, Carol From: 16 Nov 2021 To: 15 Feb 2022, Reason: Placed on hold - report back to Ordinary Council Meeting in February 2022</p>		
<p><b>11 Mar 2022 2:55pm Holmes, Carol - Target Date Revision</b></p>		
<p>Revised Target Date changed by: Holmes, Carol From: 15 Feb 2022 To: 31 May 2022, Reason: This item remains on hold whilst financial/organisation reviews are undertaken</p>		
<p><b>05 Apr 2022 3:37pm Holmes, Carol - Target Date Revision</b></p>		
<p>Revised Target Date changed by: Holmes, Carol From: 31 May 2022 To: 30 Jun 2022, Reason: Grant funding applied for to undertake Business &amp; Financial assessment</p>		
<p><b>10 Aug 2022 10:45am Holmes, Carol - Target Date Revision</b></p>		
<p>Revised Target Date changed by: Holmes, Carol From: 30 Jun 2022 To: 30 Dec 2022, Reason: Grant applied for was successful to undertake a business and financial assessment</p>		
<p><b>23 Mar 2023 11:28am Holmes, Carol - Reallocation</b></p>		
<p>Action reassigned to Bennett, Craig by Holmes, Carol - Hodi Beauliv is no longer with Council</p>		
<p><b>27 Mar 2023 2:56pm Bennett, Craig - Target Date Revision</b></p>		
<p>Target date changed by Bennett, Craig from 30 December 2022 to 28 April 2023 - General Manager is in the process of organising a meeting with representatives of the Commonwealth Government in Canberra. The Administrator will also be in attendance in Canberra or via zoom if the meeting is unable to be held in person in Canberra.</p>		
<p><b>21 Apr 2023 9:51am Bennett, Craig - Target Date Revision</b></p>		
<p>Target date changed by Bennett, Craig from 28 April 2023 to 30 June 2023 - Meeting has been organised with representatives of the Commonwealth Government to discuss potential options to fund operational costs of the proposed extension from 15 beds to 30 beds at the Hostel. The meeting has been organised in Canberra on Wednesday, 14 June 2023. Council's Administrator and General Manager will be in attendance at the meeting.</p>		
<p><b>28 Jun 2023 11:16am Bennett, Craig</b></p>		
<p>Waiting on the Commonwealth Government to come back to the General Manager regarding options for operational funding of the possible expansion. Feedback is expected by the end of July 2023. A workshop will then be held with the Bidgee Haven Hostel Committee.</p>		
<p><b>28 Jun 2023 11:18am Bennett, Craig - Target Date Revision</b></p>		
<p>Target date changed by Bennett, Craig from 30 June 2023 to 31 July 2023 - Waiting for options from the Commonwealth Government.</p>		
<p><b>21 Jul 2023 4:54pm Bennett, Craig - Target Date Revision</b></p>		
<p>Target date changed by Bennett, Craig from 31 July 2023 to 31 August 2023 - Workshop being held with the Bidgee Haven Retirement Hostel Committee to discuss options.</p>		
<p><b>04 Aug 2023 6:42pm Bennett, Craig</b></p>		
<p>Workshop with the Bidgee Haven Retirement Hostel Committee has been set for Wednesday, 23 August 2023.</p>		
<p><b>28 Aug 2023 3:39pm Bennett, Craig</b></p>		

