

PRESENT:

APOLOGIES:

DISCLOSURE OF INTERESTS

CALENDAR OF EVENTS

Calendar of Events	
June - July	
June	
29 – 30	Mid Term Western Division Meeting in Cobar
July	
4	Euston Beautification & Tourism Management Committee Meeting
4	Tourism Meeting
5	Balranald Beautification Committee Meeting
10	Cultural Committee Meeting
18	Council Meeting
19	Staff Recognition Breakfast

CONFIRMATION OF ORDINARY MINUTES

Recommendation:

That:

“The minutes of the Ordinary Meeting of Council held on Tuesday 16th May 2017 copies having previously been circulated to each Councillor be taken as read and confirmed.”

CONFIRMATION OF CONFIDENTIAL MEETING MINUTES

Recommendation:

That:

“The minutes of the Confidential Meeting of Council held on Tuesday 16th May 2017 copies having previously been circulated to each Councillor be taken as read and confirmed.”

CONFIRMATION OF EXTRAORDINARY MEETING MINUTES

Recommendation:

That:

“The minutes of the Extraordinary Meeting of Council held on Wednesday 31st May 2017 copies having previously been circulated to each Councillor be taken as read and confirmed.”

PRESENTATION/DELEGATIONS

Megan Prowse from Transport for NSW - Public Transport options in our Region

MAYORAL MINUTE/REPORT

ITEM M – 1 GENERAL MANAGER’S PERFORMANCE AGREEMENT

File Number: A Drenovski

Reporting Officer: Mayor Leigh Byron

I have been advised by Council’s adviser, Mr Alan McCormack that the way Council has been conducting the General Manager’s Performance Review is contrary to guidelines issued by the Division of Local Government.

Guidelines for the appointment and oversight were issued in 2011. The guidelines were issued under Section 23A of the Local Government Act 1993 which means councils, in effect, must adhere to them.

Those guidelines require Council to establish a performance review panel and delegate the task of performance reviews to the panel. The guidelines recommend that the whole process of performance management be delegated; including discussions about performance, any actions that should be taken and be determined of the new performance agreement.

Panels should comprise the Mayor, Deputy Mayor, another Councillor and a Councillor nominated by the General Manager. An independent adviser may also be included. Panel members should be trained in performance management.

An internal facilitator may be used and Council has done this in the past.

The panel is to report back to Council in closed session. This should not be seen as an opportunity to debate the results or re-enact the review. The result of the performance review should not be released to the public.

Councillors not on the panel can contribute to the process by providing feedback to the Mayor on the General Manager’s performance and items included in the Performance Agreement.

Recommendation:

1. That Council appoint a General Manager’s Performance Review Panel in accordance with the 2011 guidelines.
2. That the panel comprise the:
 - Mayor
 - Deputy Mayor
 - Cr_____ (name to be inserted); and
 - A councillor appointed by the General Manager
3. That the panel be delegated authority to;
 - conduct performance reviews,
 - report the findings of those reviews to Council; and
 - develop the performance agreement.

ITEM M – 2 RECEIPTS AND PAYMENTS SUMMARY

File Number: 085

Reporting Officer: Mayor Leigh Byron

I have been advised by Council's adviser, Mr Alan McCormack, that there is no legislative requirement for a receipts and payments summary to be provided to Council each month.

I have been further advised that it takes one of our Directors several days to prepare that summary. Whilst some Councillors see value in it, it is historical information which cannot alter.

Council's budget is required to be submitted to Council quarterly and at these meetings Councillors are informed of movements away from the initial budget.

Several years ago Warrants of Expenditure were removed from Council monthly reports because of possible privacy infringements. These warrants were a list of all payments made in the previous month.

On the advice of the adviser, steps should be taken to remove this monthly requirement.

Procedure Note:

Council has a resolution, passed on 15th November 2016 which reads;

11.16.3884 RESOLVED on the motion of Cr Jolliffe and O'Halloran that the income and expenditure balance sheet be inserted in the agenda.

Council in its approval delegations has delegated to the General Manager the power;
- To determine matters which are included in Council business papers and committee papers (delegation of 21 March 2017).

I am advised that to tidy up this matter and to bring consistency to the delegation to the General Manager the motion of 15th November 2016 should be rescinded.

Recommendation:

That Council no longer require the receipts and payments summary to be reported to the monthly Council meeting and rescind resolution 11.16.3884.

MAYORAL MINUTE

COMMITTEE REPORTS FOR ADOPTION

DELEGATES REPORTS

NOTICES OF MOTION/RESCISSION

General Manager's Reports

ITEM G - 1 PERFORMANCE IMPROVEMENT ORDER FROM THE MINISTER FOR LOCAL GOVERNMENT

File number: 044

Reporting Officer: General Manager

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

Officer Recommendation:

That Council:

- Adopt the Implementation plan and forward a copy to the Minister for Local Government.

Purpose of Report

To provide Council with an update on the Performance Improvement Order and progress on the Implementation Plan.

Report

The Performance Improvement Order was issued to Council on 26 April 2017. In accordance with the Order, Council must provide the Minister with the implementation plan within 10 weeks from the date of service of the Order, that being 5 July 2017.

The implementation plan initially supplied to the Minister in December 2016 has been updated to reflect progress on each of the 13 action items as well as a review of completion dates. The Advisor, Mr. Alan McCormack, has been consulted on the Implementation Plan.

The Advisor has spent considerable time reviewing Council's operations and will be providing a report to OLG which will include any additional risks and areas of non-compliance in Council's controls and processes. At this stage Council has not been made aware of what these may be, however the Improvement Order requires Council to demonstrate how Council will address any additional risks and areas of non-compliance. It is suggested that Council advise the Minister that it will provide a further implementation plan addressing matters identified by the Advisor following receipt of such a report.

<u>Financial Implication</u>	Costs accounted for within 2016/2017 & 2017/2018 budgets
<u>Legislative Implication</u>	Section 438A of the Local Government Act
<u>Policy Implication</u>	
<u>Attachments</u>	1/ Implementation Plan 2/ Improvement Order

Balranald Shire Council
Agenda – Ordinary Meeting – 28th June 2017

Balranald Shire Council Implementation Plan that addresses the findings and recommendations from the Office of Local Government's Report titled "Balranald Shire Council report on Preliminary Enquiries dated August 2016"

OLG REPORT RECOMMENDATIONS	PROPOSED OUTCOMES	ACTION BY	STATUS AT 23 JUNE 2017	ADDITIONAL RESOURCES (IF REQUIRED)	COMPLETION DATE
1 That Council finalise and resolve to adopt a LTFF that has clear links to Council's asset management plans.	Asset Management Plans are being developed and will be completed by 28 July 2017. Council has resolved that the LTFF be reported to the August 2017 Council meeting.	GM	Council resolved at May Council meeting for the LTFF to be brought to the August 2017 meeting to enable the Asset Management Plans (scheduled for completion in July) to be fed into it.	Workshops are preparing Council's Asset Management Plans & a former General Manager from the surrounding district is preparing the LTFF which will be provided to the August Council meeting.	31-Aug-17
2 That Council review its Quarterly Budget Review Statement with Councilors to ensure accuracy and relevance for decision-making at a strategic level.	Councilors review the Quarterly Budget Review Statement at the November 2016 meeting.	DCCD	Reviewed at November 2016 Council meeting. Completed.	In-house	15-Nov-16
3 That all elected councilors undertake financial and code of conduct training directly after the next Council election.	LG NSW organised training day for Code of Conduct scheduled for 19 January 2017 and Finance Training Day on 10 March 2017.	GM	All Councilors attended the Code of Conduct training held on 19 January 2017 along with the Finance Training day held on 10 March 2017. Completed.	LGNSW	10-Mar-17
4 That Council undertake a comprehensive review of all its policies and ensure they are submitted to Council for adoption.	All of Council Policies to be reviewed and adopted by Council at the February 2017 Council meeting. In doing so identify any critical outstanding policies and included them for adoption.	GM	A total of 40 policies were adopted by Council at the February 2017 Council meeting. There are approximately 6 more relevant policies to be presented to Council.	A consultant with 20 years experience in governance undertook the review for Council.	21-Feb-17
5 That Council develop a plan to improve its document management process and system which will meet the requirements of the State Records Act 1998.	Electronic Management System installed, dedicated staff member appointed to manage the system and staff provided training to utilise the system.	DCCD	Project Manager appointed in May 2017 & Casual receptionist 5days/fortnight to allow receptionist to assist project manager. Council accepted a quote from Kapish on 21 June to supply and install Trim (which is utilised by the surrounding Councils). Installation commences on 3 July and the dedicated position has been advertised.	External Project Manager appointed to Project Manage the whole project.	29-Sep-17
6 That until Council has an audit committee, councilors review responses to the issues raised in the external auditor's management letters on an annual basis at a Council meeting.	External auditor's management letters Reported to the February 2017 Council Meeting	DCCD	External auditor's management letters Reported to the 21 February 2017 Council Meeting. The Inaugural Audit Committee Meeting was held on 1 June 2017 with a progress report to the June 2017 Council meeting. Completed.	In-house	1-Jun-17
7 That Council's progress in implementing the recommendations from the external auditor's management letter is reported to Council each month.	A monthly progress report be provided to Council up to and including the December 2017 meeting.	DCCD	Audit management letters were reported to the December 2016 and February 2017 meetings with a monthly progress report being reported to the June 2017 Council meetings.	In-house	22-Dec-17
8 Council should establish an audit committee and an internal audit framework pursuant to OLG's Internal Audit Guidelines.	Internal audit framework established and first Audit Committee meeting held prior to 30 June 2017.	GM	Internal Audit Framework adopted at the February 2017 Council meeting. External members were appointed at the April Council meeting and the Inaugural Audit Committee meeting was held on 1 June 2017. Completed.	In-house	1-Jun-17
9 That Council develop a fraud and corruption policy and conduct a fraud risk assessment.	Fraud and corruption policy adopted by Council and Consultant undertake a fraud risk assessment by 31 August 2017.	GM	Policy adopted at the February 2017 Council meeting. Advice is being sought from a number of Council General Managers on organisations/persons that could undertake the audit. Anticipated completion date is 31 August.	Independent fraud risk assessment (anticipated cost \$6k-\$10k)	31-Aug-17
10 That in addition to the current arrangements, credit card statements for the Mayor and General Manager be reviewed, approved and signed off by another councilor in line with expenditure that has been approved within Council's budget.	Implement Report Recommendation.	GM	Process implemented 15 November 2016 where all relevant staff have been informed in writing of the process and the DCCD will audit. Completed.	In-house	15-Nov-16
11 That for any staff provided with a credit card, their transactions are signed off and approved by the General Manager and the Finance Coordinator.	Implement Report Recommendation.	GM	Process implemented 15 November 2016 where all relevant staff have been informed in writing of the process and the DCCD will audit. Completed.	In-house	15-Nov-16
12 That Council develop an end of year plan to complete and finalise Council's audited financial statements each year and report regularly to a Council meeting on its progress.	End of year plan reported to the June Council meeting with a progress report to the following 3 Council meetings.	DCCD	Initial report provided to February 2017 Council meeting with a follow up report to the June 2017 Council meeting.	In-house	29-Sep-17
13 That Council pursue un-presented payments including several EFT payments and cheques dating back to August 2014 and February 2014, respectively.	As per report recommendation	DCCD	4 Cheques have been cancelled and reissued 15/11/16. Council's financial system provider rectified the EFT payments. Completed.	In-house	15-Nov-16
Demonstrate how Council will address any additional risks and areas of non-compliance in Council's controls and processes.	Following advice from the Advisor or OLG on the matter Council will provide a further implementation plan to the Minister addressing the matter identified.	GM		To be determined	To be determined

Shaded box indicates completed action
Note: GM - General Manager, DCCD - Director Corporate & Community Development
23-Jun-17

Local Government Act 1993

Order under section 438A

I, the Minister for Local Government, issue this Performance Improvement Order to the Council and/or persons specified in Schedule 1 to undertake the actions described in Schedule 2 within the period specified in Schedule 2.

I hereby appoint the person specified in Schedule 3 as temporary adviser to Council to exercise the functions, and for the term, specified in Schedule 3.

This Order takes effect upon service on the Council.

Dated: 29.4.17



The Hon Gabrielle Upton MP
Minister for Local Government

SCHEDULE 1

Balranald Shire Council

SCHEDULE 2

Reasons for Order – section 438A(3)(a)

1. A failure of Council to meet its legislative responsibilities in respect of its financial and governance obligations.
2. Council has budgeted for and subsequently run large operating deficits over a number of years. At the same time, Council has not had a reliable Long Term Financial Plan (LTFP) to provide a path to achieve a break-even result or an operating surplus in the future.
3. There remains considerable risk to Council in not having an audit committee or internal audit function. As a direct consequence, Council was not aware of, nor was it involved in, the preparation of a response to the issues raised in the external auditor's management letters in 2013/14 and 2014/15.
4. Council's policies do not appear to have been reviewed and/or updated since 2008. Notably, Council has seemingly dealt with code of conduct complaints (one of which has been referred to the Office for misconduct) pursuant to a superseded code and/or one which has not been adopted by Council.
5. Councillors failing to identify the nature of the interest when disclosures are made at the commencement of the meetings (pecuniary or non-pecuniary). There is no record of what, if any, action was taken by councillors to manage identified conflicts.
6. I believe the appointment of a temporary adviser to assist the Council in meeting the actions required is reasonably necessary in the circumstances.

<p>Action required to improve performance – section 438A(3)(b)</p> <ol style="list-style-type: none"> 1. That Council develop an implementation plan acceptable to the Minister that addresses the findings and recommendations from the Office of Local Government’s report entitled ‘<i>Balranald Shire Council report on Preliminary Enquiries dated August 2016</i>’ (the Report). 2. That Council utilise the services of the temporary adviser to assist in identifying any additional risks and areas of non-compliance in Council’s controls and processes and incorporate these in the implementation plan. 3. The implementation plan must: <ol style="list-style-type: none"> a. Demonstrate how Council will address the findings and recommendations in the Report. b. Demonstrate how Council will address any additional risks and areas of non-compliance in Council’s controls and processes. c. Identify specific completion dates. d. Identify the person/s responsible for implementation activities. e. Identify what, if any, additional resources are required to give effect to the plan. 4. If the plan is satisfactory to the Minister, the Council is to adopt the plan and commence its implementation.
<p>Period for compliance with Order</p> <ol style="list-style-type: none"> 1. Compliance report 1: Council must provide the Minister with the implementation plan within 10 weeks from the date of service of this Order. 2. Compliance report 2 – final compliance report: Council must provide the Minister with a written report on its progress against the implementation plan within 12 weeks of the Minister’s satisfaction with the plan.
<p>Evidence to be provided with the compliance reports</p> <p>Compliance report 1: A copy of Council’s implementation plan. Compliance report 2 – final compliance report: Documentary evidence to substantiate the actions taken and any improvement to Council’s performance against the implementation plan.</p>

SCHEDULE 3

<p>Appointment of temporary adviser</p> <p>Pursuant to section 438G of the <i>Local Government Act 1993</i>, that Alan McCormack be appointed as a temporary adviser to Balranald Shire Council for the period up to the submission of the final compliance report to the Minister.</p> <p>The temporary adviser shall have the following functions:</p> <ol style="list-style-type: none"> (i) to provide advice and assistance to Council for the purpose of ensuring that it complies with the Performance Improvement Order. (ii) to undertake a review and evaluation of Council’s implementation plan. In doing so, obtain evidence to the effectiveness of Council’s controls or processes that have been implemented since the Office conducted its preliminary enquiries. (iii) to provide assistance to Council for the purpose of identifying any additional risks and areas of non-compliance in Council’s controls and processes. <p>Pursuant to section 438G(7) of the <i>Local Government Act 1993</i>, the temporary adviser shall be paid from the Council’s funds for the period of the appointment . The estimated maximum cost of the appointment will be \$66,000 (including GST).</p>

Corporate and Community Development Reports

Item C - 1 COUNCILLORS AND MAYORAL FEES

File number: 030

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Pillar Six: Our Leadership – a community that values and fosters leadership, lifelong learning, innovation and good governance

Officer Recommendation:

That Council adopt the 2.5% increase in Mayor and Councillor Fees for the 2017/2018 financial year.

Purpose of Report

The purpose of this report is to inform the Council what Councillor and Mayoral fees are payable for the new financial year.

Background

Section 239 of the LG Act provides for the Tribunal to determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories. The categories are to be determined at least once every 3 years. Balranald Shire Council has been classified as a Rural Council.

Section 241 of the LG Act provides for the Tribunal to determine, not later than 1 May in each year, for each of the categories determined under section 239, the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils.

Discussion

Pursuant to section 241 of the *Local Government Act, 1993* the fees payable to Councillors and the Mayor are as follows:

Financial Year	Minimum			Maximum		
	2017	2018	Inc. %	2017	2018	Inc. %
Councillors	8,540	8,750	2.5%	11,290	11,570	2.5%
Mayor [Note 1]	9,080	9,310	2.5%	24,630	25,250	2.5%

Note 1: This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249 (2)).

It should be noted that in the past Balranald Shire Council has adopted the maximum rate for its councillors.

The overall increase in fees equates to \$2,860 per annum. The increase is supported in the Draft Operational Plan for 2017/2018.

Financial Implication	Included in 2017-18 Budget
Legislative Implication	NSW Local Government Act 1993 Sec. 405 (4)
Policy Implication	Nil
Attachments	Nil

Item C - 2 DISABILITY INCLUSION ACTION PLAN

File number: 155

Reporting Officer: Director, Corporate and Community Development

Operational Plan Objective: Pillar 1: Our People – A Community that is proactive, engaged, inclusive and connected.

Officer Recommendation:

That Council formally adopt its Disability Inclusion Action Plan.

Purpose of Report

To seek Council agreement to formally adopt its Disability Inclusion Action Plan following public consultation on this.

Report:

Council is required by the NSW Disability Inclusion Act 2014 (DIA) to develop a Disability Inclusion Action Plan (DIAP) by 1 July 2017.

This plan should demonstrate Council's commitment to people with a disability through improved access to services, facilities and jobs, and enhancement of community perceptions regarding the value those with a disability bring to our shire.

Council, at its April 2017 meeting, agreed to adopt the attached DIAP as a draft and seek public consultation on this. Public consultation has now closed. No feedback on the draft plan was received.

It is recommended that Council now formally adopt the attached Disability Inclusion Action Plan.

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	In accordance with NSW Disability Inclusion Act 2014
<u>Policy Implication</u>	Integration with other Council policy documents
<u>Attachments</u>	Disability Inclusion Action Plan



Balranald Shire Council Disability Inclusion Action Plan

2017 – 2019



DRAFT Disability Inclusion Action Plan

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Message from the Mayor



Balranald Shire Council embraces the inclusion of people with a disability in all aspects of community life. We are committed to creating a more inclusive and welcoming community for people with disabilities and it is with pleasure that I present the Disability Inclusion Action Plan.

The Plan demonstrates our commitment to improve the quality of our services, facilities, systems and programs over a three year period. The Plan was developed through consultation with the community and outlines the actions we will take to provide more accessible and inclusive services.

We look forward to hearing about the positive impact the Plan has for people with a disability in our Shire.

A handwritten signature in black ink, which reads "Leigh Byron". The signature is written in a cursive style.

Cr. Leigh Byron
Mayor, Balranald Shire Council

Message from the General Manager



Disability Inclusion Planning is about supporting the basic right of choice for people with a disability in our community. People with a disability have the same right to choose how to live, work and enjoy community life as we all do.

Council's aim is to ensure that our services, programs and facilities are inclusive. The Plan aims to improve conditions for people with a disability who live, work and visit our Shire.

I look forward to working with staff and our community to put our plan into action.

A handwritten signature in blue ink, appearing to read 'A. Drenovski', written in a cursive style.

Aaron Drenovski
General Manager

Background

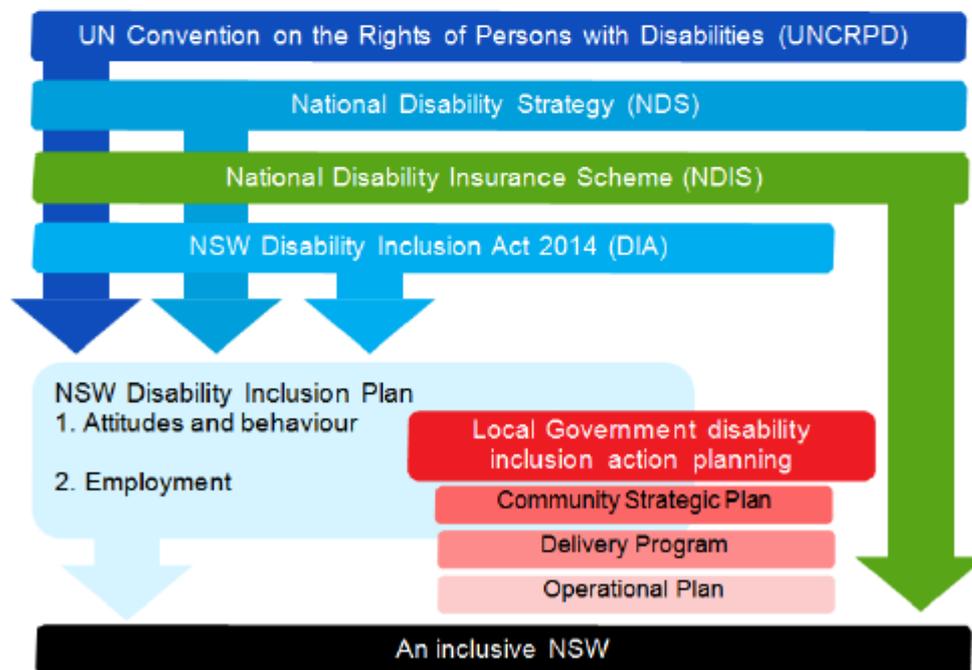
In August 2014 the NSW Disability Inclusion Act 2014 was passed. This Act requires Balranald Shire Council to develop a Disability Inclusion Action Plan to help remove barriers and enable people with a disability to participate fully in their communities.

Council's vision is for an inclusive, respectful and diverse community where all residents and visitors enjoy a safe and friendly environment. Council's Disability Inclusion Action Plan will aim to provide better access to Council information, services and facilities ensuring people with disabilities can fully participate in their community.

This Disability Inclusion Action Plan was developed through a community consultation and research process. A review of Council documents and Government policy took place and a staff / community survey was conducted.

The plan was endorsed at Council's March 2017 meeting and placed on public exhibition. The Plan will be formally adopted by Council following the public exhibition period.

Legislation and Policy



Source: Disability Inclusion Action Planning Guidelines Local Government

International

The United Nations Convention on the Rights of Persons with Disabilities

The United Nations Convention on the Rights of Persons with Disabilities protects the rights of all people with a disability around the world. Australia was one of the first countries to sign the Convention when it was ratified in 2008. The convention acknowledges that people with disability have the same human rights as those without disability. This commits participating governments to ensure these rights can be exercised and that barriers are removed. The United Nations Convention of the Rights of Persons with Disabilities supports the social model of disability. This recognises that attitudes, practices and structures are disabling and can create barriers for people with disability from enjoying economic participation, social inclusion and equality which are not an inevitable outcome of their disability.

The Convention is guided by the following principles:

- respect for inherent dignity, individual autonomy including the freedom to make one's own choices and independence of persons;
- non-discrimination;
- full and effective participation and inclusion in society;
- respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- equality of opportunity;
- Accessibility;
- equality between men and women;
- respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

National

National Disability Strategy 2010-2020

The National Disability Strategy 2010-2020, developed in partnership by the Commonwealth, State, Territory and Local Governments, sets out a national plan for improving life for Australians with disability, their families and carers, to support the commitment made to the United Nations Convention on the Rights of Persons with Disabilities

Actions in the Implementation Plan that involve councils include improving Web Content accessibility, access to infrastructure, recreation, employment and community participation.

National Disability Insurance Scheme

The National Disability Insurance Scheme is a major reform that will deliver a national system of disability support focused on the individual needs and choices of people with disability. The National Disability Insurance Scheme gives participants more choice and control over how, when and where supports are provided.

State

Disability Inclusion Act 2014 (NSW)

The Disability Inclusion Act (2014) acknowledges human rights; promoting the independence and social and economic inclusion of people with disability.

The Act requires NSW government departments, local councils and some other public authorities to develop and implement a Disability Inclusion Action Plan. The plan must be consistent with the State Disability Inclusion Plan and include strategies to increase access and participation.

Local

Balranald Shire Council Community Strategic Plan 2026 was created by the community and provides a long term vision for our Shire. The Community Strategic Plan informs Council's Delivery Program and Operational Plan, which set out Council's role in achieving the community's vision. Other Council plans and documents relevant to the Disability Inclusion Action Plan include:

- Community Engagement Strategy
- Equal Employment Opportunity Policy

Community Priorities

Council is committed to focusing on the following future priorities;

- Ensuring Local Government Representation by striving to be "Fit for the Future"
- Increase pride in our towns and villages
- Attract and retain population and visitation numbers
- Maintain current services and improve access to services
- Create employment opportunities
- Foster a safe community
- Involve our children and youth in decisions and activities
- Build community respect and purpose within the community
- Improve our sporting and recreational infrastructure
- Encourage residents and ratepayers to have a say in decisions affecting the community
- Develop local leaders

Other legislation and standards informing Council's work

- Commonwealth Disability Discrimination Act 1992
- Commonwealth Disability (Access to Premises-Buildings) Standards 2010
- NSW Anti-Discrimination Act 1977
- Carers Recognition Act 2012
- Local Government Act 1993 and Local Government (General) Regulation 2005

Disability Snapshot in Balranald Shire

The Disability Inclusion Act 2014 (DIA) defines disability as:

"The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others."

Information about disability in Balranald Shire is based on Australian Bureau of Statistics (ABS) 2011 Census data. The Census records information on people who identify as needing help with mobility, self-care or communication due to disability or long-term health conditions.

4.6% of the population, or 106 people living in Balranald Shire, identified as needing assistance because of a profound or severe disability.

Need for assistance with core activities 2011

Assistance needed by age group (years)	Number
0 to 4	3
5 to 14	6
15 to 19	3
20 to 24	3
25 to 34	4
35 to 44	9
45 to 54	12
55 to 64	14
65 to 74	11
75 to 84	29
85 and over	12
Total persons needing assistance	106

Council Activity

Council works to provide opportunities and raise awareness of inclusion of people with disabilities.

Some examples include:

- Footpath paving (5.3.2 b operational plan 2017-18);
- Playground design and construction (2.3.1 a operational plan 2017-18);
- Facilities (Buildings) design and construction;

- Community activities and events (1.1.1 a operational plan 2017-18)
- Community bus services
- Social media to promote and inform local residents (1.2.3 d operational plan 2017-18)
- Monitor via community survey (1.2.4 c operational plan 2017-18)
- Balranald Interagency Group (BIG) meetings to address concerns (2.1.3 a operational plan 2017-18)
- Public toilets available at Discovery Centre
- Use of heated pool (2.3.1 b operational plan 2017-18)

Community Consultation

Council advertised in local newspapers and also on local notice boards for interested community members to complete a questionnaire about how Council could make its Shire more inclusive for residents. Council staff also visited a number of people with disabilities to seek their feedback.

There was a series of questions in the survey asking the participants how the Balranald Shire can support and allow for people with a disability to fully participate in community life. Many of the questions asked in the survey were about council facilities and accessing them.

There were around 57 responses, men and women from the ages of 25 – 90 years, who completed the survey and gave their opinions on how the Balranald Shire Council can support those with a disability and their carers.

Key community responses highlighted the importance of being involved in the local community and having access to appropriate services and recreational and social opportunities.

The majority of challenges identified by participants related to mobility (in terms of navigating the built environment).

The answers in many of the surveys identified opportunities for Council to improve accessibility for those with a disability and included suggestions such as:

- Placement of braille signs on toilets could assist those with vision impairment;
- Installation of automatic doors on toilets and at key Council facilities could improve accessibility for those in electric wheelchairs;
- Improved layout of displays in Council's Visitor Information Centre to make it easier for those with a walker to get around;
- Lowering counter tops at Council facilities where the general public interact with staff; and
- Improving accessibility of and ease of use of footpaths and parks in the Shire for those with a mobility scooter or walking frame.

The participants of the survey also identified a need for more disabled parking spots around the town.

Positive feedback was provided on how businesses within the Shire sought to employ people with a disability.

Action Plan – What Council will do

1. – Positive attitudes and behaviour

Strategic Goal	Action	Measurement	Responsibility-Business Unit	Timeframe	Community Strategic Plan Link
A community that is proactive, engaged, inclusive and connected	Audit website to ensure that images include people with disabilities and that language is appropriate.	Website includes appropriate images and language.	Tourism Manager/Community Development Officer	July 2017	CSP Pillar 5 – Our infrastructure 5.3.2
	Develop and facilitate Disability Awareness Training for staff (other than induction training).	Staff training completed.	Director, Corporate and Community Development	Develop July 2018 Facilitate annually	



2 – Liveable communities

Strategic Goal	Action	Measurement	Responsibility	Timeframe	Community Strategic Plan Link
Accessibility considered in design and construction of final plans and activities	Audit activities and events run by Council for accessibility.	Accessibility issues identified and addressed.	Tourism Manager/ Community Development Officer	July 2018	CSP Pillar 5 – Our infrastructure 5.3.2
	Develop a Pedestrian Access Mobility Plan.	Priority actions completed to timeframe and budget.	General Manager	December 2018	CSP Pillar 2 – Our place 2.1.3
	Investigate and report to Council on improvements to key Council facilities to improve accessibility for those with a disability.	Priority actions completed to timeframe and budget.	Infrastructure Services	December 2018	CSP Pillar 5 – Our infrastructure 5.3.2
	Review the number of Disabled Parks in Balranald Shire and provide additional where required.	Disabled Parking provision reviewed by Council. Outcomes communicated to Council and community.	Infrastructure Services	December 2018	
	Source funding for all play equipment to improve playgrounds throughout the Shire.	Installation of accessible play equipment throughout Shire.	Infrastructure Services	July 2017 – Dec 2019	
	Develop and maintain a NDIS page on the Council Website.	NDIS Website established and maintained.	Tourism Manager / Community Development Officer	December 2017	
	Audit Council buildings and facilities to ensure accessibility compliance.	Audit complete with recommendations for action.	Infrastructure Services	December 2017	

3 – Employment

Strategic Goal	Action	Measurement	Responsibility	Timeframe	Community Strategic Plan Link
Enhance employment of people with a disability within Council.	Develop Council's Workforce Management Strategy to include best practice guidelines for inclusion.	Gaps in Workforce Management Strategy identified and addressed.	Director, Corporate and Community Development	December 2018	CSP – Pillar 5 – Our infrastructure 5.3.2
	Review recruitment processes, forms and language for accessibility.	Recruitment process, forms and language targeted and simplified.	Director, Corporate and Community Development	December 2018	
	Provide information and training for Council supervisors/ managers in order to increase their knowledge and skill.	Increased level of knowledge and skill displayed by supervisors/ managers.	Director, Corporate and Community Development	July 2019	
	Continue to conduct and respond to staff disability inclusion survey.	Staff survey conducted and collated with recommendation made.	Director, Corporate and Community Development	Annually.	
	Undertake a full review of barriers to employment with Council for people with a disability and development of a Council paper on outcomes of this.	Barriers to Council employment are identified and measures to remove/minimise where appropriate are put in place.	General Manager	December 2019	

4 – Service systems and processes

Strategic Goal	Action	Measurement	Responsibility	Timeframe	Community Strategic Plan Link
Information is provided in a variety of formats	Develop a fact sheet to assist Balranald Shire Council customer service staff respond to queries regarding services for people with disabilities.	Fact sheet developed and utilised by staff. Increased level of staff knowledge.	Director, Corporate and Community Development	December 2018	CSP – Pillar 5 – Our information 5.3.2
	Develop a plan for Website content compliance with disability standards.	Website content meets accessibility standards	Tourism Manager/Community Development Officer	December 2019	
	Investigate technologies to enhance the accessibility of customer service experience	Community members who are hearing impaired can access Council information easily	Director Corporate and Community Services	July 2018	
Consult with people with a disability regarding their needs.	Review the current community consultation procedure to include a checklist on inclusive consultation.	Community Consultation includes people with disabilities.	Community Development Officer	December 2017	

Monitoring and Evaluation

Monitoring

The Disability Inclusion Action Plan includes timelines to guide the completion of the actions. The process will be monitored and evaluated through the Integrated Planning and Reporting cycle.

Implementation of the Plan will be undertaken by the responsible Business Units. Each action will be monitored and reported against for the periods 1 July – 31 December and 1 January – 30 June of each year.

The Director of Corporate and Community Development will monitor the overall implementation of the Plan and the integration of its actions into Council's new Delivery Program and annual Operational Plan.

Reporting

Outcomes and achievements will be reported in Council's Annual Report and General Managers six monthly report to the community. These reports will be available on Council's Website and at its Council Offices Building, 70 Market Street Balranald.

A report will also be provided to the Department of Family and Community Services and the Minister for Disability Services.

Review

The Plan will be reviewed annually in line with the Integrated Planning and Reporting cycle. An audit, evaluation and review of the Plan will be conducted at the end of Council's term.

Acknowledgement

Council would like to thank the many community members who provided their views, personal stories and ideas for positive change.



Item C - 3 INTERNAL AUDIT COMMITTEE

File number: 001

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Our Leadership 6.3.2 (a) provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council agree to

- amend its Internal Audit Committee charter *and*
- include an amount of \$30,000 per annum in its 2017-18 and forward year budgets for development of a three year internal audit program and conduct of internal audits.

Purpose of Report

To seek Council agreement to amend its Internal Audit Committee charter to include provision for monitoring of an internal audit function and to allocate an amount of \$90,000 over 3 years (\$30,000 per annum) for development of an internal audit program.

Report

At the recent meeting of Council's Internal Audit Committee the need for establishment of an internal audit function and monitoring of this by the Committee was discussed. The Committee agreed to recommend to Council that it include this in the Internal Audit Committee charter and allocate an amount of \$30,000 per annum for three years to allow development of an internal audit plan and the conduct of audits against this. It was proposed that internal audit work be done by a suitably experienced external provider to allow for an independent view of Council's internal control framework.

An amended Internal Audit Committee Charter is included for Council endorsement and an amount of \$30,000 per annum for three years for an internal audit function will be included in the 2017-18 Internal Budget, if Council agrees. This amount will need to be funded from property sales proceeds.

It is recommended that Council agree to these proposed changes. Implementation of these changes will provide Council with additional assurance regarding its operations and will assist in identifying any risks to Council as a result of weaknesses in its internal control framework.

<u>Financial Implication</u>	\$30,000 per annum for three years
<u>Legislative Implication</u>	No
<u>Policy Implication</u>	No
<u>Attachments</u>	Internal Audit Committee Charter - Amended

BALRANALD SHIRE COUNCIL AUDIT COMMITTEE CHARTER

1. Objective

The objective of the Audit Committee (Committee) is to provide independent assurance and assistance to the Balranald Shire Council on risk management, control, governance, and external accountability

2. Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or councillor at Committee meetings.
- Request Council authorisation for external legal or other professional advice considered necessary to meet its responsibilities.

3. Composition and Tenure

The Committee will consist of:

3.1 Chair

Chair has direct reporting line to the mayor and may bring forward any matters that he/she considers will impact on Councils ability to comply with legislation requirements or constitute a major risk to the ongoing operations of Council.

3.2 Members (voting)

- Two Local Representative committee members
- Two Independent external members

The independent external members will be appointed for the interim term of the council, after which they will be eligible for extension or re-appointment following a formal review of their performance by Council.

3.3 Attendee (non-voting)

- General Manager
- Director of Corporate & Community Development
- Director of Infrastructure & Development

3.4 Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor.
- Other officers may attend by invitation as requested by the Committee.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Balranald Shire Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

4. Role and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

4.1 Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

4.2 Control Framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.3 Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit;
- Review the internal coverage and Internal Audit Plan, ensure the Plan has considered the Risk Management Plan, and approve the Plan;
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan;
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices;
- Monitor the implementation of internal audit recommendations by management;
- Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place;
- Periodically review the performance of Internal Audit.

4.4 External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- To consider contentious financial reporting matters in conjunction with council's management and external auditors.
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

4.5 Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

4.6 External Audit

Act to facilitate communication between the Council, General Manager, senior management, and external audit.

Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services.

Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.

Consider significant issues raised in relevant external audit reports and better practices guides, and ensure appropriate action is taken.

4.7 Responsibilities of Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Balranald Shire Council
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

5. Reporting

- At the first Council meeting after 30 June each year, Chair of the Audit Committee Audit will provide a performance report of:
- Internal reviews conducted and the outcome of those for the prior year, a program of work proposed for the forthcoming year and details of major risks identified and proposed mitigating actions.
- The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.
- The committee will report regularly, and at least annually, to the governing body of council on the management of risk and internal controls.

6. Administrative arrangements

6.1 Meetings

The Committee will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter.

6.2 Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference.

If for any reason a vote is required at a meeting of the Audit Committee and the votes become deadlocked (considering there is an even number of Committee members), the Chairperson shall have the casting vote.

6.3 Termination of Committee Membership

Committee membership can be terminated in accordance with the adopted Audit Committee Charter which may include the following conditions:

- a. The term of the appointment of the member expires; or
 - b. The member resigns in writing to the Chair or the Mayor in the case of the Chair;
- or
- c. The member is removed by a resolution of Council; or
 - d. The member misses two consecutive meetings, without an apology.

6.4 Secretariat

The chairman shall determine the agenda for each meeting and the supporting papers are circulated; Council shall provide secretariat services and ensure the agenda for each meeting and supporting papers are circulated at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

6.5 Conflicts of Interest

Committee members must comply with the provisions of Council's Code of Conduct, and must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

6.6 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.7 Review of Audit Committee Charter

At least once every two years the Audit Committee will review the Audit Committee Charter, The Audit Committee will approve any changes to this Audit Committee Charter.

History tables

Version Control No	Development /Amendment	Approval date	Resolution number	Activity log
1		21.02.2017	02.17.3925	

Approved by BSC Internal Audit Committee:	Confirmed by Balranald Shire Council:
	21 February 2017

Item C - 4 INNOVATION FUND – ROUND 2 – GRANT APPLICATION

File number: 094

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Our Leadership 6.3.2 (a) provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council

- note the information regarding an application for funding through Round 2 of the NSW Government Innovation Fund;
- agree to allocate an amount of \$54,000 over two years (\$27,000 per annum) from 2018-19 towards software licencing for a GIS system, subject to success in this grant application.

Purpose of Report

To advise Council on a recent application submitted for funding through Round 2 of the NSW Government Innovation Fund.

Report

Councils in rural and regional areas of NSW face unique challenges in sustaining their communities and maintaining local services.

The NSW Government is providing Innovation grants to help rural councils with populations of less than 10,000 explore new ways of working. The Innovation Fund is a targeted program that supports small councils in regional NSW to develop new ideas and innovative ways of working to improve their performance to benefit their communities.

Council has submitted an application for funding under this Fund to improve the way it manages knowledge within its organisation. The application, if successful, proposes that Council will continue to build on the work it is doing in implementing an electronic document management system by implementing a new Geographical Information System (GIS) that will allow it to better collect and use information relating to its physical infrastructure, water and sewer assets, land use, weeds management, cadastral mapping, and rating system.

A more integrated approach to the capture and dissemination of geographical information will allow different areas of Council to work closer together; improve planning and development; and create more innovative and cost effective solutions for asset management and land use in a sparsely populated shire of more than 21,000m².

Council, if successful, will be required to contribute 30% of the total cost of the project. The grant application submitted proposes that Council meet this requirement through in kind contributions and payment of software licencing fees for years 2 and 3 of what will be an initial three year licence agreement for this GIS.

Implementation of an updated GIS system will provide Council with an opportunity to improve the services it delivers to its community through improved collection and management of the knowledge currently held in paper form or by individual staff members.

It is recommended that Council support this information and agree to include funding of \$27,000 per annum for two years from 2018-19 in future budgets as its financial contribution to the project.

<u>Financial Implication</u>	\$54,000 over two years from 2018-19
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Nil

Item C - 5 2015-16 FINANCIAL STATEMENTS AUDIT FINDINGS - AN UPDATE

File number: 001

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 6: Our Leadership – Provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council

- note the information provided; and
- agree that future reports on progress to address audit findings be provided to Council’s Internal Audit Committee.

Purpose of Report

To provide Council with an update on progress towards implementing the recommendations arising from the 2015-16 Financial Statements Audit.

Report

As part of its recommendations, the Office of Local Government recommended that Council receive regular updates on work done to address audit findings arising from the audit of its financial statements. Council has previously been advised of findings from the audit of its 2015-16 financial statements audit at its February 2017 meeting. Since that time work has commenced on addressing some of these findings, subject to resource constraints, and an updated status for this work is attached.

It is recommended that Council note the current status of work on addressing findings. As this information is also presented to Council’s Internal Audit Committee it is recommended that Council agree that it will monitor future progress through its Internal Audit Committee.

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Report on Financial Statements Audit Findings

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Risk	Audit Recommendation	Management Response	Current Status
Property database details may be incorrect or changes made may be incorrect resulting in revenue from one of these sources being incomplete or calculated incorrectly.	It is recognised that the administration of the property database is detailed and it is not practical for a significant segregation of duties in performance of the role. It is also recognised that a second person is involved in the administration of this area in recent years. Nevertheless, given the importance of the property database to the revenue sourced at BSC it is recommended that management institute a process of independent review and approval of the database and changes made	Council accepts audit recommendation. A full review of the rates database will be undertaken in the second half of 2017. Procedures will be implemented to ensure all changes to the database are appropriately reviewed and authorised.	Council has agreed to increase resourcing in the Finance area in the 2017-18 budget. Changes to the rates data base are currently authorised by DCCD prior to being entered. Appointment of additional staff in finance will enable implementation of improved internal controls around changes to the rates database.
Caravan park revenue is not recognised for all occupations.	Management review and determine practicality of introducing procedures whereby reconciliation between Practical and the caravan park booking records occurs. Additionally, procedures such as random checks of caravan park occupations and agreement to booking records should be considered.	Council accepts audit recommendation. An assessment of the practicality of reconciling and verifying caravan park bookings against caravan park occupations will be undertaken prior to 30 June 2017.	resource constraints means it is not practicable to reconcile and verify caravan park bookings against occupation. However, Council is currently reviewing the lease on the caravan park and removal of this risk will be considered as part of this review.
Employees may be paid based on a pay rate which has not been approved by BSC management. BSC may be incurring greater payroll expense than required.	Management should ensure that the pay rate being paid to all employees is supported by an appropriately approved document outlining the rate or the applicable step and grade for each employee.	Council accepts audit recommendations. A full review of pay rates for employees and supporting documentation will be undertaken prior to 30 June 2017. Checklists to ensure all documentation is obtained prior to placing staff on the payroll and procedures to support the monitoring of this will be developed prior to 30 June 2017.	Work has been undertaken to ensure all supporting documentation is obtained prior to placing staff on the payroll. Checklists have been developed to support this.
Supplier invoices may be processed and paid without commensurate approval for their \$ size and nature.	Management should formalise the purchase approval delegation/invoice approval levels.	Delegations of authority are contained in individual documents. However, Council accepts a centralised register of these will assist in ensuring invoice approvals are within the delegated limits and will implement the centralised register by 30 June 2017.	A centralised register of key financial delegations is currently being developed.
Significant reliance is placed on the Accounts Payable officer ensuring authorisation in accordance with the BSC purchasing policy. Purchase orders may not be raised or may be raised by the Accounts Payable officer who is also responsible for processing for payment.	Ideally, purchase orders would be generated within the financial system based on password access controls. This would ensure authorisation in accordance with approved delegations was necessary for payments to be processed. It would also allow for exception reporting whereby purchasing trends could be measured.	Council is not able to accept this recommendation due to resource constraints. It is not practicable at this time to require generation of purchase orders within the finance system based on password access controls due to the small number of employees and disbursed nature of its workforce. Council considers the corporate knowledge of its staff combined with a centralised delegations register will address this potential risk.	Council has commenced work on purchase orders being generated within the finance system by the person raising the request. Password controls will apply for this. All staff will delegation will be required to undertake procurement training in the near future. Further work on this will be done in the 2017-18 financial year following appointment of additional resourcing.
Receivables outstanding are not reviewed at an appropriate management level increasing the risk of non-recovery through credit continuing to be provided to inappropriate debtors or recovery action occurring on an untimely basis	Management independent of receivables administration (whether for property rates, water rates, and water usage or sundry debtors) should evidence review and approval of the outstanding aged balances on a periodic basis.	Council accepts this recommendation and will implement a monthly review of aged receivables by 30 June 2017.	A review of all outstanding receivables has been undertaken and follow up letters have been sent. A further review is scheduled for the end of June 2017.