<p><b>Action Sheets Report</b></p>	<p>Division: Committee: Council Officer:</p>	<p>Date From: Date To:  Printed: 11 March 2025 11:03 AM</p>
<p>Workshop completed with the Bidgee Haven Hostel Committee on Wednesday, 23 August 2023.</p> <p><b>28 Aug 2023 3:40pm Bennett, Craig - Target Date Revision</b> Target date changed by Bennett, Craig from 31 August 2023 to 31 December 2023 - More time required to assess the 15 bed model prior to assessing the viability of the 30 bed model.</p> <p><b>11 Oct 2023 12:57pm Bennett, Craig</b> Current efforts have centred on recruiting Registered Nurses. This is a requirement of the new Commonwealth Legislation that came into effect on 1 July 2023. A full assessment of the 15 bed model will be undertaken over the next 6 months. If this is successful then the proposed 30 bed model will be reevaluated after 1 April 2024.</p> <p><b>11 Oct 2023 1:01pm Bennett, Craig - Target Date Revision</b> Target date changed by Bennett, Craig from 31 December 2023 to 01 April 2024 - At least 6 months needs to be given to assess the viability of the 15 bed model at the Bidgee Haven Retirement Hostel.</p> <p><b>09 Feb 2024 8:57am Bennett, Craig - Reallocation</b> Action reassigned to Glenn, Carroll by Bennett, Craig - Glenn has commenced as the new Director of Governance, Business and Community Services at Council. The Bidgee Haven Retirement Hostel is in his portfolio.</p> <p><b>14 Feb 2024 11:43am Carroll, Glenn</b> Assessment of the proposed expansion of the Hostel to a 30 - Bed facility placed on hold while the viability of current 15 Bed facility is assessed at the end of this financial year to inform decision making.</p> <p><b>28 Feb 2024 1:55pm Carroll, Glenn</b> As of todays date situation has not changed from 14 February 2023.</p> <p><b>05 Mar 2024 12:26pm Carroll, Glenn</b> As of todays date the situation has not changed from 28 February 2024.</p> <p><b>17 Apr 2024 8:39am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 01 April 2024 to 30 June 2024 - Assessment of the facility to expand to a 30 Bed Hostel will be conducted after 30 June 2024.</p> <p><b>31 May 2024 11:24am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 30 June 2024 to 31 July 2024 - To allow time after 30 June 2024 to complete the assesment report to consider expanding to a 30 bed facility.</p> <p><b>08 Aug 2024 1:00pm Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 31 July 2024 to 22 October 2024 - To allow time to complete the assessment report to consider expanding to a 30 bed facility and if need be consider other options.</p> <p><b>09 Oct 2024 10:55am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 22 October 2024 to 31 December 2024 - To allow time to have a variation to the original grant agreement considered to undertake a refurbishment to the existing facility and an extension to a 20 bed facility catering for dementia/high care residents.</p> <p><b>10 Dec 2024 11:35am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 31 December 2024 to 31 December 2024 - Awaiting a response from the funding authority to have a variation to the original grant agreement considered to undertake a refurbishment to the existing facilioty and an extension to a 20 bed facility catering for dementia/high care residents.</p> <p><b>10 Dec 2024 11:38am Carroll, Glenn - Target Date Revision</b> Target date changed by Carroll, Glenn from 31 December 2024 to 31 March 2025 - Awaiting a response from the funding authority to have a variation to the original grant agreement considered to undertake a refurbishment to the existing facility and an extension to a 20 bed facility catering for dementia/high care residents.</p> <p><b>07 Feb 2025 1:06pm Carroll, Glenn</b></p>		

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<b>Action Sheets Report</b>			

Currently developing plans, project scope and a cost estimate to facilitate the submission of a variation to the funding authority to have the original grant funding agreement varied to be able to undertake a refurbishment of the existing facility and an extension to a 20 bed facility catering for dementia/high care residents.

**03 Mar 2025 4:45pm Carroll, Glenn - Target Date Revision**

Target date changed by Carroll, Glenn from 31 March 2025 to 31 May 2025 - Currently developing plans, project scope and a cost estimate to facilitate the submission of a variation to the funding authority to have the original grant funding varied to be able to undertake a refurbishment of the existing facility and an extension to a 20 bed facility catering for dementia/high care residents.