Item C - 6 RELATED PARTIES DISCLOSURE POLICY

File number: 030

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 6: Our Leadership – Provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council adopt the attached Related Parties Disclosure Policy and place this policy on public exhibition.

Purpose of Report

To seek Council agreement to formally adopt the attached Related Parties Disclosure Policy, and place this on public exhibition for comment.

Report

The Australian Accounting Standards Board has determined that Accounting Standard AASB124 Related Parties Disclosure will apply to all government entities, including local government from 1 July 2016.

In the financial reporting period commencing 1 July 2016 and ending 30 June 2017, related party relationships and transactions with key management personnel, their close family members and council related entities will need to be identified and may need to be disclosed in Council's financial statements.

Related parties are likely to include the Mayor, Councillors, General Manager, Directors and their close family members and any entities controlled or jointly controlled by Council. Any transactions between Council and these parties, whether monetary or otherwise, will need to be identified and may need to be disclosed. This information will be audited by external audit.

A policy outlining Council's compliance with this requirement is attached for adoption by Council.

It is recommended that Council formally adopt this policy and place it on public exhibition for comment. Any comments received, and recommended changes as a result of these comments, will be provided to the August 2017 meeting of Council.

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Related Parties Disclosure Policy

	BALRANALD SHIRE COUNCIL
POLICY TITLE: RELATED PARTIES DISCLOSURE POLICY	
EXPIRY DATE:	Ongoing

BACKGROUND

All councils in New South Wales must produce annual financial statements that comply with Australian Accounting Standards. The Australian Accounting Standards Board has determined that AASB 124 will apply to government entities, including local governments, from 1 July 2016.

From 1 July 2016, Council is required to disclose Related Party Relationships (RPR) and Related Party Transactions (RPT), as well as Key Management Personnel (KMP) compensation in its Annual Financial Statements in accordance with the Accounting Standard AASB 124 – Related Party Disclosures.

Balranald Shire Council recognises that Related Party Transactions (RPT) can present potential or actual conflicts of interest and may raise questions about whether they are in the best interests of the organisation.

It is therefore important that Key Management Personnel (KMP) act honestly and with reasonable care and diligence whilst avoiding improper use of their position and information. It is equally important that Key Management Personnel (KMP) of Balranald Shire Council are subject to a high level of accountability, including appropriate disclosure of their transactions with Council in the annual financial statements.

POLICY OBJECTIVE

The purpose of this Policy is to:

- Define the parameters for Related Party Transactions (RTP) and the level of disclosure and reporting required for Council to achieve compliance with Australian Accounting Standard AASB 124.
- Ensure that Council’s Related Party Relationships are disclosed, irrespective of whether there have been transactions between them in the relevant financial year.

SCOPE

This policy shall be applied by Balranald Shire Council and its auditors in:

1. Identifying related parties and relevant transactions: Related Party Transactions (RPT) and ordinary citizen transactions concerning Key Management Personnel (KMP), their close family members and entities controlled or jointly controlled by any of them.
2. Identifying outstanding balances, including commitments, between Council and its related parties;
3. Establishing systems to capture and record the Related Party Transactions (RPT) and information about those transactions;
4. Identifying the circumstances in which disclosure of the items in Clauses 1. and 2. are required; and
5. Determining the disclosures to be made about those items in the general purpose financial statements for the purpose of complying with the AASB 124.

This policy applies to all Council officials of Balranald Shire Council.

DEFINITIONS

The following definitions apply:

Act	The Local Government Act 1993
Regulation	The Local Government (General) Regulation 2005
Council Official	Includes Councillors, members of Council staff, administrators, contractors and consultants, Council committee members and delegates of Council
AASB 10	The Australian Accounting Standards Board – Consolidated Financial Statements – details the criteria for determining whether Council has significant influence over an entity
AASB 11	The Australian Accounting Standards Board – Joint Arrangements – details the criteria for determining whether Council has significant influence over an entity
AASB 124	The Australian Accounting Standards Board, Related Party Disclosures Standard under Section 334 of the Corporations Act 2001.
Close members of the family of a person	Those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council and include: <ul style="list-style-type: none"> • that person’s children and spouse or domestic partner; • children of that person’s spouse or domestic partner; and • dependants of that person or that person’s spouse or domestic partner.
Control or Joint Control	A person or entity is deemed to have control if they have: <ul style="list-style-type: none"> • power over the entity; • exposure, or rights, to variable returns from involvement with the entity; and • the ability to use power over the entity to affect the amount of returns. <p>To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.</p>
Entity	Can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body
Financial Benefit	Includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit that does not involve paying money. Examples (not limited) of “giving a financial benefit” to a Related Party include the following: <ul style="list-style-type: none"> • Giving or providing the Related Party finance or property. • Buying an asset from or selling an asset to the Related Party. • Leasing an asset from or to the Related Party. • Supplying services to or receiving services from the Related Party. • Issuing securities or granting an option to the Related Party. • Taking up or releasing an obligation of the Related Party.
Key Management Personnel (KMP)	Are those persons having the authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any Director (whether Executive or otherwise) of the entity.
Material (materiality)	The assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis an entity's financial statements. For the purpose of this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

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Ordinary Citizen Transaction	means a transaction that an ordinary citizen of the community would undertake in the ordinary course of business with Council
Possible (Possibly) Close members of the family of a person	Those family members who could be expected to influence, or be influenced by, that person in their dealings with the Council and include: <ul style="list-style-type: none"> • that person's brothers' and sisters'; • aunts', uncles', and cousins' of that person's spouse or domestic partner; • dependants of those persons' or that person's spouse or domestic partner as stated in (b); and • that person's or that person's spouse or domestic partners', parents' and grandparents'
Related Party	Any person or entity that is related to the entity that is preparing its financial statements (referred to in this standard as the 'reporting entity')
Related Party Transaction	A transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.
Significant (significance)	Likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

POLICY

Council is committed to responsible corporate governance, including compliance with laws and regulations governing Related Party Transactions (RPT).

Related Party Relationships (RPR) are a normal feature of commerce and business. Entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A Related Party Relationship (RPR) could influence the normal business operations of Council even if Related Party Transactions (RPT) do not occur. The mere existence of the relationship may be sufficient to affect the transactions of Balranald Shire Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another.

For these reasons, knowledge of Council's transactions and outstanding balances may affect assessments of Council's operations by users of financial statements, including assessments of the risks and opportunities facing the Council.

AASB 124 provides that Council must disclose all material and significant Related Party Transactions (RPT) and outstanding balances, including commitments, in its Annual Financial Statements. Generally, disclosure will only be made where a transaction has occurred between Council and a related party of Council. In addition, the transaction must be material in nature or size when considered individually or collectively.

When assessing whether such transactions are significant the following factors will be taken into consideration:

- significance in terms of size
- was it carried out on non-market terms
- is it outside normal day-to-day Council operations
- was it subject to Council approval
- did it provide a financial benefit not available to the general public
- was the transaction likely to influence decisions of users of the Annual Financial Statements

To enable Council to comply with AASB 124, Council's Key Management Personnel (KMP) are required to declare full details of any Related Parties and Related Party Transactions. Such information will be retained and reported, where necessary, in Council's Annual Financial Statements.

Related Parties

A related party is a person or entity that is related to the entity that is preparing its financial statements.

For the purposes of this Policy, related parties of Council are:

- Entities related to Council;
- Key Management Personnel (KMP) of Council;
- Close family members of Key Management Personnel (KMP);
- Possible close family members of Key Management Personnel (KMP); and
- Entities or persons that are controlled or jointly controlled by Key Management Personnel (KMP), or their close family members, or their possible close family members.

Entities Related to Council

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties of Council. Council will need to identify transactions with these entities and may need to make extra disclosure about them in Council's financial statements. When assessing whether Council has control or joint control over an entity Council must consider AASB 10 and AASB 11. AASB 128 details the criteria for determining whether Council has significant influence over an entity.

Council's Contracts Register, Legal Register for Leases and Licenses and the Schedule of Debts Written Off will be reviewed to identify Related Party Transactions (KPT) and Related Parties. This information will be included in the Related Party Register (RPR) which will include all joint arrangements and updated on a regular basis.

Key Management Personnel (KMP)

AASB 124 defines Key Management Personnel (KMP) as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any Director (whether Executive or otherwise) of the entity".

Key Management Personnel (KMP) for Balranald Shire Council are considered to include:

- Councillors (including the Mayor);
- General Manager;
- Directors / Senior Management personnel
- Public Officer; and
- Responsible Accounting Officer.

Also a person or entity is a related party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of;
- they and Council are joint ventures of the same third party;
- they are part of a joint venture of a third party and council is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by close members of the family of a person;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a Key Management Personnel (KMP) of Council; or
- they or any member of a group of which they are a part, provide Key Management Personnel (KMP) services to Council.

Close Family Members of Key Management Personnel (KMP)

Close family members of Key Management Personnel (KMP) are family members who may be expected to influence, or be influenced by, that person in their dealings with Council.

The definition of close members of the family of a person for the purpose of the AASB 124 is broader than the definition of “related” in relation to a person for the purpose of a register of interests under the Local Government (General) Regulation 2005 (the Regulation).

Definitely a close family member

- Your spouse/domestic partner
- Your children
- Your dependants
- Children of your spouse/domestic partner
- Dependants of your spouse/domestic partner

Maybe a close family member

(if they could be expected to influence, or be influenced by, you in their dealings with Council)

- Your brothers and sisters,
- Your aunts, uncles and cousins,
- Your parents and grandparents,
- Your nieces and nephews,
- Any other member of your family

Entities that are Controlled or Jointly Controlled by Key Management Personnel (KMP) or their close family members may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

Related Party Transactions (RPT)

Related Party Transactions (RPT) are required to be disclosed, regardless of whether a price is charged. Such transactions may include:

- purchase or sale of goods (finished or unfinished)
- purchase or sale of property and other assets
- rendering or receiving services
- leases
- transfers of research and development
- transfers under licence agreements
- transfers under finance arrangements (including loans and equity contributions in cash or in kind)
- provision of guarantees or collateral
- commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised)
- quotations and/or tenders
- settlements of liabilities on behalf of Council or by Council on behalf of the related party
- Expense recognised during the period in respect of bad debts
- Provision for doubtful debts relating to outstanding balances

AASB 124 Disclosure Requirements

Council Disclosures

AASB 124 provides that Council must disclose all material and significant Related Party Transactions (RPT) of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of Related Party Transactions (RPT) on the Annual Financial Statements, having regard to the following criteria: by aggregate or general description and include the following details:

- the nature of the Related Party Relationship (RPR)
- relevant information about the transactions including:
 - the amount of the transaction
 - the amount of outstanding balances, including commitments
 - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement
- details of any guarantee given or received
- provision for doubtful debts related to the amount of outstanding balances
- the expense recognised during the period in respect of bad or doubtful debts due from related parties

All transactions involving Related Parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions, and to determine the significance of each of the transactions.

Generally, transactions with amounts receivable from and payable to Key Management Personnel (KMP) or their related parties which occur within normal employee, customer or supplier relationships and at arm's length are not material or significant.

These shall be excluded from detailed disclosures; they will be disclosed in the financial statements by general description. Disclosures that Related Party Transactions (RPT) were made on terms equivalent to an arms-length transaction can only be made if such terms can be substantiated.

Related Party and Key Management Personnel (KMP) Disclosure

The types of disclosure that are required are as follows:

1. Relationships between a parent and its subsidiaries, irrespective of whether there have been transactions between them.
2. Key Management Personnel Compensation (KMPC) (remuneration) relate to all forms of consideration paid, payable, or provided in exchange for services provided in total and for each of the following categories:
 - Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within twelve months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees
 - Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care
 - Other long-term employee benefits, including long-service leave or sabbatical leave, jubilee or other long-service benefits, long-term disability benefits and, if they are not payable wholly within twelve months after the end of the period, profit sharing, bonuses and deferred compensation
 - Termination benefits
3. Where Related Party Transactions have occurred:

- The nature of the Related Party Relationship
 - Information about the transactions, outstanding balances and commitments, including terms and conditions
4. Separate disclosure for each category of the Related Party.
5. For the types of transactions to be disclosed refer to Related Party Transactions Section later in this document.

Key Management Personnel (KMP) Declarations must be made annually by 30 June by using the Related Party Transaction (RPT) Disclosures by Key Management Personnel (KMP) Form (see Appendix A).

Note: these Related Party Transaction (RPT) Notification requirements are in addition to the notifications Key Management Personnel (KMP) are required to make to comply with the pecuniary interests and conflicts of interest obligations in the *Local Government Act 1993* and Code of Conduct

A Related Party Transaction (RPT), as opposed to the Register of Pecuniary Interests, the related party and relationship must be disclosed for both the Key Management Personnel (KMP) and their close family member even if the same related party entity is held jointly or in common by them.

The New South Wales Auditor General Office may audit related party information as part of the annual external audit.

Notifications by Key Management Personnel (KMP)

In order to comply with the AASB 124, Council has adopted a Policy that requires all members of its Key Management Personnel (KMP) to periodically provide notifications to the Responsible Accounting Officer of any existing or potential Related Party Transactions (RPT) between Council and any of their related parties during a financial year, and any changes to previously notified Related Party Relationships (RPR) and transactions relevant to the subject financial year.

Key Management Personnel (KMP) must complete the Related Party Relationships Notification by Key Management Personnel (KMP) Form (see Appendix C), notifying any existing or potential Related Party Relationships (RPR) between Council and any related parties of the Key Management Personnel (KMP), to the Responsible Accounting Officer by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this Policy
- 30 days after a Key Management Personnel (KMP) commences their term or employment with Council; and
- 30 June annually

During the financial year, Key Management Personnel (KMP) must proactively notify of any new or potential Related Party Relationships (RPR) that the person knows of or any changes to previously notified Related Party Relationships (RPR) to the Responsible Accounting Officer by no later than 30 days after the person knows of the transaction or change.

At least 30 days before a specified notification period, the Responsible Accounting Officer will provide Key Management Personnel (KMP) with a RPT Notification form and a Privacy Collection Notice (Appendix B).

These notification requirements are in addition to the notifications a Key Management Personnel (KMP) must make to comply with Sections 451 and 459 of the *Local Government Act 1993* that relate to material personal interests and conflicts of interest and Council's Code of Conduct.

The Responsible Accounting Officer is responsible for identifying information against each notified related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in the register of related party transactions.

To ensure all related party transactions are captured and recorded the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- a register of interests of Key Management Personnel (KMP) and of persons related to Key Management Personnel (KMP);
- minutes of Council and committee meetings;
- Council’s Contracts’ Register.

Exclusions

The notification requirements do not apply to:

- related party transactions that are ordinary citizen transactions not assessed as being material; and
- for Councillors, expenses incurred and facilities provided to a Councillor during the financial year, under Council’s Payment of Expenses and Provision of Facilities for Mayors and Councillors Policy, the particulars of which are contained in Council’s Annual Report pursuant to the Local Government (General) Regulation 2005, Part 8.

Ordinary Citizen Transactions

Related party transactions excluded from disclosure requirements on the basis of Ordinary Citizen Transactions are;

- Any valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance, and
- Any service or benefit occurring within normal employee, customer or supplier relationships and at arm’s length; and
- are not material or significant;

Materiality

Materiality thresholds will be reviewed annually as part of the audit process.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- Significance of transaction in terms of size;
- Whether the transaction was carried out on non-market terms;
- Whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;
- Whether the transaction is disclosed to regulatory or supervisory authorities;
- Whether the transaction has been reported to senior management; and
- Whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

Disclosures that Related Party Transactions (RPT) were made on terms equivalent to those that prevail in arm’s length transactions can only be made if such terms can be substantiated.

Register of Related Party Transactions

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information for each existing or potential

Related Party Transaction (RPT) (including ordinary citizen transactions assessed as being material in nature) during a financial year.

The contents of the register of related party transactions must detail for each related party transaction:

- the description of the Related Party Transaction (RPT);
- the name of the related party;
- the nature of the related party's relationship with Council;
- whether the notified Related Party Transaction (RPT) is existing or potential;
- a description of the transactional documents the subject of the Related Party Transaction (RPT);
- the information specified in the section on Council Disclosures.

Procedures

The method for identifying the close members and associated entities of Key Management Personnel (KMP) will be by Key Management Personnel (KMP) self-assessment. Key Management Personnel (KMP) have an ongoing responsibility to advise Council immediately of any Related Party Transactions.

The preferred method of reporting is for Key Management Personnel (KMP) to provide details of Related Parties and Related Party Transactions to the Responsible Accounting Officer.

Information provided will be reviewed in accordance with the Council's operational requirements and held on a centralised register (Appendix D) and will be also located in Council's document management system.

Should a Key Management Personnel (KMP) have any uncertainty as to whether a transaction may constitute a Related Party Transaction (RPT) they should contact the Responsible Accounting Officer who will, in consultation with the Director of Corporate and Community Development, make a determination.

If a Key Management Personnel (KMP) suspects that a transaction may constitute a Related Party disclosure to the Responsible Accounting Officer for consideration and determination.

Privacy and Access to Information

Information provided by Key Management Personnel (KMP) and other related parties shall be held for the purpose of compliance with Council's legal obligations and shall be disclosed where required for compliance or legal reasons only.

Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by Key Management Personnel (KMP) or contained in a register of Related Party Transactions (RPT) for any other purpose or to any other person except with the prior written consent of the subject Key Management Personnel (KMP).

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of related party transactions (RPT) for the purposes specified in this Policy:

- the General Manager;
- the Responsible Accounting Officer;
- Director Corporate and Community Development;
- Professional Conduct Coordinator;
- an Auditor of Council (including an Auditor from the NSW Auditor General's Office);
- Other Officers as delegated by the General Manager.

Such persons may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- to assess and verify a notified related party transaction;
- to reconcile identified related party transactions against those notified in a related party disclosure or contained
- in a register of related party transactions;
- to comply with the disclosure requirements of AASB 124;
- to verify compliance with the disclosure requirements of AASB 124.

An individual may access their personal information provided by a Key Management Personnel (KMP) in a related party disclosure or contained in a register of Related Party Transactions (RPT) in accordance with Council's Privacy Management Plan or at the discretion of the General Manager.

Government Information (Public Access) Act (GIPA Act) Applications

Disclosures, Notifications and the Register are not available for public access under the GIPA Act. Documents

POLICY REVIEW DATE

This policy will be reviewed two years from the date of formal adoption by Council.

RELATED DOCUMENTS

Legislative:

Local Government Act 1993
Local Government (General) Regulation 2005
Government Information (Public Access) Act 2009
Corporations Act 2001

Related Policies:

Balranald Shire Council's Code of Conduct

Other:

AASB 124 – Related Party Disclosures (July 2015)
Australian Accounting Standards

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Attachment A
 [Related Party Transactions Notification]

Related Party Transactions Notification by Key Management Personnel (KMP)

Note: This document is confidential and only accessible to the Council officials nominated in the Related Party Disclosure Policy

Name:	
Position:	

Please read the Privacy Collection Notice provided with this notification, which explains what is a related party transaction and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please complete the table below **for each related party transaction with Council** that you, or a close member of your family, or an entity related to you or a close member of your family:

1. has previously entered into and which will continue in the _____ financial year;

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

2. has entered into, or is reasonably likely to enter into, in the _____ financial year.

Description of Related Party Transaction	Is transaction existing/potential?	Related Party's Name (Individual's or entity's name)	Related Party's Relationship/ Reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

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Key Management Personnel (KMP) Compensation (remuneration) in total and for each of the following categories

Type of Remuneration	Short-term Employee Benefits	Post-Employment Benefits	Other Long-Term Benefits	Termination Benefits

Notification

I _____, (Full name)
 _____(Position)

notify that, to the best of my knowledge, information and belief, as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the _____ financial year.

I make this notification after reading the Privacy Collection Notice provided by Balranald Shire Council, which details the meaning of the words “related party”, “related party transaction”, “close members of the family of a person” and, in relation to an entity, “control” or “joint control”, and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council’s Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Person:		Dated:	
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Attachment B
[Privacy Collection Notice]



PRIVACY COLLECTION NOTICE
RELATED PARTY TRANSACTIONS DISCLOSURES BY KEY
MANAGEMENT PERSONNEL

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Attachment B
[Privacy Collection Notice]

Who are Key Management Personnel (KMP)?

Key Management Personnel (KMP) are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include:

- Councillors (including the Mayor)
- General Manager
- Senior Executive Officers / Directors
- Public Officer; and
- Responsible Accounting Officer

Who are Close Family Members of Key Management Personnel (KMP)?

Close family members of Key Management Personnel (KMP) are family members who may be expected to influence, or be influenced by, that person in their dealings with Council.

The definition of close members of the family of a person for the purpose of the AASB 124 is broader than the definition of “related” in relation to a person for the purpose of a register of interests under the Local Government (General) Regulation 2005 (the Regulation).

Definitely a close family member

- Your spouse/domestic partner
- Your children
- Your dependants
- Children of your spouse/domestic partner
- Dependants of your spouse/domestic partner

Maybe a close family member

(if they could be expected to influence, or be influenced by, you in their dealings with Council)

- Your brothers and sisters,
- Your aunts, uncles and cousins,
- Your parents and grandparents,
- Your nieces and nephews,
- Any other member of your family

What is an entity that I, or my close family member, control or jointly control ?

Entities that are Controlled or Jointly Controlled by Key Management Personnel (KMP) or their close family members may include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

Control

You control an entity if you have:

- Power over the entity;
- Exposure, or rights, to variable returns from your involvement with the entity; and
- The ability to use your power over the entity to affect the amount of your returns.

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Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party transaction notification.

Joint control

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party transaction notification and the entity's related party relationship with Fred and Stan.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Responsible Accounting Officer for a confidential discussion.

Attachment C

[Related Party Transactions Notification by Key Management Personnel (KMP)]

Related Party Transactions Notification by Key Management Personnel (KMP)	
Name:	
Position:	
<p>If a transaction has occurred since your last declaration, list details of known close family members, entities that are controlled / jointly controlled by Key Management Personnel (KMP) and entities that are controlled / joint controlled by close family members of Key Management Personnel (KMP)</p>	
Details of Person or Entity	Relationship

<p>Disclosure</p> <p>I _____, (Full name) _____(Position)</p> <p>notify that, to the best of my knowledge, information and belief, as at the date of this disclosure , the above information includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the _____ financial year.</p> <p>I make this notification after reading the Related Party Disclosures Policy provided by Balranald Shire Council, which details the meaning of the words “related party”, “related party transaction”, “close members of the family of a person” and, in relation to an entity, “control” or “joint control”, and the purposes for which this information will be used and disclosed.</p> <p>I permit the Responsible Accounting Officer and the other permitted recipients specified in Council’s Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.</p>			
Signature of named Key Management Person:		Dated:	

Attachment D
[Related Party Register]

Related Party Register

Related Party Register				
Name	Relationship	Nature of Transactions	Terms and Conditions	Reference - Supporting Evidence

Item C - 7 RATES & CHARGES FOR 2017/2018

File number: 130

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good Governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council

- Consider all submissions received during the public consultation period
- Resolve to:
 - increase the ordinary rate income for the 2017-18 year by the maximum 1.5% rate peg amount, as determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART); and
 - to make and levy ordinary rates to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Section 534, 535 and 537 of the Local Government Act 1993 as recommended below for 2017-18.

Purpose of Report

To formally make and levy Rates & Annual Charges for 2017/2018.

Report

Following the presentation of the Draft Operational Plan, Draft Budget and Draft Revenue Policy 2017-18 to the Extraordinary meeting of Council held on 31st May 2017, the draft plans were placed on public exhibition, for 28 days as required under the Local Government Act 1993.

Council is now required to consider all draft submissions received prior to making the rates and levying the charges. This includes submissions on the following Draft documents:

- 2017-18 Operational Plan;
- 2017-18 Budget;
- 2017-18 Revenue Policy; and
- The making and levying of rates and charges including:

- Charging the maximum 1.5% increase to the ordinary rates determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- Charging the maximum 7.5% interest on overdue rates and charges;
- Increasing sewer on average by \$107 per average residential assessment;
- Increasing water on average by \$113 per average residential assessment; and
- Increasing waste by \$10 per residential assessment.

At the time of writing this report no submissions have been received. Submissions close at 3pm on 28th June 2017 and any submissions received up to this date, but after preparation of this report, will be tabled at the Council meeting.

Council is required to make and levy its ordinary rates and annual charges for each year on land in the Balranald Shire area.

The resolutions required to be adopted for this purpose are detailed in the below recommendations.

Recommendations:

(i) a **FARMLAND – GENERAL** rate of zero point zero zero three five eight five (0.003585) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland General** with dominant use being generally cropping or grazing over significant land area pursuant to Section 515 of the Local Government Act 1993, subject to a base amount of three hundred and twenty eight dollars (\$328) in respect of each separate parcel with the base amount producing eleven point five six percent (11.56%) of the total amount of the rate levy for the Farmland General rate sub-category; and

(ii) a **FARMLAND – OTHER RURAL** rate of zero point zero zero two eight eight zero (0.00288) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland Other Rural** to have low intensity of land use and a low economic benefit pursuant to Section 515 of the Local Government Act 1993, subject to a base amount of one hundred and fifty four dollars (\$154) in respect of each separate parcel with the base amount producing forty two point four five percent (42.45%) of the total amount of the rate levy for the Farmland Other Rural rate sub-category; and

(iii) a **FARMLAND – INTENSE** rate of zero point zero zero six seven eight two (0.006782) cents in the dollar on the land value of all rateable land in the area which has been categorised by the Council as **Farmland Intense** to have medium to high intensity of land use and an intermediate to major economic benefit pursuant to Section 515 of the Local Government Act 1993, subject to a base amount of three hundred and forty six dollars (\$346.00) in respect of each separate parcel with the base amount producing twenty nine point two five percent (29.25%) of the total amount of the rate levy for the Farmland Intense rate sub-category; and

(iv) a **RESIDENTIAL – BALRANALD** rate of zero point zero zero three eight six four (0.003864) cents in the dollar on the land value of all rateable land in the centre of the population being the Balranald Village Zone, being land which has been sub-categorised by the Council as **Balranald Residential** pursuant to Section 516 and 529 of the Local Government Act 1993, subject to a base amount of one hundred and forty two dollars (\$142.00) in respect of each separate parcel with the base amount producing forty seven point five five percent (47.55%) of the total amount of the rate levy for the Residential Balranald rate sub-category; and

(v) a **RESIDENTIAL – EUSTON** rate of zero point zero zero three zero one zero (0.003010) cents in the dollar on the land value of all rateable land in the centre of the population being the Euston Village Zone, being land which has been sub-categorised by the Council as **Euston Residential** pursuant to Section 516 and 529 of the Local Government Act 1993, subject to a base amount of one hundred and thirty seven dollars (\$137.00) in respect of each separate parcel with the base amount producing forty six point eight zero percent (46.80%) of the total amount of the rate levy for the Residential Euston rate sub-category; and

(vi) a **RESIDENTIAL – GENERAL** rate of zero point zero zero four six nine nine (0.004699) cents in the dollar on the land value of all rateable land used for residential purposes and not located within the Balranald and Euston Village Zones, being land which has been sub-categorised by the Council as **Residential General** pursuant to Section 516 and 529 of the Local Government Act 1993, subject to a base amount of ninety three dollars (\$93.00) in respect of each separate parcel with the base amount producing forty nine point one three percent (49.13%) of the total amount of the rate levy for the Residential General rate sub-category; and

(vii) a **BUSINESS – BALRANALD** rate of zero point zero two three eight nine six (0.023896) cents in the dollar on the land value of all rateable land in the Balranald Business Area, being land which has been sub-categorised by the Council as **Business Balranald** pursuant to Section 518 and 529 of the Local Government Act 1993, subject to a base amount of three hundred and forty two dollars (\$342.00) in respect of each separate parcel with the base amount producing twenty four point five two percent (24.52%) of the total amount of the rate levy for the Business Balranald rate sub-category; and

(viii) a **BUSINESS – EUSTON** rate of zero point zero one seven six nine four (0.017694) cents in the dollar on the land value of all rateable land in the Euston Business Area, being land which has been sub-categorised by the Council as **Business Euston** pursuant to Section 518 and 529 of the Local Government Act 1993, subject to a base amount of three hundred and forty two dollars (\$342.00) in respect of each separate parcel with the base amount producing fourteen point five four percent (14.54%) of the total amount of the rate levy for the Business Euston rate sub-category; and

(ix) a **BUSINESS – MINING** rate of zero point zero zero seven seven eight eight (0.007788) cents in the dollar on the land value of all rateable land in the area which

has been sub-categorised by the Council as **Business Mining** (excluding mineral sands extraction) pursuant to Section 515 and 529 of the Local Government Act 1993, subject to a base amount of one hundred and forty seven dollars (\$147.00) in respect of each separate parcel with the base amount producing thirty-one point two eight percent (31.28%) of the total amount of the rate levy for the Business Mining rate sub-category; and

(x) a **BUSINESS – RURAL** rate of zero point zero two zero six three four (0.020634) cents in the dollar on the land value of all rateable land outside of any of the Shires Residential Village Zones, being land which has been sub-categorised by the Council as **Business Rural** pursuant to Section 515 and 529 of the Local Government Act 1993, subject to a base amount of one hundred and eight dollars (\$108.00) in respect of each separate parcel with the base amount producing thirty seven point five five percent (37.55%) of the total amount of the rate levy for the Business Rural rate sub-category; and

(xi) a **BALRANALD RAW WATER** fixed annual access charge for each property having access to the **Balranald Raw Water Supply System**, and a **EUSTON RAW WATER** fixed annual access charge for each property having access to the **Euston Raw Water Supply System**:

all calculated in accordance with the following scale, subject to the proviso that where a property has more than one connection each connection shall be charged separately:

<u>Connection Size</u>	<u>Annual Charge</u>	<u>Usage Charges (per KL)</u>
20 mm connection	\$ 266.00	Tariff 1 66 cents/kl For the first 600kl/annum. Tariff 2 Above 600kl Per annum \$1/kl
25 mm connection	\$ 400.00	
32 mm connection	\$ 722.00	
40 mm connection	\$ 1,066.00	
50 mm connection	\$ 1,664.00	
80 mm connection	\$ 4,263.00	
100 mm connection	\$ 6,660.00	

(xii) a **BALRANALD FILTERED WATER** fixed annual access charge for each property having access to the **Balranald Filtered Water Supply System** and a **EUSTON FILTERED WATER** fixed annual access charge for each property having access to the **Euston Filtered Water Supply System**:

all calculated in accordance with the following scale, subject to the proviso that where a property has more than one connection each connection shall be charged separately:

<u>Connection Size</u>	<u>Annual Charge</u>	<u>Usage Charges (per KL)</u>
20 mm connection	\$ 199.00	Tariff 1

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25 mm connection	\$ 300.00	\$1.10/kl For the first 600kl/annum. Tariff 2 Above 600kl Per annum \$1.80/kl
32 mm connection	\$ 510.00	
40 mm connection	\$ 797.00	
50 mm connection	\$ 1,245.00	
80 mm connection	\$ 3,189.00	
100 mm connection	\$ 4,985.00	

(xiv) a **BALRANALD DOMESTIC SEWERAGE** fixed annual access charge for each **Residential Property** having access to the **Balranald Sewerage** reticulation mains, and a **EUSTON DOMESTIC SEWERAGE** fixed annual access charge for each **Residential Property** having access to the **Euston Sewerage** reticulation mains;

such charges being calculated in accordance with the following scale based on the size of the potable (filtered) water supply connection to the property, subject to the proviso that where a property has more than one sewer connection each connection shall be charged separately and provided further that in the event a residential property having access to the Balranald and Euston Sewerage Reticulation Mains only has a raw water connection the following scale of charges shall apply accordingly:

Connection Size	Annual Charge
20 mm connection	\$ 380.00
25 mm connection	\$ 593.00
32 mm connection	\$ 971.00
40 mm connection	\$ 1,518.00
50 mm connection	\$ 2,371.00
80 mm connection	\$ 6,071.00
100mm connection	\$ 9,482.00

(xv) a **BALRANALD COMMERCIAL SEWERAGE** fixed annual access charge for each **Non-Residential Property** having access to the **Balranald Sewerage** reticulation mains, and a **EUSTON COMMERCIAL SEWERAGE** fixed annual access charge for each **Non-Residential Property** having access to the **Euston Sewerage** reticulation mains such charges being calculated in accordance with the following scale based on the size of the potable (filtered) water supply connection to the property, subject to the proviso that where a property has more than one sewer connection each connection shall be charged separately and provided further that in the event a non-residential property connected to the Balranald and Euston Sewerage Reticulation mains only has a raw water connection the Domestic Sewerage Charge shall apply. Usage charges of 20 cents per kilolitre shall also apply.

Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

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<u>Connection Size</u>	<u>Annual Charge</u>	<u>Usage Charges (per KL)</u>
20 mm connection	\$ 322.00	20 cents/kl
25 mm connection	\$ 501.00	
40 mm connection	\$ 1,286.00	
50 mm connection	\$ 2,009.00	

(xvi) a **DOMESTIC WASTE MANAGEMENT ACCESS CHARGE** of thirty five dollars (\$35.00) per assessment for all rateable, unoccupied residential land to which the weekly collection service is available to, and a **DOMESTIC WASTE MANAGEMENT SERVICE CHARGE** of three hundred and fifteen dollars (\$315.00) for all assessments which are rateable occupied residential land to which the weekly collection service is available provided that where more than one weekly bin collection service is provided to a property that charge shall be three hundred and thirty dollars (\$330.00) for each bin collection after the first.

(xviii) a **COMMERCIAL WASTE MANAGEMENT SERVICE CHARGE** as scheduled hereunder

Commercial & other waste management charges	Annual Charge \$ per bin
Commercial Waste Management On the basis of two weekly lifts per 240litre MGB (mobile garbage bin)	\$ 365.00
Subsequent bins - two weekly lifts per bin	\$ 365.00

(xx) **INTEREST CHARGE ON OVERDUE RATES AND CHARGES** pursuant to Section 566 of the Local Government Act 1993, set at 7.5% the maximum rate for 2017/2018 as set by the Minister and published in the Government Gazette.

(xxi) That the General Manager cause preparation and service of rate notices for the financial year 2017/2018.

<u>Financial Implication</u>	As per Draft Documents
<u>Legislative Implication</u>	NSW Local Government Act 1993 Sec. 405 (4)
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Nil

Item C - 8 ELECTRONIC DOCUMENT MANAGEMENT SYSTEM

File number: 195(a)

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 (a) provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council

- Note progress on implementation of an Electronic Document Management System (EDMS).
- Resolve to include an amount of \$21,200 in its 2017-18 Budget for maintenance of the EDMS software and purchase of a document scanner.

Purpose of Report

To advise Council on progress towards implementation of an electronic document management system (EDMS). Implementation of this system is one of the requirements outlined in the Performance Improvement Order issued by the Minister.

Report

Work has commenced and is progressing on implementation of an EDMS. As a result of the initial procurement process for an EDMS not being completed in accordance with Council's procurement policy and the age of the original quotes (early 2016) it has been necessary to obtain additional quotes and updating pricing for implementation of an EDMS. This work has now been completed and the successful tenderer has been notified. However, funding allocated for this project was allocated some time ago and due to inflation and changes in pricing structures will be insufficient to pay for maintenance on the software (\$10,500 per annum) and hardware costs for a scanner and associated software (\$10,700).

Council has appointed a project manager to oversee and manage the implementation of this system and work on defining file structures and staff training has commenced. Funding for this forms part of funds provided for temporary staff within the corporate area.

Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

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In addition to this work, a meeting has been held with Records Management and IT staff at Broken Hill City Council with a view to assist in training a Records Officer. The position of Document & Records Officer, as approved by Council at its March 2017 meeting, is currently being advertised.

It is recommended that Council note this information and agree to allocate an amount of \$21,200 in the 2017-18 Budget for software maintenance and purchase of a document scanner and associated software.

A further update on progress towards implementation will be provided to the July 2017 Council meeting.

<u>Financial Implication</u>	\$21,200
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Nil

C - 9 INTEGRATED PLANNING AND REPORTING

File number: 156

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good Governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council resolve to

- Formally adopt the 2017-2021 Delivery Plan
- Note proposed changes to the 2017-18 operational budget as detailed in the 2017-18 Operational Plan
- Formally adopt the 2017-18 Operational Plan, incorporating the 2017-18 Revenue Policy, (including recommended fees & charges) and Operational Budget

Purpose of Report

To inform Council on feedback received from Community Consultation on the 2017-2021 Delivery Plan

Report

Council, as part of its compliance with the Integrated Planning and Reporting Framework, is required to prepare a number of strategic planning documents including a 10 year Community Strategic Plan, a 10 year Long Term Financial Plan, a four year Delivery Plan and an 1 year Operational Plan which sets out Council's objectives, the levels of service delivery and how Council proposes to deliver services to its community.

As part of this framework Council is also required to consult with the community about its strategic objectives and proposed delivery and operational program to achieve these objectives.

Council adopted its Community Strategic Plan at its April 2017 meeting. At this meeting it also agreed to adopt its draft Delivery Plan 2017-2021 and call for public submissions. At its May extraordinary meeting Council agreed to adopt its 2017-18 draft Operational Plan, incorporating the Draft 2017-18 Revenue Policy and Operational Budget, and advertise this for public submissions. At the time of writing this report no comments have been received. The public consultation period closes at 3pm on 28th June

2017 and any comments received up to this date will be incorporated into the draft documents where appropriate and tabled at the Council meeting.

A copy of the 2017-2021 Delivery Plan and 2017-18 Operational Plan including Revenue Policy and Operational Budget will be provided under separate cover and tabled at the Council meeting following closure of public comments.

As indicated to Council at the time of it adopting the draft 2017-18 Operational Budget, Council staff have continued to review this budget prior to formal adoption by Council. During this time additional information that will impact on the 2017-18 Budget has become available and changes arising from this are being incorporated into the draft document. Details of proposed changes to the budget and the financial impact of these will be tabled with the draft document.

Additional funding requested at this meeting for the document management system and internal audit have not been incorporated into the draft budget at this time, and will need to be funded from sale proceeds if Council agrees to incorporate these costs).

<u>Financial Implication</u>	2017-18 Operational Budget
<u>Legislative Implication</u>	Integrated Planning and Reporting Framework
<u>Policy Implication</u>	Nil
<u>Separate Attachments</u>	2017-2021 Delivery Plan; 2017-18 Operational Plan including Revenue Policy and Operational Budget

Infrastructure and Development Reports

Item I – 1

DA 42/2017 – PROPOSED IRRIGATION PUMPSTATION

File number: DA 42/2017

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

Council approve Development Application 42/2017 for the upgrading of a pump station on the southern bank of the Murray River, off Happy Valley Landing Road subject to the following conditions:

EPA Requirements:

1. The proponent should take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.
2. The proponent should be aware that under section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

Roads & Maritime Requirements:

1. An unlit Starboard (green) lateral navigation marker, in compliance with IALA System A including day shape, must be fixed to the outermost edge of the pump pontoon to mark the hazard for passing vessels.
2. Green reflective material (e.g. discs) must be placed on all sides of the pump pontoon oriented in the direction of the navigable channel, to improve its visibility to passing vessels.
3. No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

Dept. of Environment, Land, Water & Planning Requirements:

1. The report P&M Camera Pty Ltd – Pumping Station & Pipeline Construction Project, Site Environmental Management Plan (April 2016) is to be endorsed and form part of this permit;
2. The development must be conducted in accordance with the endorsed report and all recommendations and actions specified in the report must be

implemented within the specified timeframes to the satisfaction of the responsible authority and the Department of Sustainability and Environment.

Siting and Design Guidelines

3. The development must comply with the requirements of the Siting and Design Guidelines for Water Diversion Works on or across Crown land (Department of Natural Resources and Environment, 2003).

Notification of Conditions

4. Before the development starts, all persons undertaking the works on site must be advised of all conditions of this permit.
5. Parks Victoria Ranger Team Leader at Robinvale (Bradd Baldock Telephone: 0437 731 535) is to be contacted to arrange a site meeting and Contactor Induction, prior to the commencement of works.

Avoiding Disturbance to Native Vegetation

6. Development works and ongoing use must not cause damage to vegetation to be retained.
7. There is to be no stockpiling of material or storage of machinery/equipment on vegetated sections of Crown land.
8. Any tree roots over the size of 100 mm in diameter are to be trenched around by hand.

Erosion Control & Weed Management

9. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be levelled and stabilised to prevent soil erosion, to the satisfaction of the Department of Environment, Land, Water and Planning.
10. To reduce the spread of weeds, all earthmoving equipment must be free of soil and seed and sprayed with Phytoclean (after pressure washing) before being taken to the work site and again on completion of the project.

Completion of Works

11. The existing disused pumps must be decommissioned to the satisfaction of the Department of Environment, Land, Water and Planning within 60 days from the commissioning of the new pumping station.
12. The site must be rehabilitated to the satisfaction of the Department of Environment, Land, Water and Planning.
13. Any unused fill brought onto the site must be removed at the completion of the works.
14. On completion of works all surplus materials, used oils, construction equipment and rubbish must be removed and the site left in a clean and tidy condition.

Balranald Shire Council:

1. This consent does not imply approval for dwellings, accommodation structures, workshops or outbuildings. Separate applications for these structures must be lodged.
Reason: Statutory Compliance

2. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - Not further harm the object
 - Immediately cease all work at the particular location
 - Secure the area so as to avoid further harm to the Aboriginal object
 - Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location
 - Not recommence any work at the particular location unless authorised in writing by OEH.In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and OEH contacted.
Reason: Statutory Compliance

3. In addition to meeting any specific performance criteria established under other conditions of this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction and operation of the development.
Reason: Environmental Amenity

4. The person having benefit of the development consent must undertake appropriate measures to ensure that, as a result of the development, the site does not become an area of weed seed production and to prevent their spread into surrounding bushland or public open space areas.
Reason: Environmental Protection

5. All possible and practical steps shall be taken to prevent nuisance to the inhabitants of the surrounding area from windblown dust, debris, noise and the like during the works and operation of the development.
Reason: Health and Amenity

6. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.
Reason: Statutory Compliance

7. The proponent must ensure that any approvals required under the Water Management Act 2000 are obtained prior to the commencement of any works.

Reason: Statutory Compliance

DPI Fisheries Requirements (Standard Set):

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.

2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie *Managing Urban Stormwater: Soils and Construction* 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*

3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*

4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*

5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*

6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the*

provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.

7. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*

8. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason –Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

9. The inlet to the suction pipe is to be fitted with a screen with a mesh not greater than 6mm. The screen is to be maintained and kept in place at all times whilst pumping is underway. *Reason - To help prevent entrainment of fish and other aquatic biota.*

Purpose of Report

To seek Council's consent to upgrade a pump station on the southern bank of the Murray River, off Happy Valley Landing Road.

Report

Nicol Projects on behalf of P & M Camera, seek consent to upgrade a pump station on crown land on the southern bank of the Murray River, off Happy Valley Landing Road, Robinvale.

Minimal land and vegetation disturbance is expected as the proposal is to upgrade an existing pump station. Piles will be driven into the bank to secure the rail mounted pumps and suction lines.

The proposal is permissible with consent in accordance with the Land Use Table of the Balranald Local Environmental Plan 2010 for W1 zoned land.

Crown Land consent has been provided and the proposal has been referred to required state government agencies. The application has also been advertised in accordance with the provisions of Section 88 of the Environmental Planning & Assessment Reg 2000 and Murray Regional Environmental Plan No. 2.

Description of Land: Unidentified Crown Land

Allotment Area: N/A

Zone: Zone W1, Natural Waterways

Planning Considerations

The land is zoned W1 pursuant to Balranald Local Environmental Plan 2010 and the use of the land for a pump station is permissible with consent.

The proposal is Integrated Development and subject to the provisions of the Murray Regional Environmental Plan No. 2, necessitating referrals to:

- NSW EPA
- Office of Water
- NSW Fisheries (no response, standard Fisheries condition set incorporated into approval)
- Crown Lands (owner's consent granted)
- Roads and Maritime Services
- Murray Darling Basin Association
- Dept. Environment, Land, Water & Planning (VIC)

Site Analysis

There is no apparent landslip, creep or requirement for vegetation removal to facilitate the proposal. The area is not shown as bushfire prone and contaminating activities are not known by Council to have been carried out on the land.