Meeting	Officer/Director	Section	Subject
Council 22/10/2024	Carroll, Glenn Holmes, Carol	Committee Reports	Growing Business Industry and Tourism Advisory Committee Meeting held on Wednesday, 21 August 2024

**RESOLUTION 2024/198**

Moved: Cr Iain Lindsay-Field

Seconded: Cr German Ugarte

That;

1. the Minutes of the Growing Business, Industry and Tourism Advisory Committee meeting held on Wednesday, 21 August 2024 be received and noted;
2. Council approach the new owners of the vineyard to consider the possibility of a future extension of the runway at Balranald Airfield to facilitate larger aircrafts. If indications are positive, GBITAC request council then approach the local mines regarding airfield development needs and opportunities;
3. Council pursue the development of a "bird trail" across the Balranald Shire including signage and brochures for bird identification;
4. Council maintain a neutral approach with the proposed renewable energy developments in and around the Balranald Shire whilst being vigilant around the projects' development assessment process;
5. Council actively gauge community sentiment and engage with the State consenting authority at the appropriate time to mitigate community concerns through specific conditions of consent if projects are to be approved by the state.

**CARRIED**

**13 Nov 2024 12:13pm Holmes, Carol - Reallocation**

Action reassigned to Carroll, Glenn by Holmes, Carol - Part 2 of the recommendation - liaising with Vineyard owners to consider possibility of extending runway

**14 Nov 2024 1:25pm Carroll, Glenn - Target Date Revision**

Target date changed by Carroll, Glenn from 19 November 2024 to 30 November 2024 - Require further time to arrange meetings.

**10 Dec 2024 3:44pm Carroll, Glenn - Target Date Revision**

Target date changed by Carroll, Glenn from 30 November 2024 to 31 January 2025 - currently liaising with Vineyard owners to possibly purchase land to extend airport runway.



<b>Division:</b>	Council	<b>Date From:</b>	
<b>Committee:</b>		<b>Date To:</b>	
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**10 Feb 2025 9:04am Carroll, Glenn - Target Date Revision**

Target date changed by Carroll, Glenn from 31 January 2025 to 31 March 2025 - Currently obtaining market valuations for possible purchase of land to extend runway.

**03 Mar 2025 4:38pm Carroll, Glenn - Target Date Revision**

Target date changed by Carroll, Glenn from 31 March 2025 to 30 April 2025 - Currently obtaining land valuations for possible purchase of land to extend runway.

Meeting	Officer/Director	Section	Subject
Council 21/05/2024	Carroll, Glenn Holmes, Carol	Part A - General Manager's Reports	Management and Operation of the Balranald Caravan Park
<b>RESOLUTION 2024/89</b>			
Moved: Administrator Mike Colreavy			
<b>That Council agrees to continue managing and operating the Balranald Caravan Park in-house until at least 31 December 2024.</b>			
<b>CARRIED</b>			
<b>24 May 2024 4:28pm Carroll, Glenn</b>			
Council to continue managing and operating the Balranald Caravan Park until at least 31 December 2024. Report to be submitted to the new Council to determine if Council contracts the Caravan Park operation out or continues with day labour.			
<b>31 May 2024 11:28am Carroll, Glenn - Target Date Revision</b>			
Target date changed by Carroll, Glenn from 18 June 2024 to 31 December 2024 - To allow New Council to determine if the Caravan Park Operation is contracted out or continued with day labour.			
<b>10 Dec 2024 11:19am Carroll, Glenn - Target Date Revision</b>			
Target date changed by Carroll, Glenn from 31 December 2024 to 31 March 2025 - To allow further time to undertake review.			
<b>03 Mar 2025 4:32pm Carroll, Glenn - Target Date Revision</b>			
Target date changed by Carroll, Glenn from 31 March 2025 to 31 May 2025 - To allow further time to conduct review and workshop.			
Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Dunstone, Danika Carroll, Glenn	Part A - General Manager's Reports	Donation Request - Balranald Pony Club

<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed:</b> 11 March 2025 11:03 AM
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**RESOLUTION 2025/1**

Moved: Cr Alison Linnett

Seconded: Cr Leigh Byron

**That Council donate \$500 to the Balranald Pony Club towards the garbage charges incurred during their annual camp held in 2023-2024.****AMENDMENT**

Moved: Cr Tracy O'Halloran

Seconded: Cr Iain Lindsay-Field

**That Council donate \$1059 to the Balranald Pony Club towards the garbage charges incurred during their annual camp held in 2023-2024.****CARRIED****03 Mar 2025 4:13pm Holmes, Carol - Target Date Revision**

Target date changed by Holmes, Carol from 18 March 2025 to 30 April 2025 - Letter sent requesting Creditors Form to be completed.