Access to the allotment is currently provided off Happy Valley Landing Rd.

Adjoining allotments are Zoned RU1 on the NSW side of the river, with agricultural uses apparent on the VIC side of the river.

DEVELOPMENT APPLICATION ASSESSMENT

Under Section 79C of the EPA Act 1979,

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Planning Instruments

The proposal is permissible in accordance with the land use table for W1 zoned land under the Balranald Local Environmental Plan 2010 and consultation in accordance with the Murray Regional Environmental Plan No. 2 has been undertaken. Agency responses are attached and their conditions have been incorporated into the recommended conditions of approval.

Impact of Development

Natural Environment:

The proposal is not likely to have significant impact on the natural environment of the area. The area is an existing pump site, which has been somewhat cleared of endemic vegetation for a substantial period of time. The proposal is not likely to impact threatened species due to the small area of the activity and the use of the wider area for agricultural purposes.

The proposal is not likely to contribute towards soil erosion, pollution or contamination of soil/water/air, due to proposed mitigation measures.

Built Environment:

The proposal will not adversely impact on the built environment. The surrounding area is substantially developed for agricultural/rural industry purposes. The proposal is not likely to significantly contribute to an increase in traffic volumes in the local area.

Social Impacts:

There are no known areas/items of heritage significance in the immediate area. The proposal is not likely to lead to significantly increased pressure on public infrastructure.

Economic Impacts:

The proposal intends to support agricultural activity in the immediate area and provide additional future employment opportunities.

Site Suitability:

The proposal is suitable for this site. Council's planning instrument does not prohibit this proposal and the land is not subject to any know risk factors, ie flooding, subsidence, slip or bushfire.

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality due to the agricultural nature of the area and existing use of the area as a pump site.

Public Interest:

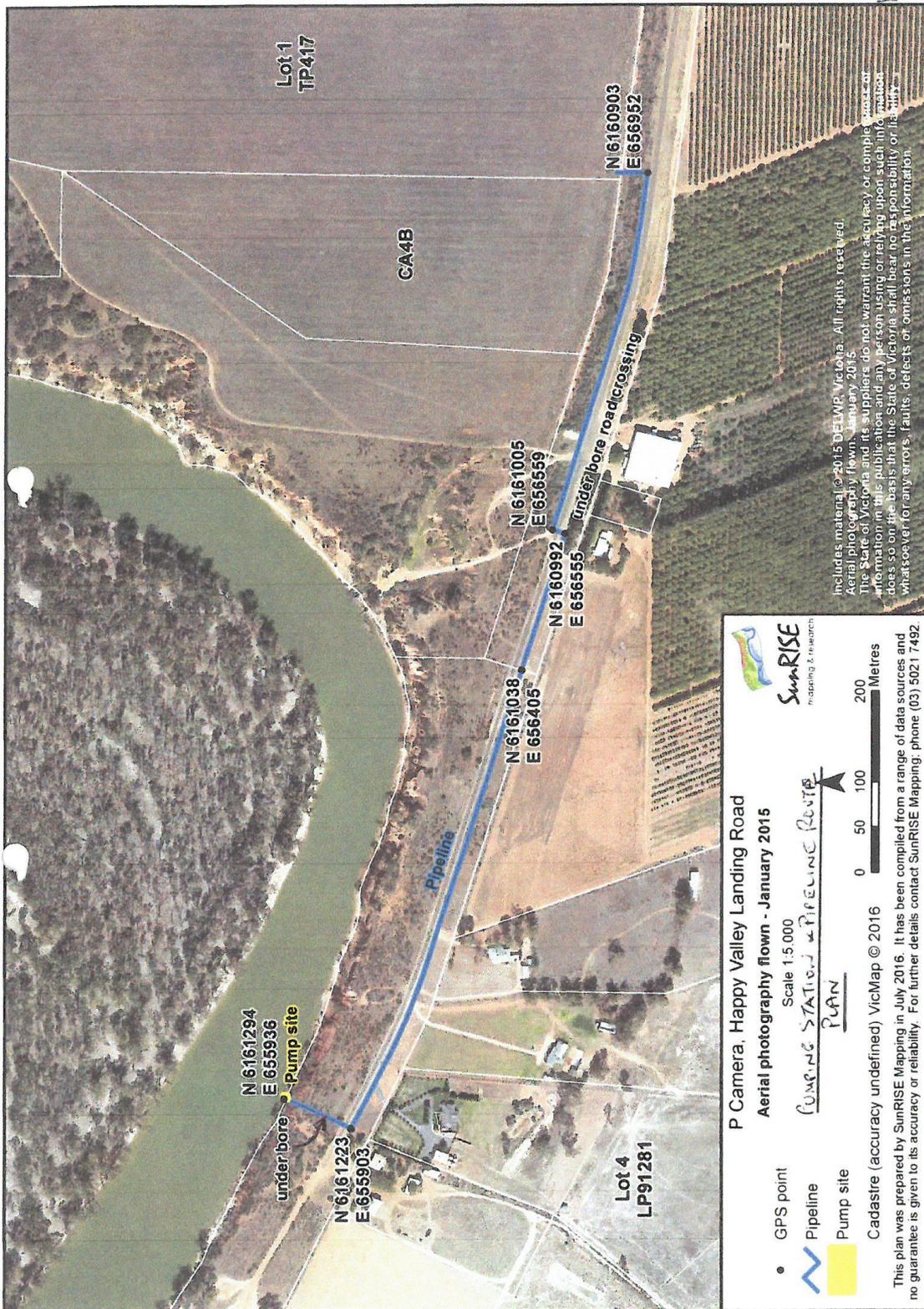
The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The development will support existing and

potential enhance the generation of employment in the area long term.
The proposal will not likely adversely impact public infrastructure.

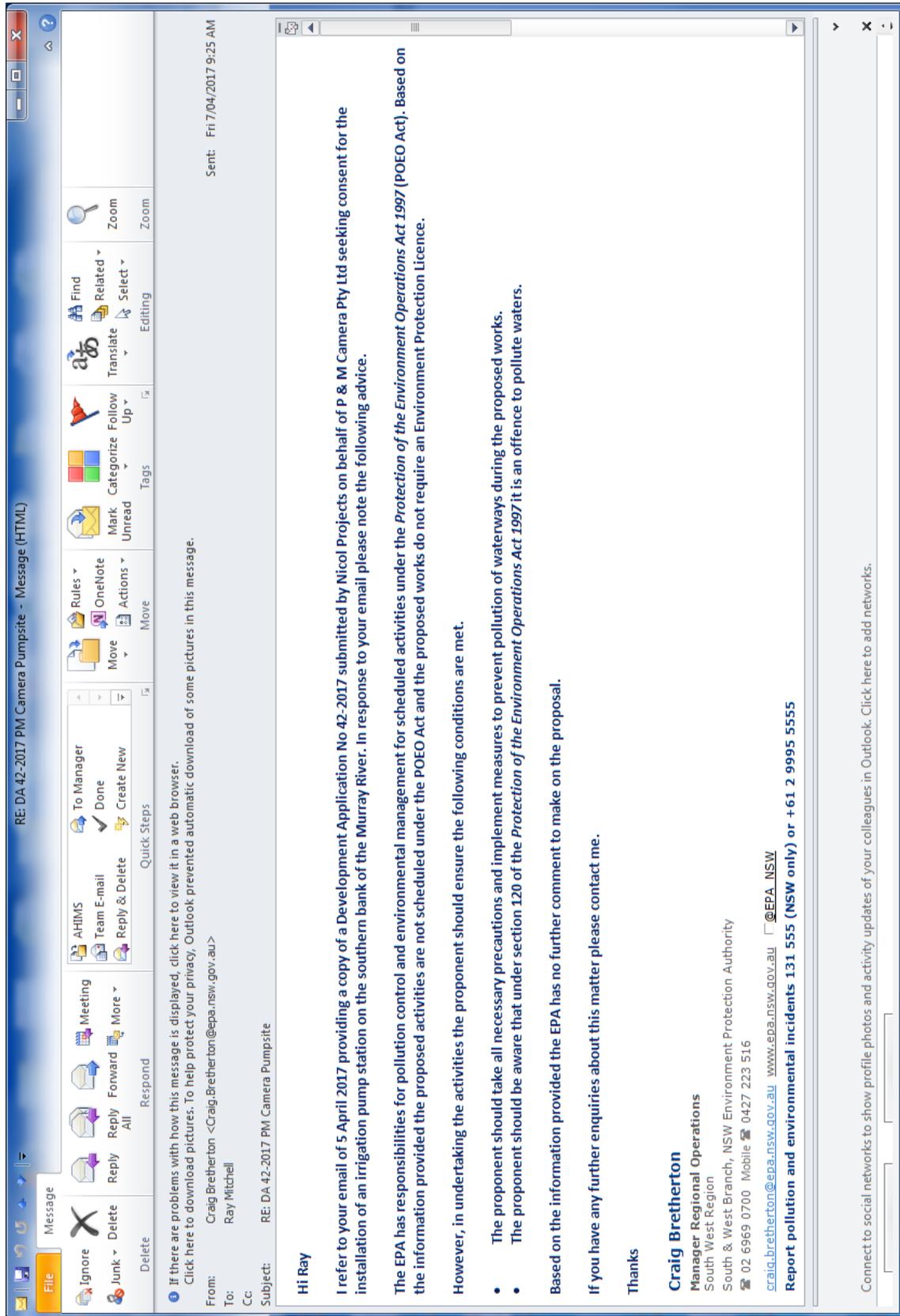
The neighbour notification period concluded on the 5th May 2017, with no submissions received.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Attachment 1: Site Plan Attachment 2: Response from EPA Attachment 3: Response from Roads & Maritime Attachment 4: Murray Darling Basin Authority Attachment 5: Response from Dept. Environment, Land, Water & Planning

Attachment 1: Site Plan



Attachment 2: Response from EPA



Attachment 3: Response from Roads & Maritime



22 May 2017

Mr Ray Mitchell
Health and Development Officer
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715
Emailed to: council@balranald.nsw.gov.au

Dear Mr Mitchell

Subject: DA42/2017 – Proposed Irrigation Pump, Gangway and Pontoon at Lot 6 DP 768456, Happy Valley Landing Road Robinvale VIC

In response to your letter dated 5 April 2017, and further correspondence on the 11 May 2017 confirming details of the development proposal, I wish to confirm that the Maritime Division of Roads and Maritime Services (Roads and Maritime) have no objections to this proposal, considered on the grounds of impact to safe navigation, provided the following conditions are adopted:

1. An unlit Starboard (green) lateral navigation marker, in compliance with IALA System A including day shape, must be fixed to the outermost edge of the pump pontoon to mark the hazard for passing vessels.
2. Green reflective material (e.g. discs) must be placed on all sides of the pump pontoon oriented in the direction of the navigable channel, to improve its visibility to passing vessels.
3. No discharge (including sedimentary run-off) from the development should impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

Roads and Maritime has assessed this proposal based on the Applicants advice that the purpose of the proposed structure is for a pump pontoon rather, than the occupation of a vessel, and that any occupation by a vessel at the site for longer than 6 hours will require a modification to DA42/2017 to allow further assessment of the impacts to safe navigation and may require an Occupation Licence issued by the NSW Department of Industry (Crown Land).

It is important to note that no agent shall be exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all agents must comply with any direction given by Roads and Maritime officers with regard to the prevention of pollution or safe navigation.

Should you have any queries in relation to this matter, please contact Boating Safety Officer Steve Jordan on 0409 130 579, and please forward a copy of the Determination of Consent for our information to: NavigationAdviceSouth@rms.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deon Voyer', is written over a light grey background.

Deon Voyer
Manager Operations South
Boating Operations Branch

Attachment 4: Murray Darling Basin Authority



MDBA REF: D17/17589

YOUR REF: RM:NMR:DA 42/2017

21 April 2017

Mr Ray Mitchell
Health and Development Officer
Balranald Shire Council
PO Box 120
Balranald, NSW 2715

Dear Mr Mitchell,

Subject: Development Application 42/2017 – Lot 4, LP91281 and Lot1 TP417 on Murray River at Happy Valley Landing Road, Robinvale, Victoria.

Thank you for the opportunity to comment on this proposed development application as notification under Murray Rep No.2.

In considering this type of development, it is the Murray-Darling Basin Authority's (MDBA) role to ensure that the water quality of the River Murray is maintained or improved, contributing to the protection of the riverine and floodplain environment. In addition, our role is to ensure that there is no impact on flow carrying capacity of the River Murray.

Based on the information provided, the MDBA has now assessed this development application and concludes that the proposed activity in isolation is unlikely to have a detrimental impact on the flow, control or quality of the River Murray. Therefore, the MDBA has no comments or conditions on the DA 42/2017.

The proponent of the DA 42/2017 needs to be aware that the MDBA has the responsibility to regulate the River Murray and cannot guarantee water levels. As part of river operations, variation in river levels and weir pool levels, both up and downstream may become more pronounced or that average levels may significantly change.

Should you have any further queries, please contact Tapas Biswas, Assistant Director-River Murray Health on tapas.biswas@mdba.gov.au or (02) 6279 0574.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Peta Derham".

Peta Derham
General Manager
Eco-hydrology Analysis Branch
Environmental Management Division

15 May 2017

Attachment 5: Response from Dept. Environment, Land, Water & Planning



Department of Environment,
Land, Water & Planning

Mr Aaron Drenovski
General Manager
Balranald Shire Council
PO Box 120
NALRANALD NSW 2715

7 Taylor Street
Box 3100, Bendigo DC 3554
Telephone 5430 4444
DX 214506

Ref: SP460174 / LS-3601 (20170509 tn)

Dear Ms Stork

DEVELOPMENT APPLICATION 42/2017
NICOL PROJECTS FOR P & M CAMERA PTY LTD : PUMP AND PIPELINE
HAPPY VALLEY LANDING ROAD, ROBINVALE.

Thank you for your letter dated 5 April 2017 and received on 26 April 2017 regarding the above development application.

The proposal is for the pipeline to traverse Crown land then along Happy Valley Road before crossing the road. The proposed works are to occur on the Victorian side of the Murray River.

The Department of Environment, Land, Water and Planning does not object to the permit being granted, but requests that the following conditions are included on the permit:

1. The report *P&M Camera Pty Ltd – Pumping Station & Pipeline Construction Project, Site Environmental Management Plan* (April 2016) is to be endorsed and form part of this permit;
2. The development must be conducted in accordance with the endorsed report and all recommendations and actions specified in the report must be implemented within the specified timeframes to the satisfaction of the responsible authority and the Department of Sustainability and Environment.

Siting and Design Guidelines

3. The development must comply with the requirements of the *Siting and Design Guidelines for Water Diversion Works on or across Crown land* (Department of Natural Resources and Environment, 2003).

Notification of Conditions

4. Before the development starts, all persons undertaking the works on site must be advised of all conditions of this permit.
5. Parks Victoria Ranger Team Leader at Robinvale (Bradd Baldock Telephone: 0437 731 535) is to be contacted to arrange a site meeting and Contactor Induction, prior to the commencement of works.

Avoiding Disturbance to Native Vegetation

6. Development works and ongoing use must not cause damage to vegetation to be retained.
7. There is to be no stockpiling of material or storage of machinery/equipment on vegetated sections of Crown land.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 3002



Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

8. Any tree roots over the size of 100 mm in diameter are to be trenched around by hand.

Erosion Control & Weed Management

9. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be levelled and stabilised to prevent soil erosion, to the satisfaction of the Department of Environment, Land, Water and Planning
10. To reduce the spread of weeds, all earthmoving equipment must be free of soil and seed and sprayed with Phytoclean (after pressure washing) before being taken to the work site and again on completion of the project.

Completion of Works

11. The existing disused pumps must be decommissioned to the satisfaction of the Department of Environment, Land, Water and Planning within 60 days from the commissioning of the new pumping station.
12. The site must be rehabilitated to the satisfaction of the Department of Environment, Land, Water and Planning.
13. Any unused fill brought onto the site must be removed at the completion of the works.
14. On completion of works all surplus materials, used oils, construction equipment and rubbish must be removed and the site left in a clean and tidy condition.

Please forward a copy of Council's decision on this application.

If you have any questions regarding this matter please contact Tim Norden on telephone (03) 5430 4727.

Yours sincerely



Peter Shadwick
Senior Statutory Planner
Regional Planning & Approvals

09/05/2017

Item I – 2

DA 43/2017 – PROPOSED IRRIGATION PUMPSTATION

File number: DA 43/2017

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

Council approve Development Application 43/2017 for the upgrading of a pump station on the southern bank of the Murray River, opposite Lot 2905 DP756065 subject to the following conditions:

EPA Requirements:

1. The proponent should take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.
2. The proponent should be aware that under section 120 of the Protection of the Environment Operations Act 1997 it is an offence to pollute waters.

DPI Fisheries Requirements:

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie *Managing Urban Stormwater: Soils and Construction* 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. *Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.*
3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*

4. Machinery is not to enter, or work from the waterway unnecessarily. *Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.*
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). *Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.*
8. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason –Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*
9. The inlet to the suction pipe is to be fitted with a screen with a mesh not greater than 6mm. The screen is to be maintained and kept in place at all times whilst pumping is underway. *Reason - To help prevent entrainment of fish and other aquatic biota.*

Roads & Maritime Services Response:

1. An unlit starboard (green) lateral navigation marker (buoy, spar or pile) including day shape in compliance with IALA System A must be fixed to the outermost edge of the pump pontoon so it can be seen by passing vessels.
2. Green reflective material (e.g. strips or discs) must be placed on the sides of the pump pontoon oriented in the direction of the navigable channel to

- improve visibility for passing vessels.
- 3. No vessel may berth at the pump pontoon:
 - i. At any time during the hours of darkness or at times of restricted visibility, or
 - ii. For a duration greater than 6 hours during daylight hours on any one occasion.
- 4. The DA application number relating to the development is displayed in a prominent position on the pump pontoon in figures no less than 100 millimetres high and so as to be seen from water.
- 5. The pump pontoon must:
 - i. Be maintained in a visually suitable condition, and
 - ii. Not be the subject of any construction, alteration, repair work or use at site that causes, or is likely to cause, annoyance or pollution.
- 6. No discharge (including sedimentary run-off) from the development can impact on the normal conditions of the adjacent river (in accordance with the Protection of the Environment Operations Act 1997).

Dept. Environment, Land, Water & Planning:

- 1. The development must comply with the requirements of the Siting and Design Guidelines for Water Diversion Works on or across Crown land (Department of Natural Resources and Environment, 2003). In particular, all replacement pipelines and powerlines on the Reserve must be buried a minimum of 600mm below ground level.

Notification of Conditions

- 2. Before the development starts, all persons undertaking the works on site must be advised of all conditions of this permit.

Work Zones and Access

- 3. Parks Victoria Ranger Team Leader, Bradd Baldock (Robinvale Office) must be contacted on mobile 0437 731 535 to arrange a site meeting and Contractor Induction, at least seven days before the commencement of any works.
- 4. Prior to any construction equipment entering the site, all designated (Work Zones/ Construction Zones/Work Exclusion Zones) must be correctly and clearly marked to the satisfaction of the Department of Environment, Land, Water and Planning (in consultation with Parks Victoria)
- 5. Access must be via existing tracks.
- 6. The site is not to be accessed with vehicles or plant during or after periods of heavy rainfall or flooding to avoid significant track damage and works cannot recommence until agreed by Department of Environment, Land, Water and Planning, with advice from Parks Victoria.
- 7. Any damage to existing tracks must be repaired as soon as possible at the proponent's expense, to the satisfaction of Department of Environment,

Land, Water and Planning, with advice from Parks Victoria.

8. No refuelling or maintenance of vehicles or machinery is to be undertaken on the Reserve.

Fire

9. Works must not occur on days of Total Fire Ban or Code Red to avoid significant bushfire risks.

Avoiding Disturbance to Native Vegetation

10. Development works and ongoing use must not cause damage to vegetation to be retained.
11. There is to be no stockpiling of material or storage of machinery/equipment on vegetated sections of Crown land.
12. Any tree roots over the size of 100 mm in diameter are to be trenched around by hand.

Erosion Control & Weed Management

13. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Murray River.
14. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be levelled and stabilised to prevent soil erosion, to the satisfaction of the Department of Environment, Land, Water and Planning.
15. To reduce the spread of weeds, all earthmoving equipment must be free of soil and seed and sprayed with Phytoclean (after pressure washing) before being taken to the work site and again on completion of the project.

Completion of Works

16. The site must be rehabilitated to the satisfaction of the Department of Environment, Land, Water and Planning, with advice from Parks Victoria.
17. Any unused fill brought onto the site must be removed at the completion of the works.
18. Whilst trenching, topsoil (100mm deep) is to be stockpiled separately from sub soil, so that topsoil can be reinstated to the original ground level after backfilling. Fill is to be compacted in layers to reduce risk of erosion. Similarly, any track surface material must be stockpiled separately and reinstated after backfilling and compacting subsoil.
19. On completion of works all surplus materials, used oils, construction equipment and rubbish must be removed and the site left in a clean and tidy condition to the satisfaction of the Department of Environment, Land, Water and Planning with advice from Parks Victoria.

Balranald Shire Council:

1. This consent does not imply approval for dwellings, accommodation structures, workshops or outbuildings. Separate applications for these structures must be lodged.
Reason: Statutory Compliance

2. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - Not further harm the object
 - Immediately cease all work at the particular location
 - Secure the area so as to avoid further harm to the Aboriginal object
 - Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location
 - Not recommence any work at the particular location unless authorised in writing by OEH.In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and OEH contacted.
Reason: Statutory Compliance

3. The proponent must ensure that any approvals required under the Water Managemet Act 2000 are obtained prior to the commencement of any works.
Reason: Statutory Compliance

Purpose of Report

To seek Council's consent to upgrade a pump station on the southern bank of the Murray River, off O'Connor Lane.

Report

P Crawford on behalf of CMV Farms, seek consent to upgrade a pump station on crown land on the southern bank of the Murray River, opposite Lot 2905 DP 756065, Tol Tol.

Minimal land and vegetation disturbance is expected as the proposal is to upgrade an existing pump station. Piles will be driven into the bank to secure the suction lines.

The proposal is permissible with consent in accordance with the Land Use Table of the Balranald Local Environmental Plan 2010 for W1 zoned land.