Meeting	Officer/Director	Section	Subject
Council 23/07/2024	Edgcome-Lucas, Adrian Bascomb, Peter	Part A - General Manager's Reports	RFT 24/19-06(II) BALRANALD CARAVAN PARK STAGE 1 POOL AND AMENITIES FOR THE BALRANALD CARAVAN PARK

**RESOLUTION 2024/139**

Moved: Administrator Mike Colreavy

**That Council:**

- cancel Tender RFT 24/19-06(ii) Balranald Caravan Park Stage 1 Pool & Amenities for The Balranald Caravan Park in accordance with Clause 178 (3)(a) of the Local Government (General) Regulation 2021, due to the submission by the tenderer not being within the approved budget and due to limited participation from the market.
- redirect the funds into other enabled works at the Balranald Caravan Park in line with the funding guidelines under the Crown Reserve Improvement Fund.

**CARRIED**

**12 Aug 2024 10:31am Holmes, Carol - Target Date Revision**  
Target date changed by Holmes, Carol from 20 August 2024 to 30 September 2024 - Currently obtaining quotes in regards to the works that can be completed with the remaining funding.

**17 Oct 2024 11:35am Holmes, Carol - Target Date Revision**

<b>Action Sheets Report</b>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: 11 March 2025 11:03 AM</b>
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Target date changed by Holmes, Carol from 30 September 2024 to 29 November 2024 - 1. Tender RFT 24/19-06(ii) was cancelled / closed on the 30th of July 2024 with no further action to be taken., 2. Funding has been redirected into Caravan Park civil works including the piping and filling of 300 metres of the storm water channel at the Eastern Border of the site as well the construction of a new levy bank along the southern and south-eastern perimeters of the Caravan Park site. Works to be completed by the 18 November 2024.

**13 Nov 2024 1:51pm Edgcome-Lucas, Adrian**

Council is continuing with the civil activities at the Caravan Park. These activities include the installation of a new in ground drainage system to replace the open storm water channel at the Eastern end of the park, as well as the installation of a new levy bank around the park. All works will conclude by the 23rd of December 2024.

Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Holmes, Carol Bascomb, Peter	Part A - General Manager's Reports	Donation Request - Mildura Health Icon Cancer Centre
<b>RESOLUTION 2025/19</b>			
Moved: Cr Iain Lindsay-Field			
Seconded: Cr Alison Linnett			
<b>That Council:</b>			
1. Donate \$20,000 to the Mildura Health Foundation to support the building and furnishing of the Dr Julie Zrna Centre.			
2. Source the funding from the Voluntary Planning Agreement (VPA) funds paid by Iluka Resources Ltd.			
			<b>CARRIED</b>
<b>03 Mar 2025 4:08pm Holmes, Carol - Target Date Revision</b>			
Target date changed by Holmes, Carol from 18 March 2025 to 30 April 2025 - Letter forwarded requesting Creditor form to be completed			

<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed:</b> 11 March 2025 11:03 AM
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Meeting	Officer/Director	Section	Subject
Council 18/02/2025	Holmes, Carol Bascomb, Peter	Part A - General Manager's Reports	Donation Request - Balranald Early Learning Centre
<b>RESOLUTION 2025/21</b>  Moved: Cr Iain Lindsay-Field Seconded: Cr German Ugarte  <b>That Council donate \$500 towards the purchase of a new vacuum cleaner for the Balranald Early Learning Centre.</b>			
<b>CARRIED</b>			
<b>03 Mar 2025 4:08pm Holmes, Carol - Target Date Revision</b> Target date changed by Holmes, Carol from 18 March 2025 to 30 April 2025 - Letter forwarded requesting Creditor form to be completed			

Meeting	Officer/Director	Section	Subject
Council 22/10/2024	Holmes, Carol Bascomb, Peter	Administrator Minute/Report	Mayoral Minute - General Manager Recruitment
<b>RESOLUTION 2024/195</b>  Moved: Mayor Louie Zaffina  <ol style="list-style-type: none"> <li>1. That a selection panel comprising the Mayor, Deputy Mayor and two (2) councillors, yet to be determined, be appointed with authority to undertake the recruitment process following the guidelines.</li> <li>2. Council obtain facilitation proposals and engage a suitable recruitment firm to assist Council through the process.</li> </ol>			
<b>CARRIED</b>			
<b>13 Nov 2024 12:10pm Holmes, Carol - Target Date Revision</b> Target date changed by Holmes, Carol from 19 November 2024 to 23 December 2024 - Selection panel determined & roposals to erngage recruitment firm in progress.			
<b>06 Feb 2025 12:57pm Holmes, Carol - Target Date Revision</b> Target date changed by Holmes, Carol from 23 December 2024 to 15 July 2025 - Recruitment Process in progress			

<a href="#">Action Sheets Report</a>		Division: Committee: Council Officer:	Date From: Date To: Printed: 11 March 2025 11:03 AM
Meeting	Officer/Director	Section	Subject
Council 26/03/2024	McKinley, David	Part A - General Manager's Reports	Balranald Reservoir Remediation
<b>RESOLUTION 2024/43</b> Moved: Administrator Mike Colreavy <b>That Council considers allocating funding as part of its deliberations on the draft budgets for the 2024/2025 and 2025/2026 Financial Years so that recommended remediation works can be completed for the Balranald potable water reservoir.</b> <div style="text-align: right;"><b>CARRIED</b></div>			
<b>18 Apr 2024 4:43pm McKinley, David - Target Date Revision</b> Target date changed by McKinley, David from 23 April 2024 to 28 February 2025 - Need to consider allocating monies in the 2025/2026 budget			
<b>18 Apr 2024 4:43pm McKinley, David</b> Budget funds allocated to the 2024/2025 draft budget			
<b>04 Jul 2024 2:58pm McKinley, David</b> 16 July meeting with Consultant and Water Team to plan design works			
<b>21 Nov 2024 9:30am Holmes, Carol</b> To be considered as part of the 2025/2026 estimates process			
<b>02 Dec 2024 12:19pm McKinley, David - Target Date Revision</b> Target date changed by McKinley, David from 28 February 2025 to 30 May 2025 - Council design Consultant only just commencing with design scoping works needed for going to tender for reservoir remediation works			
<b>11 Mar 2025 10:35am McKinley, David - Target Date Revision</b> Target date changed by McKinley, David from 30 May 2025 to 30 May 2025 - Working progress and organising public consultation			



<a href="#">Action Sheets Report</a>	<b>Division:</b> <b>Committee:</b> Council <b>Officer:</b>	<b>Date From:</b> <b>Date To:</b> <b>Printed: 11 March 2025 11:03 AM</b>
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Meeting	Officer/Director	Section	Subject
Council 26/11/2024	McKinley, David	New Item	Notice of Motion - Policy for Management of Trees on Council Land
<b>RESOLUTION 2024/274</b>  Moved: Cr German Ugarte Seconded: Cr Iain Lindsay-Field  That the Balranald Shire Council develop a Tree Masterplan which will incorporate a policy for the management of trees on Council land and the heritage listing of trees that have significance to our Shire.			
<b>CARRIED</b>			
<b>02 Dec 2024 12:37pm McKinley, David - Target Date Revision</b> Target date changed by McKinley, David from 24 December 2024 to 31 December 2025 - Is Council sees this as a priority, however there are already Strategies in the system ahead of the tree masterplan <b>11 Mar 2025 10:39am McKinley, David - Target Date Revision</b> Target date changed by McKinley, David from 31 December 2025 to 31 December 2025 - Working progress			