Crown Land consent has been provided and the proposal was been referred to the appropriate state government agencies. The application

has also been advertised in accordance with the provisions of Section 88 of the Environmental Planning & Assessment Reg 2000 and Murray Regional Environmental Plan No. 2.

Description of Land: unidentified Crown Land

Allotment Area: N/A

Zone: Zone W1, Natural Waterways

Planning Considerations

The land is zoned W1 pursuant to Balranald Local Environmental Plan 2010 and the use of the land for a pump station is permissible with consent.

The proposal is Integrated Development and subject to the provisions of the Murray Regional Environmental Plan No. 2, necessitating referrals to:

- NSW EPA
- Office of Water
- NSW Fisheries
- Crown Lands (owner's consent provided)
- Roads and Maritime Services
- Murray Darling Basin Association (no response)
- Dept. Environment, Land, Water & Planning (VIC)

Site Analysis

There is no apparent landslip, creep or requirement for vegetation removal to facilitate the proposal. The area is not shown as bushfire prone and contaminating activities are not known by Council to have been carried out on the land.

Access to the allotment is currently provided off existing access tracks.

Adjoining allotments are Zoned RU1 on the NSW side of the river, with agricultural uses apparent on the VIC side of the river.

DEVELOPMENT APPLICATION ASSESSMENT

Under Section 79C of the EPA Act 1979,

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Planning Instruments

The proposal is permissible in accordance with the land use table for W1 zoned land under the Balranald Local Environmental Plan 2010 and consultation in accordance with the Murray Regional Environmental Plan

No. 2 has been undertaken. Agency responses are attached and their conditions have been incorporated into the recommended conditions of approval.

Impact of Development

Natural Environment:

The proposal is not likely to have significant impact on the natural environment of the area. The area is an existing pump site, which has been somewhat cleared of endemic vegetation for a substantial period of time. The proposal is not likely to impact threatened species due to the small area of the activity and the use of the wider area for agricultural purposes.

The proposal is not likely to contribute towards soil erosion, pollution or contamination of soil/water/air, due to proposed mitigation measures.

Built Environment:

The proposal will not adversely impact on the built environment. The surrounding area is substantially developed for agricultural/rural industry purposes. The proposal is not likely to significantly contribute to an increase in traffic volumes in the local area.

Social Impacts:

There are no known areas/items of heritage significance in the immediate area. The proposal is not likely to lead to significantly increased pressure on public infrastructure.

Economic Impacts:

The proposal intends to support agricultural activity in the immediate area and provide additional future employment opportunities.

Site Suitability:

The proposal is suitable for this site. Council's planning instrument does not prohibit this proposal and the land is not subject to any know risk factors, ie flooding, subsidence, slip or bushfire.

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality due to the agricultural nature of the area and existing use of the area as a pump site.

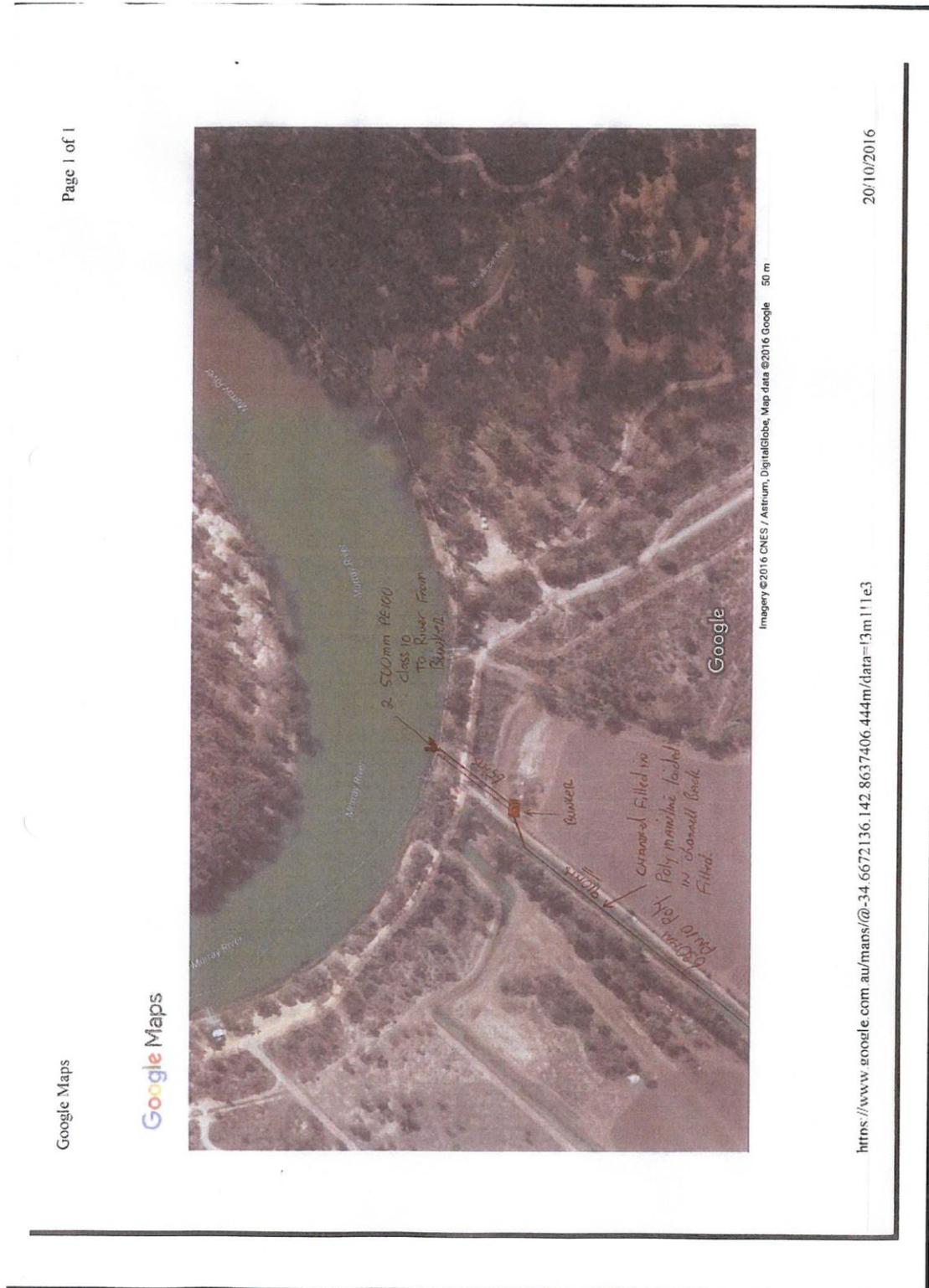
Public Interest:

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The development will support existing and potentially enhance the generation of employment in the area long term. The proposal will not likely adversely impact public infrastructure.

The neighbour notification period concluded on the 16th May 2017, no submissions were received.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Attachment 1: Site Plan Attachment 2: Response from EPA Attachment 3: Response from DPI Fisheries Attachment 4: Response from DWELP Attachment 5: Response from RMS Attachment 6: Response from Office of Water

Attachment 1: Site Plan



Attachment 2: Response from EPA

Sent: Tue 2/05/2017 10:14 AM

From: Craig Bretherton <Craig.Bretherton@epa.nsw.gov.au>
To: Ray Mitchell
Cc:
Subject: RE: DA 43/2017 - CMV Farms Pump Site Upgrade

Hi Ray

I refer to your email dated 28 April 2017 providing a copy of Development Application No 43/2017 for the upgrade of an irrigation pump station on the southern bank of the Murray River. In response to your email please note the following advice.

The EPA has responsibilities for pollution control and environmental management for scheduled activities under the *Protection of the Environment Operations Act 1997* (POEO Act). Based on the information provided the proposed activities are not scheduled under the POEO Act and the proposed works do not require an Environment Protection Licence.

However, in undertaking the activities the proponent should ensure the following conditions are met.

- The proponent should take all necessary precautions and implement measures to prevent pollution of waterways during the proposed works.
- The proponent should be aware that under section 120 of the *Protection of the Environment Operations Act 1997* it is an offence to pollute waters.

Based on the information provided the EPA has no further comment to make on the proposal.

If you have any further enquiries about this matter please contact me.

Thanks

Craig Bretherton
Manager Regional Operations
South West Region
South & West Branch, NSW Environment Protection Authority
☎ 02 6969 0700 Mobile ☎ 0427 223 516
craig.bretherton@epa.nsw.gov.au www.epa.nsw.gov.au [@EPA_NSW](#)

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555

Connect to social networks to show profile photos and activity updates of your colleagues in Outlook. Click here to add networks.

Attachment 3: Response from DPI Fisheries



Your Ref: 43/2017

Our Ref: IDA17/52

Date: 5 June 2017

The General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Attention: Ray Mitchell

Dear Mr Mitchell,

Re: DA 043/2017 Proposed upgrade to irrigation pump station Crown Land allotment 35A/PP3601

Thank you for referring the above proposal to DPI Fisheries for comment. I understand that the applicants wish to replace the existing pumping pontoon with a new bunker system at the above location.

DPI Fisheries is responsible for ensuring that fish populations including threatened species are conserved and that there is "no net loss" of key fish habitats upon which they depend. To achieve this, the Department ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act respectively) and the associated (*Policy and guidelines for fish habitat conservation and management 2013*). In addition the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

The information has been reviewed and I am pleased to advise that DPI Fisheries does not object to Council granting Development Consent to the proposal **provided the conditions listed below (or similar conditions that impose the same requirements) are incorporated into the Development Consent.**

Despite the absence of a 7 part test of significance, I do not consider that the works are likely to have a significant adverse impact upon threatened fish species, populations or the aquatic ecological community which reside in the river in this area provided the works are carried out as stated and all conditions are faithfully implemented.

Conditions:

1. The applicants will need to obtain a permit under the *Fisheries Management Act* or the *Water Management Act* if there is to be any excavation within, or filling of the waterway.
2. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.
3. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. *Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.*
4. Machinery is not to enter, or work from the waterway unnecessarily. Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.
5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries. *Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
6. Native vegetation (including trees such as River Red Gum, Black Box and River Coobah, shrubs, reeds such as Phragmites and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds. *Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.*
7. The District Fisheries Officer at Dareton (Telephone: 03 5019 8408, Mobile: 0427 429 579, Email: peter.heath@industry.nsw.gov.au) is to be notified at least 3 days prior to the commencement of construction (email or fax preferred). Reason - To ensure that the local Fisheries Officer is aware that work on the river bank is about to commence.
8. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed. *Reason –Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.*

Attachment 4: Response from DELWP



Department of Environment,
Land, Water & Planning

Mr Aaron Drenovski
General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

7 Taylor Street
Box 3100, Bendigo DC 3554
Telephone 5430 4444
DX 214506

Ref: SP460353 / L5-3601 (20170525 tn)

Dear Mr Drenovski,

DEVELOPMENT APPLICATION 43/2017
CMV FARMS PTY LTD : PUMP AND PIPELINE
CROWN ALLOTMENT 35A, PARISH OF TOL TOL

Thank you for your letter dated 5 April 2017 and received on 26 April 2017 regarding the above development application.

This application is for a pump and pipeline on Victorian Crown land to supply water to the proponent's pistachio orchard.

The Department of Environment, Land, Water and Planning does not object to the permit being granted, but requests that the following conditions are included on the permit:

Siting and Design Guidelines

1. The development must comply with the requirements of the *Siting and Design Guidelines for Water Diversion Works on or across Crown land* (Department of Natural Resources and Environment, 2003). In particular, all replacement pipelines and powerlines on the Reserve must be buried a minimum of 600mm below ground level.

Notification of Conditions

2. Before the development starts, all persons undertaking the works on site must be advised of all conditions of this permit.

Work Zones and Access

3. Parks Victoria Ranger Team Leader, Bradd Baldock (Robinvale Office) must be contacted on mobile 0437 731 535 to arrange a site meeting and Contractor Induction, at least seven days before the commencement of any works.
4. Prior to any construction equipment entering the site, all designated (Work Zones/ Construction Zones/Work Exclusion Zones) must be correctly and clearly marked to the satisfaction of the Department of Environment, Land, Water and Planning (in consultation with Parks Victoria)
5. Access must be via existing tracks.
6. The site is not to be accessed with vehicles or plant during or after periods of heavy rainfall or flooding to avoid significant track damage and works cannot recommence until agreed by Department of Environment, Land, Water and Planning, with advice from Parks Victoria.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2000. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 3002



7. Any damage to existing tracks must be repaired as soon as possible at the proponent's expense, to the satisfaction of Department of Environment, Land, Water and Planning, with advice from Parks Victoria.

8. No refuelling or maintenance of vehicles or machinery is to be undertaken on the Reserve.

Fire

9. Works must not occur on days of Total Fire Ban or Code Red to avoid significant bushfire risks.

Avoiding Disturbance to Native Vegetation

10. Development works and ongoing use must not cause damage to vegetation to be retained.

11. There is to be no stockpiling of material or storage of machinery/equipment on vegetated sections of Crown land.

12. Any tree roots over the size of 100 mm in diameter are to be trenched around by hand.

Erosion Control & Weed Management

13. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into the Murray River.

14. All works must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be levelled and stabilised to prevent soil erosion, to the satisfaction of the Department of Environment, Land, Water and Planning.

15. To reduce the spread of weeds, all earthmoving equipment must be free of soil and seed and sprayed with Phytoclean (after pressure washing) before being taken to the work site and again on completion of the project.

Completion of Works

16. The site must be rehabilitated to the satisfaction of the Department of Environment, Land, Water and Planning, with advice from Parks Victoria.

17. Any unused fill brought onto the site must be removed at the completion of the works.

18. Whilst trenching, topsoil (100mm deep) is to be stockpiled separately from sub soil, so that topsoil can be reinstated to the original ground level after backfilling. Fill is to be compacted in layers to reduce risk of erosion. Similarly, any track surface material must be stockpiled separately and reinstated after backfilling and compacting subsoil.

19. On completion of works all surplus materials, used oils, construction equipment and rubbish must be removed and the site left in a clean and tidy condition to the satisfaction of the Department of Environment, Land, Water and Planning with advice from Parks Victoria.

Please forward a copy of Council's decision on this application.

If you have any questions regarding this matter please contact Tim Norden on telephone (03) 5430 4727.

Yours sincerely



Jodi Cant
Senior Statutory Planner
Regional Planning & Approvals

25/05/2017



Attachment 5: Response from RMS



24 May 2017

Mr Ray Mitchell
Health and Development Officer
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715
Emailed to: council@balranald.nsw.gov.au

Dear Mr Mitchell

Subject: DA43/2017 – Upgrade Existing Irrigation Pump, Gangway and Pontoon at Lot 35A DP 765065, Invinible Bend Lane, Tol Tol VIC

In response to your letter dated 28 April 2017, I wish to confirm that the Maritime Division of Roads and Maritime Services (RMS) have no objections to this proposal, considered on the grounds of impact to safe navigation, providing the following Conditions are adopted:

1. An unlit starboard (green) lateral navigation marker (buoy, spar or pile) including day shape in compliance with IALA System A must be fixed to the outermost edge of the pump pontoon so it can be seen by passing vessels.
2. Green reflective material (e.g. strips or discs) must be placed on the sides of the pump pontoon oriented in the direction of the navigable channel to improve visibility for passing vessels.
3. No vessel may berth at the pump pontoon:
 - I. At any time during the hours of darkness or at times of restricted visibility, or
 - II. For a duration greater than 6 hours during daylight hours on any one occasion.
4. The DA application number relating to the development is displayed in a prominent position on the pump pontoon in figures no less than 100 millimetres high and so as to be seen from water.
5. The pump pontoon must:
 - I. Be maintained in a visually suitable condition, and
 - II. Not be the subject of any construction, alteration, repair work or use at site that causes, or is likely to cause, annoyance or pollution.
6. No discharge (including sedimentary run-off) from the development can impact on the normal conditions of the adjacent river (in accordance with the *Protection of the Environment Operations Act 1997*).

RMS has assessed this development based on the Applicants advice that the purpose of the floating pontoon is for a pump only, not for the occupation of any vessel.

RMS advises that berthing any vessel at the proposed pump pontoon longer than 6 hours on any one occasion may constitute an offence against NSW Marine legislation and will require a modification to DA 43/2017 to allow further assessment of the impact to safe navigation.

It is important to note that no agent shall be exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all agents must comply with any direction given by RMS officers with regard to the prevention of pollution or safe navigation.

ic and Maritime Services
Foreshore Road Port Kembla NSW 2505 | www.rms.nsw.gov.au | 131 236

Should you have any queries in relation to this matter, please contact Boating Safety Officer Steve Jordan on 0409 130 579, and please forward a copy of the Determination of Consent for our information to NavigationAdviceSouth@rms.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Deon Voyer'.

Deon Voyer
Manager Operations South
Maritime Operations & Compliance Branch

Attachment 6: Response from Office of Water

FW: DA 43/2017 - CMV Farms Pump Site Upgrade

Nikkita Manning-Rayner

Sent: Tue 6/06/2017 2:58 PM

To: Ray Mitchell

From: Jane Taylor [<mailto:Jane.Taylor@waterNSW.com.au>]
Sent: Tuesday, 2 May 2017 1:01 PM
To: Nikkita Manning-Rayner
Subject: RE: DA 43/2017 - CMV Farms Pump Site Upgrade

Hi Nikkita,

Thank you for referring this DA to WaterNSW, as this pump will be in Victoria, on NSW crownland (southern side of the Murray River), there is no requirement for WaterNSW to comment on this DA, as they will not require an approval from us.

Thanks

Item I – 3

**DA 45/2017 – PROPOSED ADDITIONAL LAND USE:
BYO TO EXISTING RESTAURANT**

File number: DA 45/2017

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

Council consent to the operation of a BYO premises at 115 Market Street, Balranald on Lot 34 DP 1082218 subject to the following conditions:

- 1) No alteration to approved plans and specifications is allowed unless separately approved by Council.
- 2) The operation of the BYO aspect of the café must only be operated between the hours of 11am and 10pm on any day as described by the Statement of Environmental Effects.
- 3) The consumption of alcohol is only permitted within the restaurant area of the premises.
- 4) The consumption of alcohol is not permitted in the alfresco area on Market St.
- 5) The applicant must make themselves aware of and comply with the Liquor Act 2007.
- 6) Access to the premises must be in compliance with Part D3 of the National Construction Code 2016 Volume 1.
- 7) The operation of the entrance/exit door/s must be in accordance with Part D2 of the National Construction Code 2016 Volume 1.
- 8) Fire extinguishers must be provided to the building in accordance with Table E1.6 of the National Construction Code 2016 Volume 1.
- 9) Exit signs must be installed in accordance with Part E4 of the National Construction Code 2016 Volume 1.
- 10) The provision of sanitary facilities must be in accordance with Table F2.3 of the National Construction Code 2016 Volume 1.

Reasons for the imposition of conditions:

- 1) To ensure statutory compliance
- 2) To minimise impacts on public infrastructure
- 3) To minimise impacts on neighbour amenity

Purpose of Report

To seek Councils consent to augment an existing food business with BYO capability.

Report

A Development Application has been lodged by Mr R Barrett to augment an existing food business with BYO capability at 115 Market St, Balranald.

Description of Land: Lot 34 DP 1082218

Area: 1465m²

Zone: Zone RU5 Village

Planning Considerations

The land is zoned RU5, Village pursuant to Balranald Local Environmental Plan 2010 and the use of the land for a food and beverage establishment is permissible with consent.

The land has been used for a retail food premises for several decades.

Site Analysis

The premises is currently used as a retail food premises. Access to the allotment is currently provided via a vehicle crossing from Harben St with pedestrian access off Market St (shopfront). Access is not proposed to be substantially changed as part of the proposal.

Adjoining allotments are Zoned RU5, the common land use in the area is generally for commercial purposes.

DEVELOPMENT APPLICATION ASSESSMENT

Under Section 79C of the EPA Act 1979,

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.

Impact of Development

Natural Environment:

The proposal is not likely to have significant impact on the natural environment of the area as the allotment has been used for urban purposes for a substantial period and the site is not likely to support threatened species due to the urbanisation of the area.

The proposal is not likely to contribute significantly towards soil erosion, pollution or contamination of soil/water/air. Additionally there are no

wilderness areas, relevant recovery plans, critical habitat, threatened species, habitat or communities adjoining the allotment.

Built Environment:

The proposal will not adversely impact on the built environment. The area is substantially developed for urban purposes. The proposal is not expected to increase traffic volumes in the vicinity of the proposal.

The proposal is in keeping with character of the area. It is within a reasonable bulk and scale as other land uses in the area and is not likely to contribute to an increase in noise impacts due to the hours of operation.

Social Impacts:

There are no known areas/items of heritage significance in the immediate area. The proposal is not likely to lead to significantly increased pressure on urban public infrastructure such as parks and gardens.

Economic Impacts:

The economic impact of the development is not considered to have a detrimental impact on the area.

Site Suitability:

The proposal is suitable for this site. Council's planning instrument does not prohibit this proposal and the land is not subject to any know risk factors, i.e. flooding, subsidence, slip or bushfire.

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The development is somewhat consistent with the characteristics of the area and the development will not adversely lead to increased pressure on public recreational areas.

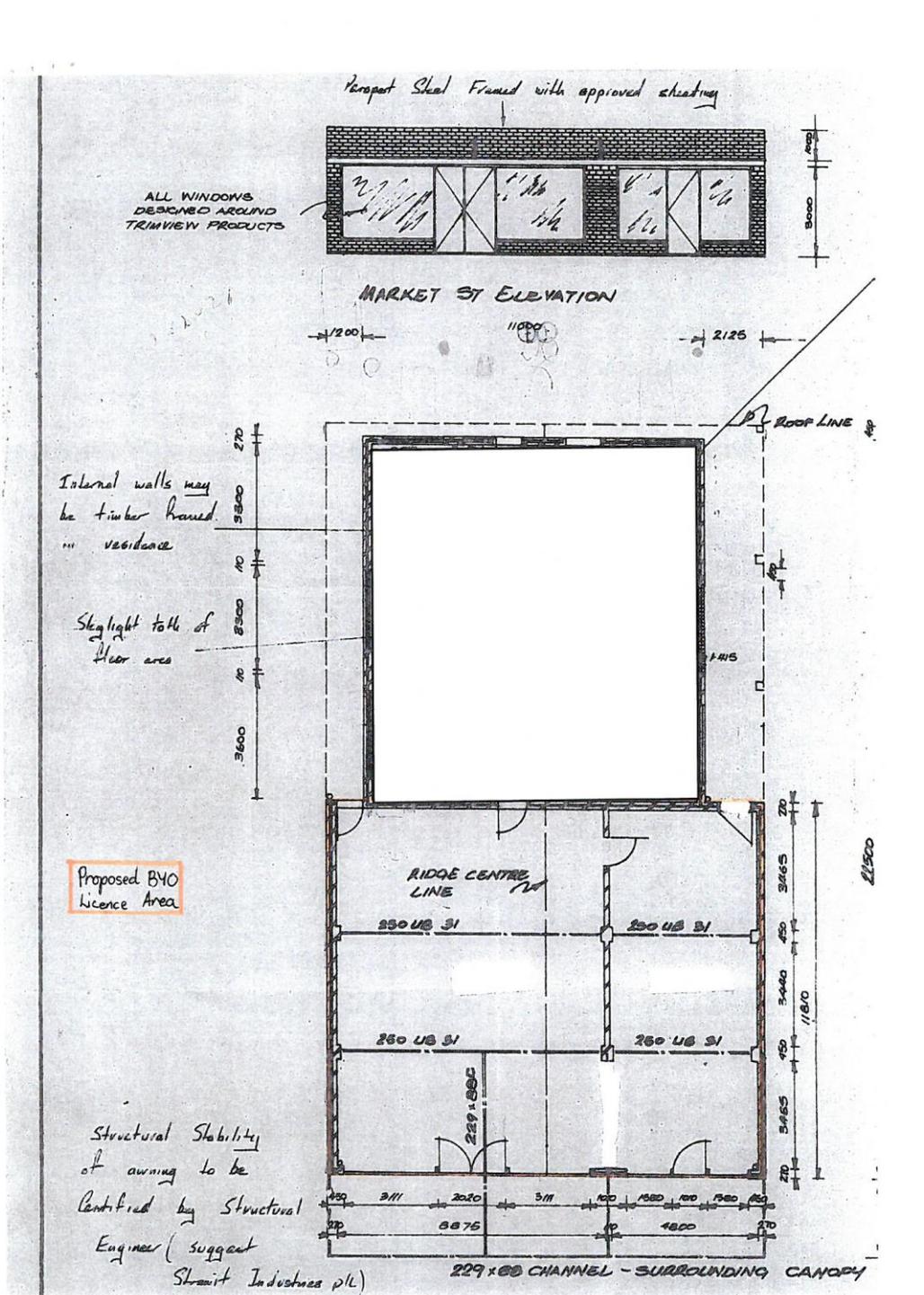
Public Interest:

The proposal is not likely to have any adverse effect on the landscape or scenic quality of the locality. The development is somewhat consistent with the characteristics of the area and the development will not adversely lead to increased pressure on public recreational areas. The proposal is therefore not considered likely to adversely impact the public interest. The proposal potentially enhances service options to the community.

The proposal has been advertised to neighbours in the vicinity of the proposal, with no submissions received.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Nil.
<u>Attachment</u>	Site Plan

Attachment: Site Plan



Item I – 4

**CROWN LAND AUDIT REDBANK CAMPING AREA
(LICENCE 403263)**

File number: M3.173

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 5 Our Infrastructure

Officer Recommendation:

That a report detailing a site plan, budget for rectification works and funding options be presented to Council at the August meeting.

Purpose of Report

To advise Council of a recent tenure audit of Licence 403263.

Report

Earlier this year NSW Department of Primary Industries, Lands undertook a program of tenure audits around the state, including Council's licenced camping area near Redbank Weir. The audit revealed that the camping area is not being operated in full compliance with the licence conditions.

The rectification works identified are:

- To mark access tracks to designated campsites.
- To clearly mark out each campsite boundary.
- Clearly mark / designate vehicle access areas and install barriers minimise people going off track within the licenced area.
- Arrange for regular deliveries of firewood so public can use BBQs.

Barriers and markings were originally installed, however, have been altered, moved or lost due various factors such as the recent flood event. Restoration of these elements could be in the order of \$10,000.

The provision of wood for the installed BBQs could be considered overly onerous on Council resources and the removal of the BBQs could negate the firewood non-compliance.

Council staff are currently investigating funding opportunities to reinstate the barriers and markers. Options may include funding from general fund, grant funding opportunities or gaining permission from DPI Crown Lands to redirect income generated from profitable Council managed reserves.

The notice specifies the 1st October 2017 as the rectification date.

Financial Implication	\$10000 (estimate)
Legislative Implication	Nil.
Policy Implication	Nil.
Attachments	Assessed non-compliance with licence conditions

Attachment: Assessed non-compliance with licence conditions



Table 1 – Assessed non-compliance with licence conditions

Conditions under Crown lands Act 1989- Section 34 for Licence Li 403263	Comment	Corrective action required	Date action required
Schedule 2 (63) Tracks All tracks to campsites are to be clearly marked.	During the inspection, we discovered that none of the tracks to the campsites had been clearly marked (photos 1 – 8)	To clearly mark access tracks to each designated campsite that is located within the licence area.	1 October 2017
Schedule 2 (64) Campsite Boundaries	During our inspection, we found no evidence of the campsite boundaries being clearly marked. (photo 1-8)	To clearly identify to the public, where each campsite boundary are is within the licence area.	1 October 2017
Schedule 2 (65) Barriers to prevent vehicles moving off track	There were no designated areas for vehicles to park or barriers to prevent vehicles going off track (photos 1-8)	To clearly mark out designate vehicle access areas and install barriers to minimise people going off track within the licence area.	1 October 2017
Schedule 2 (66) Wood to be provided. Wood collection is not to occur within the licence area or on the surrounding Western Lands Lease 1469	There was no wood available for the BBQ areas. (photo 5)	To arrange for firewood to be delivered on a regular basis so the public can use the BBQ's.	1 October 2017

Item I - 5 SPECIAL RATE VARIATION

File number: 142

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar Six - Our Leadership- 6-1 Promote strong leadership and governance that underpins a more strategic approach to community engagement, community and regional development and organisational sustainability.

Officer Recommendation:

1. That Council note the report on the process to achieve a Special Rate Variation
2. That the General Manager convene a workshop on the process of Special Rate Variations to develop a strategy to apply for and implement a Special Rate Variation

Purpose of Report

To advise Council of the process involved in applying for a special rate variation to general income and minimum rate increase.

Summary

Balranald Shire Council is subject to an Improvement Order from the Minister for Local Government. An Advisor has been appointed by the Minister and a Business Improvement Plan must be submitted to the Minister for approval. Given the Order, Balranald Shire will be subject to ongoing reporting and monitoring.

Tcorp and the Office of Local Government have raised the issue of the Council's long term financial sustainability if business as usual continues. The Business Improvement Plan is the first step in addressing the issue of financial sustainability.

Integral to financial sustainability is Council's own source revenue and Council has previously identified the need to seek a Special Rate Variation.

The process to achieve a Special Rate Variation (SRV) approval from IPART involves compliance with the Office of Local Government Guidelines.

An extensive engagement process with the community must be undertaken to ensure they understand the need and requirement for the variation.

Underpinning this is the Integrated Planning and Reporting process supported by robust Asset Management Plans and a Long Term Financial Plan. These will provide the basis for a conversation with the community on service levels and infrastructure needs for now and the future.

To permit Council to be in a position to lodge a credible application seeking a special variation a strategic approach needs to be taken to embed understanding of the need for this within the community and the organisation.

The organisation needs to finalise the Asset Plans and the Long Term Financial Plan which also involves engaging with all the community to develop an understanding of the issues.

Once these are completed the Community must be further engaged in the variation process which could include establishment of reference groups, workshops, information exchange (media/ displays), Survey (online and face to face) and public meetings.

For IPART to agree that Council can increase its permissible income at a rate greater than the rate pegging amount, through a special rate variation, the community needs to support the work of Council and be prepared to pay additional funds for this.

This means we will need to have an informed conversation with our community about service levels and the cost of these service levels.

Part of this informed conversation needs to be able to answer questions such as:

- Is Council operating as efficiently as it can,
- How does the ratepayer know the money is not being wasted. Governance, policies and procedures, quality assurance practices all help to provide the answers
- Why do I as a rate payer, have to pay for these services? I never use it.
- What will I get for my extra rates?

To be able to answer these questions and demonstrate Council is operating as efficiently and effectively as it can Council needs a strong planning and governance framework, it needs to be able to communicate with its community about what it provides and the challenges it faces to do this.

Your community needs to value what Council provides for it.

This report details the process and rating issues that Council needs to understand. The report flags that there is a large amount of work that needs to be done and that an application will not likely be submitted until early 2019.

Report

Rates are levied annually on each property assessment in the shire. Local government rates are a form of taxation. Unlike a charge, there is no direct requirement for a council to return a specific level of service to an individual ratepayer commensurate with the level of rates paid. Rather they are a means for raising general income.

In setting the rate a Council needs to ensure its long term financial sustainability taking into account:

- The services which the community expects Council to provide;
- The cost of maintaining and replacing assets;
- The expected level of income from grants;
- The servicing of a prudent level of borrowings, to preserve intergenerational equity; and
- The need to subsidise the cost of providing services not fully recouped from fees and charges

While the Act does not specify that council rates must be levied in a way that is “fair” and “equitable”, one of the accepted principles of taxation is that taxpayers should contribute according to their capacity to pay. The use of land values as a basis for determining rates reflects the view that land values provide a reasonable proxy for “capacity to pay”.

This capacity to pay principle should be balanced, however, with the “benefit principle” – that is, those who receive the greatest benefit from the provision of council services should pay a greater share.

Allocation of rate burden between ratepayers

In setting the rate structure for the shire, the Council needs to achieve a reasonable and equitable distribution of the rate burden across all categories of rate payers. It may achieve this by structuring the rate by:

- a) Dividing rateable land into sub-categories having similar characteristics;
- b) Dividing the ordinary rate into
 - i. Base rate ; and
 - ii. An ad valorem rate; and
- c) Using special rates where appropriate for specific projects for well-defined purposes

Under the *Local Government Act 1993 (the Act)* there are 4 permissible categories of rateable land: residential, farmland, business and mining. There is discretion to divide these categories into subcategories for the purpose of making the ordinary rates applicable to each of them. Residential sub-categories must be rural residential or based on centres of population and business categories must be based on centre of activity.

Ordinary Rates

Ordinary rates must be levied by Council each year and these may be structured;

- Entirely as an ad valorem rate (cents in the dollar on the Land and Property information NSW unimproved capital valuation), which may be subject to a minimum amount; or
- A base amount plus an ad valorem amount, in which case the base amount for a category or subcategory cannot raise more than 50% of the rates for that category or sub-category.

Rating Structure

In accordance with Section 497 of the Act the Balranald Shire Council rating structure of the ordinary rate comprises:

- i) A base amount; plus
- ii) An ad valorem component (i.e. a rate in the dollar levied on the unimproved land value)

Each property is categorised into one of three rating categories. The category is then sub categorised which determines the base amount and then the ad valorem rate to be levied on the property.

The categories for Balranald are:
Farmland – General

Farmland – Other Rural
Farmland – Intense

Residential – Balranald
Residential – Euston
Residential – General

Business – Balranald
Business – Euston
Business – Mining (excluding sand mining)
Business – Rural

Base Amount

The base amount, which is a component of the ordinary rate, is a set \$ amount for each subcategory. A base amount recognizes the fact that there are basic services, and general operational/administrative costs that benefit all ratepayers regardless of rateable value, which in equity should be borne equally by all ratepayers. These include costs such as insurance contributions to emergency services, libraries, museums, electricity and some wages.

A base amount also avoids the uneven distribution of the rate burden that would result from a wholly ad valorem rate structure. Base amounts also tend to eliminate highs and lows in the total rate burden within each rate subcategory.

Under the Act Council is only allowed to raise up to 50% of its rates from the base rates and the remainder from ad valorem based on the assessed unimproved capital value (UCV).

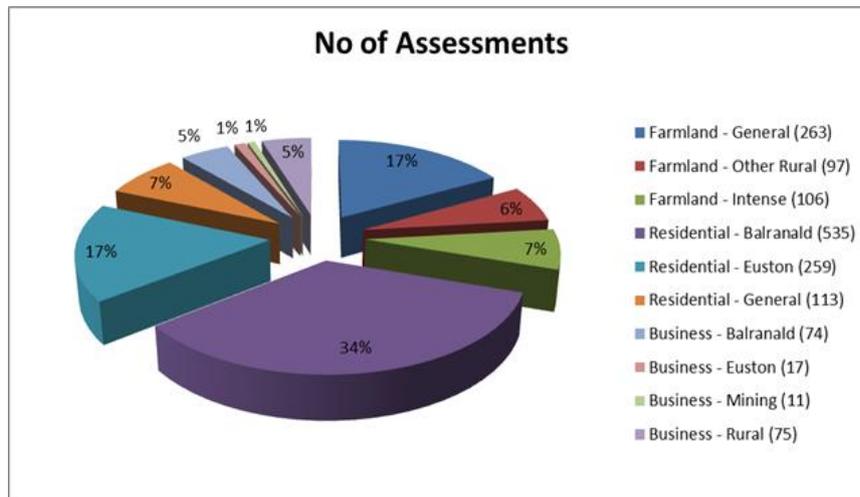
Once the base amount is set, the balance of ordinary rates is calculated as a percentage of the LPI valuation for each parcel of land. It is a principal of local government rating in NSW that the majority of the rate burden is imposed based on the value of rateable land, so it must remain the primary and predominant determinant of overall rates.

The current base date for all valuations in the shire is 1 July 2016.

The proposed ordinary rating structure for the shire in 2017-18 is as follows:

Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

GENERAL RATES AND CHARGES Proposed 2017/2018									
Description	Assessments	Land Value	Ad Valorem Rate	Ad Valorem Value	Base Amount	Base Amount Value	Notional Income Yield	Base Rate %	Average Income per Property
Farmland - General	263	184,145,860	0.003585	660,138	328.00	86,264	746,402	11.56%	\$ 2,838.03
Farmland- Other rural	97	7,031,400	0.002880	20,252	154.00	14,938	35,190	42.45%	\$ 362.78
Farmland- Intense	106	13,077,100	0.006782	88,692	346.00	36,676	125,368	29.25%	\$ 1,182.72
Farmland Total		204,254,360		769,082		137,878	906,960		
Residential - Balranald	535	21,686,900	0.003864	83,807	142.00	75,970	159,777	47.55%	\$ 298.65
Residential - Euston	259	13,400,600	0.003010	40,330	137.00	35,483	75,813	46.80%	\$ 292.71
Residential - General	113	2,315,160	0.004699	10,880	93.00	10,509	21,389	49.13%	\$ 189.28
Residential Total		37,402,660		135,016		121,962	256,978		
Business - Balranald	74	3,260,400	0.023896	77,911	342.00	25,308	103,219	24.52%	\$ 1,394.85
Business - Euston	17	1,931,200	0.017694	34,171	342.00	5,814	39,985	14.54%	\$ 2,352.05
Business - Mining	11	456,200	0.007788	3,553	147.00	1,617	5,170	31.28%	\$ 469.97
Business - Rural	75	652,920	0.020634	13,472	108.00	8,100	21,572	37.55%	\$ 287.63
Business Total		6,300,720		129,107		40,839	169,946		
GRAND TOTAL		247,957,740		1,033,206		300,679	1,333,885		



Rate Peg

The Independent Pricing and Regulatory Tribunal of NSW (IPART) are responsible for setting the amount by which Councils can increase their general income from rates. Each year IPART determines a standard increase that applies to all NSW councils based on their assessment of the annual change in their costs and other factors. This increase is known as the rate pegging amount.

Councils can apply to IPART for a special rates variation (SRV) that allows them to increase their permissible income from ordinary rates by more than the rate pegging amount.

Special Rate Variations

SRVs provide an opportunity for councils to vary their General Income from rates by an amount greater than the annual rate pegging amount. A SRV does not apply to Waste Management, Water, Sewerage charges.

The Office of Local Government has established guidelines for applying for SRVs. These guidelines set the criteria against which applications will be assessed and provide information on how and when to apply. All SRVs must comply with the requirements set out in the guidelines.

It is the responsibility of councils to ensure their application is fully compliant and that all relevant information is provided as part of their application.

The SRV guidelines and IPART assessment process are based on the expectation that councils will have engaged their community in a discussion on the funding required through the Integrated Planning and Reporting process (IP&R). This IP&R process provides the mechanism for Councils and the community to have discussions about service levels and funding priorities and to plan in partnership for a sustainable future.

IP&R therefore underpins decisions on the revenue required by Council to meet community needs and demands, and in particular whether a council requires a SRV to meet these needs.



Purpose and types of special rate variations

SRVs are an important means of providing additional funding to councils to deliver services and infrastructure that a community has requested and the council is unable to fund.

SRVs do not have to be tied to a particular project or series of projects. A variation may be required to either maintain current service levels or to increase service levels where the community has clearly indicated a desire to do so.

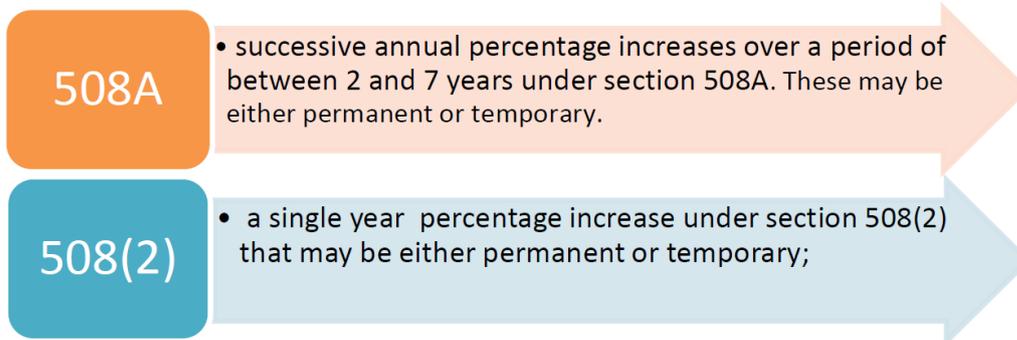
The need for additional funding through a SRV must be identified through Councils IP&R processes. The adopted Delivery Program should include the rationale and impact on rate payers.

This framework provides a clear path for consulting with their communities on needs, priorities and willingness to pay rates at levels above the projected rate peg.

This is Page 110 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street Balranald on Wednesday 28th June 2017

However, there are exceptional circumstances that may prevent a council from reflecting the SRV in their IP&R documentation and IPART may still approve a SRV.

There are two special variation options under the *Local Government Act 1993* when Councils are seeking a special rate variation.



The type of variation that is appropriate for each council will be determined by the General Fund revenue requirements of the council, as outlined in the adopted Long Term Financial Plan. This will depend on a number of factors including:

- The size of the variation
- The reason for the variation
- The need for the increase to be either permanent, or temporary for a fixed term
- The fluctuation of expenditure over time
- The financial objectives of council
- The rate at which a council wishes to recover its costs

In general, a council's general income could follow one of five paths

Scenario 1
s508A
permanent

- Successive annual percentage increases (between 2 and 7 years), which remain permanently in the rate base;
- Example Scenario 1 - s508A permanent – successive annual percentage increases (5 years) of 7.0%, 7.0%, 6.0%, 5.0%, 4.0%, including the rate peg, which are permanently retained within the rates base (ie, General Income). The rate peg increase applies from Year 6.

Scenario 2
s508A
temporary

- An increase may also be temporary. At the expiry of the special variation the council must adjust its general income to the level that it would have been without the special variation.
- Example Scenario 2 - s508A temporary - successive increases of 7.0%, 7.0%, 6.0%, 5.0%, 4.0%, including the rate peg, which are removed from the rate base in year 6.

Scenario 3
s508(2)
permanent

- a one-off (single year) percentage increase that remains permanently in the rate base.
- Example Scenario 3 - s508(2) permanent – one off increase of 7.0% in Year 1 which is retained within the rates base permanently. Rate peg increases apply from Year 2.

Scenario 4
s508(2)
temporary
for x years

- a one-off (single year) percentage increase that remains in the rate base for a temporary period of x years. At the end of the temporary period (when the special variation expires) the rate base is adjusted to match the rate peg path.
- Example Scenario 4 - s508(2) temporary – one off increase of 7.0% in Year 1 which is retained within the rates base for four years. Rate peg applies from Year 2 with general income returning to the rate peg path in Year 5

Scenario 5
Rate Peg

- IPART determined rate peg applies each year.
- Scenario 5 – annual rate peg increases are 2.5% in Years 1 to 6.

Assessment criteria for special variation applications

The assessment of applications will examine the extent to which councils have fulfilled their obligations under IP&R, in accordance with the criteria.

The IP&R Manual states that in considering the likely revenue that will be available to meet the community's long term objectives, the Long Term Financial Planning process needs to address capacity for rating, fees and charges, grants and subsidies, borrowings and cash reserves.

"The planning process should include an assessment of the community's capacity and willingness to pay rates and whether there is the potential for changes in that capacity. In making that judgement, the council might review information relating to:

- *Separate or specific rates and charges*
- *The potential to reduce the reliance on rates through increased revenues from other sources e.g. fees and charges*
- *Potential growth/decline in rating revenues from changing demographic and industry makeup*
- *Possible need to increase reliance on rating due to reduction of revenues from other sources e.g. a decline in grants or subsidies*
- *Projected impact of the rate peg*
- *Opportunities for a special variation to general income*
- *Council's current rating policy and likely changes to that policy in the future."*

The criteria against which IPART is to assess each application are based on what councils are required to do under IP&R. These criteria are:

1. The need for, and purpose of, a different revenue path for the council's General Fund (as requested through the special variation) is clearly articulated and identified in the council's IP&R documents, in particular its Delivery Program, Long Term Financial Plan and Asset Management Plan where appropriate. In establishing need for the special variation, the relevant IP&R documents should canvas alternatives to the rate rise. In demonstrating this need councils must indicate the financial impact in their Long Term Financial Plan applying the following two scenarios:
 - Baseline scenario – General Fund revenue and expenditure forecasts which reflect the business as usual model, and exclude the special variation, and
 - Special variation scenario – the result of implementing the special variation in full is shown and reflected in the General Fund revenue forecast with the additional expenditure levels intended to be funded by the special variation.

Evidence to establish this criterion could include evidence of community need/desire for service levels/project and limited council resourcing alternatives. Evidence could also include the assessment of the council's financial sustainability conducted by the NSW Treasury Corporation.