Meeting	Officer/Director	Section	Subject
Council 21/05/2024	McKinley, David	Part A - General Manager's Reports	Transfer of Euston Co-operative Rural Society Ltd owned land into Council ownership
<b>RESOLUTION 2024/92</b>  Moved: Administrator Mike Colreavy  <b>That Council:</b> <ol style="list-style-type: none"> <li>1. <b>Accepts the donation of land from the Euston Co-operative Rural Society Ltd for public recreational purposes;</b></li> <li>2. <b>Enters into a written arrangement with the Euston Co-Operative Rural Society Ltd;</b></li> <li>3. <b>Agrees to pay for the subdivision works associated with finalising the land acquisition;</b></li> <li>4. <b>Agrees to pay for a small plaque at the entrance to the new footpath; and</b></li> <li>5. <b>Advise the Euston Co-Operative Rural Society of Council's appreciation for the donation of this land to Council for public use.</b></li> </ol>			
<b>CARRIED</b>			
<b>14 Jun 2024 4:34pm McKinley, David</b> Confirmed with Brian V. O'Hare LL.B Solicitor who has intimated the conveyancers are working through the subdivision process <b>04 Jul 2024 2:53pm McKinley, David</b>			

<b>Division:</b>	Council	<b>Date From:</b>	
<b>Committee:</b>		<b>Date To:</b>	
<b>Officer:</b>		<b>Printed:</b>	11 March 2025 11:03 AM
<b>Action Sheets Report</b>			

No change the land transfer is still in train

**04 Jul 2024 2:56pm McKinley, David - Target Date Revision**

Target date changed by McKinley, David from 18 June 2024 to 31 July 2024 - This is because the matter rests with the legal and conveyancing process

**10 Jul 2024 10:48am McKinley, David**

Still with Brian O'Hare

**05 Aug 2024 12:10pm McKinley, David**

No change in July, this matter still with Brian V.

**08 Oct 2024 5:01pm McKinley, David - Target Date Revision**

Target date changed by McKinley, David from 31 July 2024 to 16 November 2024 - This action sits with Councils Legal Team

**11 Nov 2024 3:36pm Manning-Rayner, Nikkita**

Section 10.7 Certificate (conveyancing certificate) issued to support transfer of land.

**02 Dec 2024 12:21pm McKinley, David - Target Date Revision**

Target date changed by McKinley, David from 16 November 2024 to 31 December 2024 - Councils legal team working through the process of land swap with conveyances

Meeting	Officer/Director	Section	Subject
Council 26/11/2024	McKinley, David	Mayor/Councillor Report	Mayoral Minute - Rural Addressing
<b>RESOLUTION 2024/245</b>			
Moved: Cr Tracy O'Halloran			
Seconded: Cr Alison Linnett			
That Balranald Shire Council review, correct and assist agencies in updating the rural addresses within the Balranald Shire.			
<b>.CARRIED</b>			
<b>02 Dec 2024 12:28pm McKinley, David - Target Date Revision</b>			
Target date changed by McKinley, David from 24 December 2024 to 24 December 2024 - Firstly Council will need to scope the works based on the following:			
<b>02 Dec 2024 12:28pm McKinley, David - Target Date Revision</b>			
Target date changed by McKinley, David from 24 December 2024 to 24 December 2024 - 3			
<b>02 Dec 2024 12:33pm McKinley, David - Target Date Revision</b>			
Target date changed by McKinley, David from 24 December 2024 to 31 December 2026 - Council will need to firstly, scope of the works required for such an undertaking to include but not limited to, auditing of the existing road network within BSC updating BSC GIS system to reflect the status quo, also endorse of new street addresses to be submitted to the Geographic names board and for Council also to adopt Urban Rural Project street and numbering to assist the local community and emergency services and finally the cost of this exercise			
<b>11 Mar 2025 10:38am McKinley, David - Target Date Revision</b>			
Target date changed by McKinley, David from 31 December 2026 to 31 December 2026 - Organising budget item for consideration in the future CSP DP			

**12 NOTICE OF MOTION / QUESTIONS ON NOTICE**

Nil

**13 CONFIDENTIAL MATTERS**

Nil

**14 CLOSURE OF MEETING**