2. Evidence that the community is aware of the need for and extent of a rate rise. The Delivery Program and Long Term Financial Plan should clearly set out the extent of the General Fund rate rise under the special variation. The council's community engagement strategy for the special variation must demonstrate an appropriate variety of engagement methods to ensure community awareness

3. The impact on affected ratepayers must be reasonable, having regard to both the current rate levels, existing ratepayer base and the proposed purpose of the variation. The Delivery Program and Long Term Financial Plan should:
 - clearly show the impact of any rate rises upon the community,
 - include the council's consideration of the community's capacity and willingness to pay rates, and
 - establish that the proposed rate increases are affordable having regard to the community's capacity to pay.
4. The relevant IP&R documents must be exhibited (where required), approved and adopted by the council before the council applies to IPART for a special variation to its general income.
5. The IP&R documents or the council's application must explain the productivity improvements and cost containment strategies the council has realised in past years, and plans to realise over the proposed special variation period.

The relevant documents are the Community Strategic Plan, Delivery Program, and Long Term Financial Plan and where applicable, Asset Management Plan. Of these, the Community Strategic Plan and Delivery Program require (if amended), public exhibition for 28 days. It would also be expected that the Long Term Financial Plan (General Fund) be posted on the council's web site.

6. IPART's assessment of the matters set out in Section 5.
The criteria for all types of special variation are the same. However, the magnitude or extent of evidence required for assessment of the criteria is a matter for IPART.

Exemption

There may be exceptional circumstances, in which unforeseen events have occurred outside a council's control, which:

- have a demonstrated material impact on the council's general income, and
- prevent the council from being able to reflect the special variation in its IP&R documentation.

Should all of the above conditions occur, IPART may consider and approve the council's application for a special variation where it determines that the approval is appropriate, including whether the council would have met the criteria for a special variation even though the evidence that it would have done so is not necessarily reflected in the council's IP&R documentation. Councils considering doing this are advised to contact IPART to discuss the implications and their options in this regard.

IPART's assessment approach for special variation applications

IPART will assess applications for special variations against the criteria set out against the OLG Guidelines. Council should be aware that if they provide all of the required information,

this does not guarantee that applications will be approved by IPART. In doing so, IPART will consider:

- Size of the council,
- Resources of a council,
- Size (both actual \$ and %) of increase requested,
- Current rate levels and previous rate rises,
- Purpose of the special variation, and
- Any other matter considered relevant in the assessment of a special variation application.

The Guidelines have a strong emphasis on how councils have undertaken their Integrated Planning and Reporting (IP&R), where councils are expected to engage with the community about service levels and funding priorities in preparing their strategic planning documents. The evidence to support an application must be in the council's IP&R documents.

Councils no longer need to demonstrate community support for the special variation. Instead, they must show that the community is aware of the need for, and extent, of the proposed rate rise, and that the council has considered the community's capacity and willingness to pay higher rates.

The IP&R Manual states that in considering the likely revenue that will be available to meet the community's long term objectives, the Long Term Financial Planning process needs to address capacity for rating, fees and charges, grants and subsidies, borrowings and cash reserves.

IPART will assess each application based on its merits.

*IPART will make the **final decision** as to whether the proposed special variation is accepted, partially accepted or declined. This decision is final and IPART will not reassess an application after it has made its decision.*

Reporting mechanisms

Where a SRV is approved, the council is issued with an Instrument of Approval, which sets out the conditions of that approval, including minimum annual reporting requirements.

For those councils seeking a special variation, it is expected that they will put in annual reporting requirements to transparently report to their communities. This may be done through supplements to existing reporting processes and should include reporting on the additional income obtained through the variation, and if the special variation relates to a specific project:

- The projects or activities funded from the variation,
- Details of any changes to the projects or activities funded from the variation compared with the council's initial proposal (any such changes must be consistent with the terms of the Instrument of Approval), and
- The outcomes achieved as a result of the projects or activities.

Balranald Special Rate Variation

Council at its Ordinary Meeting held on 20 October 2016 resolved to apply for a Special Rate Variation for Business Mineral Sands in the 2017/2018 Financial year.

A previously reported the variation could not be advanced until Council had met the necessary requirements to meet IPART's assessment criteria.

Council prior to developing and lodging any application needs to:

- Finalise its Asset Management Plans
- Finalise a Long Term Financial Plan
- Resolve to seek a Special Rates Variation
- Demonstrate it is delivering agreed service levels efficiently and effectively
- Undertake an independent research of community views
- Undertake extensive and broad community consultation on the proposal and seek stakeholder feedback through a range of consultation methods

Further consideration needs to be given to a SRV that incorporates:

- Introduction of a subcategory such as Business mining – other than mining with the meaning of mining of s517910 of the Act
- Introduction of a subcategory such as Business – Solar Farm
- Introduction of a subcategory such as Business – Agricultural Processing
- Seek a rate increase by successive rate rise over x years (s508A) as a permanent increase to Councils permissible notational rate income.

The Balranald Community Strategic Plan – *Balranald 2017* flags the need for the special variation to be implemented in the 18/19 financial year. It has been listed in the Draft Delivery Plan 2017-2021 and funding allocated in the Draft Operational Plan to prepare the necessary documentation.

However much work is required to meet the IPART Assessment and OLG Guidelines prior to submitting an application and realistically a timeframe for submission is December 2018 with an application in 2019 for the 2019-2020 financial year.

Typical Timeline

Office of Local Government Guidelines released	December
Notification of council's intention to apply for a special variation or minimum rates increase due	December
Applications for special variations due	February
Applications for minimum rate increases due	March
Determinations released for special variation and minimum rate increase applications	May

As part of the conversation with the community work has commenced to develop information to be used in newsletters, social media, web page and presentations.

A typical application for a SRV to IPART could include the following attachments:

- Community Strategic Plan Extracts
- Delivery Program
- LTFP
- TCorp Financial Assessment
- Community Engagement Materials
- Community Feedback
- Hardship Policy
- Resolution to apply for the special variation
- Asset Management Plan Extracts
- Certification
- Council Improvement Plan

To assist Councillors understand the process, resources and organisational commitment required it will be recommended that a Workshop be conducted to develop an agreed implementation strategy.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Nil.

PART B – ITEMS FOR INFORMATION

General Manager’s Reports

Item G - 2 REPLACEMENT OF COUNCIL OFFICE SPLIT SYSTEM UNIT
File Number: 028

Reporting Officer: Aaron Drenovski, General Manager

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

Officer Recommendation:

That Council note the actions of the Mayor and General Manager regarding the installation of a new split system unit in the Council Office.

Purpose of report

To advise Council of the installation of a new split system in the Council office that will be funded from the “Other Assets Replacement Reserve”.

Report

One of the Split System Units in the Council Office reached the end of its useful life and the unit was beyond economical repair. Quotes were sought and the new unit was installed the week of Monday 26 June and is fully operational.

As the Split system unit was not provided for in the current budget the unit has been funded from the “Other Assets Replacement Reserve” (that has \$300,000 in it).

<u>Financial Implication</u>	\$14,090 (+GST)
<u>Legislative Implication</u>	Section 226 of the LG Act
<u>Policy Implication</u>	As per Council Delegations
<u>Attachments</u>	Nil

ITEM G – 3 CORRESPONDENCE

File Number: 056

Reporting Officer: Aaron Drenovski, General Manager

Operational Plan Objective: Pillar 1: Our People – A community that is proactive, engaged, inclusive and connected

Officer Recommendation:

For information.

Purpose of Report

To advise Council of recent correspondence of interest.

Report

1. Thank you from Kate Norton
2. Thank you from Georgie Connellan
3. Thank you from Balranald Swimming Club
4. Before and After School Care Fund - Hon Sarah Mitchell, Minister for Early Childhood Education

Dear Mayor Byron,

I would just like to thank you on my behalf of the grant I received from the BCEF. This grant will help me in many ways especially for my text books for my course as they are very hefty this year. It will also help with my amenities fees and for my small courses such as first aid training which I need to take part in to receive the ability to go and start placement training within schools and child care facilities.

BCEF really helps all of us students who travel away from home to undertake study and your support helps them immensely.

I can't say thank you enough for the opportunity to help with my further education and this will help me so much.

Yours thankfully,
Kate Norton.

	Info	Reply	Report	Discuss
GM	✓			GM
DID				
Received 16 MAR 2017				
DCLD:				
File No.	056			
LETTER No.	35995			

Dear Mayor Leigh Byron,

I would like to take this time to thank you for the support that is provided through the Balranald Country Education Fund. Without this grant, it would be extremely difficult to remain living away from home while working towards graduating from university. Every day necessities such as household utilities and basic daily needs are each unavoidable costs. Additionally, having assistance with petrol costs allows for me to return to Balranald when I am not studying in order to visit both the community as well as my family. I believe that this grant plays a very important role in ensuring that I am able to continue living away from home while maintaining my career goals.

Yours sincerely,

Georgina Connellan

Georgina Connellan.

Info	Project	Amount	Account
Card - council			GM
Received	11 MAY 2017		
By No.	056	37000	



The Hon Sarah Mitchell MLC
Minister for Early Childhood Education
Minister for Aboriginal Affairs
Assistant Minister for Education

532237_7
Mr Aaron Drenovski
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

	Info	Reply	Report	Discuss
GM	GM			GM
CD				
Received 16 JUN 2017				
DCCD				
File No.	355 and 94			
LETTER No.	37209			

Dear Mr Drenovski

I write to you, as Minister for Early Childhood Education, regarding the NSW Government's \$20 million *Before and After School Care Fund*.

The NSW Government knows providing suitable before and after school care for children is an important issue for families juggling work and other commitments. We also know that service providers may want to establish or expand a before and after school care service, but may be limited by equipment, storage facilities or a suitable kitchen.

The NSW Government established a program for schools and local councils to apply for a one-off grant of up to \$30,000, to establish a new service or expand an existing one. The grants can be used for fit-out costs, tendering or establishment costs, or to pay for equipment to support the new before and after school care places.

We know every community has different needs so we have also opened the fund up to not-for-profit providers to establish or expand services not located in schools or on local council sites.

As part of these changes it is now possible for community organisations to pool their resources and prepare a joint proposal. Under this option, the organisations may apply for more than \$30,000, depending on the number of places created and the type of work required. I have also asked the Department of Education to work with communities with unique before and after school care demands to come up with appropriate solutions.

If these are things your community would be interested in pursuing, I would urge you to contact Elsa Lat, Leader Policy Coordination and Review by phone 02 9244 5057 or email elsa.lat@det.nsw.edu.au. If you are interested in applying for a grant, please visit the website at <https://beforeandafterschoolcare.smartygrants.com.au/>.

It is also important we truly understand where there is demand for more before and after school care services, the nature of the demand and barriers councils may face in establishing a service. I have asked the Department of Education to gather data to identify hot spots and to facilitate local community solutions. I encourage you to engage with this process so the information collected is as robust as possible.

Yours sincerely

Sarah Mitchell MLC
09 June 2017

COPY

Mail: GPO Box 5341, Sydney NSW 2001
Phone: (61 2) 8574 5950

ITEM G -4 ACTION SHEET

Reporting Officer: Aaron Drenovski, General Manager

File Number: 120

Officer Recommendation:

For information

Purpose of Report

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



BALRANALD SHIRE COUNCIL
ACTION SHEET

MAY 2017

MIINUTE	DIRECTOR / FILE NO	<u>SUBJECT</u>	DATE COMPLETED	COMMENTS CURRENT STATUS
06.16.3731	DID	Apply to make Chinese Cemetery reserve Freehold.		In Progress
11.16.3885	GM	Comply with Notice from Minister and Councils resolution		Ongoing
01.17.3920	ADID	Balranald Beautification . Follow up tree planting at cemetery . Investigate trees in Presbyterian Cemetery – damaging headstones . “Friends of the Cemetery” volunteer group . Include \$10,000 in budget for consideration. . Follow up dead trees in Moa Street		Ongoing
01.17.3920	ADID	Euston Beautification Insert the following in the Long Term Delivery Plan and Strategic Plans; * BBQ, chairs & tables and shelters at Lake Benanee, Euston Cemetery Carpark, works at Euston Courthouse. Place an article regarding footpath pride in newsletter and on website. BBQ at Anderson Park repair works. Write a letter on behalf of Euston Beautification Committee to John Stevenson. Cnr Nixon and Cowper St in need of repair works to bitumen.		Ongoing
02.17.3931	ADID	Close part of McGinty Road and do all necessary documentation.		In progress

Balranald Shire Council
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02.17.3944	ADID	Adopt Community Strategic Plan and proceed to seek community input.		In progress
04.17.3982	DCCD	Adopt CSP, consult public with Delivery Plan, Operational Plan and Budget be submitted to May Council Meeting.		In Progress
04.17.3941	GM	Cooperate with Minister & Office of Local Government to ensure an improvement in Councils performance		Ongoing
05.17.3950	DCCD	Include \$1000 for Balranald, Kyalite and Oxley restocking in budget	21.05.2017	Completed
05.17.3952	DID	Commence the process of closure of Bertram and Taylor Roads		Commenced
05.17.3953	GM	Arrange Accommodation for Cobar – Mid Term Meeting Western Division	01.06.2017	Completed
05.17.3954	DCCD	Advise Hostel of council's decision to accept the risks of having one staff member on night shift.	21.05.2017	Completed
05.17.3955	DCCD	Endorse proposed budget adjustments as per QBR	21.05.2017	Completed
05.17.3957	DID	Lodge submission re; development Limondale Solar Farm		Completed
05.17.3958	GM	Continue negotiations with all parties re; Caltex Service Station.		Ongoing

Corporate and Community Development Reports

Item C - 10 PREPARATION OF COUNCIL'S 2016-17 FINANCIAL STATEMENTS AND AUDIT

File number: 001

Reporting Officer: Director of Corporate & Community Development

Operational Plan Objective: Pillar 6: Our Leadership – Provide good governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

That Council note the information contained in this report.

Purpose of Report

This report provides Council with an update of planning for completion of Council's 2016-17 financial statements to meet statutory deadlines.

Report

As part of its recommendations for business improvements T-Corp recommended Council develop an end of year plan to complete and finalise Council's audited financial statements each year and report regularly to a Council meeting on its progress.

Council has now received its 2017 Client Service Plan from the NSW Audit Office and this is attached for information. Council has agreed to provide draft financial statements to Audit on 25 September 2017, with Audit starting at Council on 3rd October 2017.

The Director, Corporate and Community Development has developed an end of year financial statement timetable to ensure Council is able to meet this deadline and will provide regular updates against this to the July, August and September meetings of Council.

A verbal progress report on work to date to achieve the required deadlines was provided to Council's Internal Audit Committee.

The General Manager has employed an additional resource to assist with preparation of Council's updated Long Term Financial Plan, due to the August

2017 meeting. This resource will be available to assist with end of financial year tasks following this work being completed.

It is recommended that Council note this information.

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	Nil
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Council Client Service Plan 2017



Mr Aaron Drenovski
General Manager
Balranald Shire Council
70 Market Street
Balranald NSW 2715

Contact: Nathan Carter
Phone no: 9275 7100
Our ref:

xx April 2017

Dear Mr Drenovski

**Audit of Balranald Shire Council
for the year ending 30 June 2017**

Attached is the Client Service Plan for the audit of Balranald Shire Council's financial statements for the year ending 30 June 2017. The plan reflects conditions unique to this engagement. You will find the standard Terms of Engagement on the Audit Office website at <http://www.audit.nsw.gov.au/Publications/Client-Service-Resource>.

If you believe the plan is deficient or requires changes, please call me on 9275 7100 or Carl Millington, Pitcher Partners on 9220 2099.

This plan is not intended for publication. It may not be distributed to persons other than those who will sign the Statement by Councillors and Management made pursuant to section 413(2)(c) of the *Local Government Act 1993* or others you determine to be charged with governance of the Council.

Please detach, sign and return the enclosed '[Agreement of Terms](#)'.

Yours sincerely

Nathan Carter
Director, Financial Audit Services

cc: Cllr Leigh Byron, Mayor



Balranald Shire Council



AGREEMENT OF TERMS

Audit of Balranald Shire Council for the year ending 30 June 2017

I confirm the information in the Client Service Plan and Terms of Engagement accords with my understanding of the arrangements for the assurance services in respect of:

- the financial statements of Balranald Shire Council for the year ending 30 June 2017
- Part 1 – Chief Executive Officer's Financial Statement for the Roads to Recovery Program under Part 8 of the *National Land Transport Act 2014* for the year ending 30 June 2017
- Application for Payment of Pensioner Concession Subsidy for the year ending 30 September 2017
- Domestic Waste Management – Reasonable Cost Calculations for the year ending 30 June 2018
- The Special purpose financial statements of the Balranald Shire Council for the year ending 30 June 2017
- The total permissible general income calculation (Special Schedule No. 8) for the year ending 30 June 2018
- The Annual Prudential Compliance Statement for Bidgee Haven Retirement Hostel for the year ended 30 June 2017.

I acknowledge and accept management's responsibilities as outlined in these documents on behalf of Balranald Shire Council:

Signed: _____

Name: _____

Title: _____

Date: _____

The purchase order number for the total estimated audit fee is:

Purchase Order Number: _____



Balranald Shire Council
Client Service Plan
for the year ending 30 June 2017



BALRANALD SHIRE COUNCIL
CLIENT SERVICE PLAN
FOR THE YEAR ENDING 30 JUNE 2017

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1 INTRODUCTION

This Client Service Plan (CSP) contains important information about this year's audit. Please read the CSP together with the standard Terms of Engagement which provides information on:

- the Auditor-General's responsibilities
- client resources
- engagement approach
- communication and reports
- submitting financial statements for audit
- materiality, risk and the inherent limitations of an audit
- on-going compliance requirements
- provision of working papers
- representations
- access (including protocols when obtaining an opinion from an accounting firm)
- clearance meetings
- accommodation, facilities and staff amenity (work health and safety)
- determination of fees for engagements.

The Auditor-General is responsible for ensuring the audit is performed in accordance with Australian Auditing Standards and the *Local Government Act 1993* (LG Act).

The Auditor-General has engaged Pitcher Partners to provide financial audit services on this engagement. However, the Auditor-General remains responsible for the audit engagement, its performance and for issuing the Independent Auditor's Reports. The Audit Office will oversee Pitcher Partners planning and execution of the audit. The level of Audit Office involvement will vary depending on the size, nature, complexity and risk of the audit.

The Audit Office will ensure:

- Balranald Shire Council's internal control environment is appropriately assessed
- timely communication and resolution of issues
- a rigorous audit of the financial statements
- the diligent exercise of professional independence
- high quality and timely reporting of current and emerging issues to management and those charged with governance
- data for the Auditor-General's Report to Parliament is appropriately sourced and analysed.

The Audit Office will:

- liaise closely with Pitcher Partners during the planning phase of the audits and agree the overall audit approach
- consult with Pitcher Partners to agree resolution of specific issues and the reporting of significant audit findings
- provide an objective evaluation of significant judgements and conclusions
- monitor Pitcher Partners audit quality throughout the performance of the engagement
- issue all formal written communications to management and those charged with governance
- participate in meetings with management and those charged with governance where practical.

2 SCOPE

The scope of the audit comprises:

- The audit of the Council's General Purpose Financial Report, issuing:



- an Independent Auditor's Report on the general purpose financial statements in accordance with section 417 of the *Local Government Act 1993* (LG Act)
- a report on the conduct of the audit in accordance with section 417(3) of the LG Act
- o an Independent Auditor's Report on the Special Purpose Financial Statements for all business activities declared by the Council in accordance with section 413(2) of the LG Act
- o an Independent Auditor's Report on the Special Schedule No. 8 'Permissible Income Calculation' in accordance with section 413(2) of the LG Act
- o Independent Auditor's Report(s) for the engagements listed in Section [12] Other Engagements.

Special Purpose Financial Statements for 'Declared Business Activities' and Special Schedule No.8 'Permissible Income Calculation'

The Balranald Shire Council requires an audit of the Special Purpose Financial Statements (SPFS) prepared in accordance with the 'Local Government Code of Accounting Practice and Financial Reporting' (the Code) for:

- o all declared business activities
- o Special Schedule No.8 (the Schedule).

The Council will prepare the SPFS using frameworks prescribed by the Code. Management's disclosures will alert users that the SPFS are not prepared in accordance with all Australian Accounting Standards within the Framework.

The audit team's objective is to express an opinion on whether the SPFS are prepared in accordance with the requirements of the Code, solely for the purposes of reporting to the Office of Local Government (OLG). As a result, the Independent Auditor's Reports will include a 'Basis of Accounting' paragraph identifying that the SPFS may not be suitable for another purpose.

3 CONTROLLED ENTITIES

Management have advised that there are no controlled entities to be consolidated in the financial statements of the Council. Should any controlled entities be identified, a separate engagement letter and fee estimate will be provided.

4 CLIENT ASSISTANCE

A Client Assistance Schedule will be sent separately with agreed dates for management to deliver information required for the audit. Meeting these dates helps achieve an efficient and effective audit by avoiding delays and preventing cost overruns.

The audit team has identified those charged with governance at Balranald Shire Council, with whom it will communicate specific audit issues and matters of governance interest. Please see section [Audit communications to 'Those Charged with Governance'](#) for identified persons/entities, and the [Audit Timetable](#) indicating the timing of our communications.

5 KEY ISSUES

The table below details entity level issues and risks that may impact this year's audit and how the audit team will respond to them.

Issues or risk	Exposure	Audit response
Fair value of Infrastructure, property, plant and equipment (IPPE)	Fair value assessments for I,P,P&E involve complex methodology, estimation and	We will assess: <ul style="list-style-type: none"> o effectiveness and reliability of management's process for
Council controls and is responsible for the maintenance and renewal of significant, complex infrastructure		



Issues or risk	Exposure	Audit response
<p>assets. Council needs to satisfy itself that the carrying value of I,P,P&E materially reflects the assets fair value.</p> <p>Under the Code of Accounting Practice the water & sewer class of assets are required to be revalued in the 2016/17 financial year (further details below).</p> <p>Council also needs to assess at each reporting date whether there is any indication that an asset's carrying amount may differ materially from that which would be determined if the asset was revalued at the reporting date.</p> <p>Indexation of assets is not a valuation technique of itself, but is an input into a valuation model, together with other inputs like condition assessment and review of useful lives.</p> <p>Full revaluation of water and sewer and road and bridge network assets</p> <p>Council is conducting a revaluation of water and sewer and road and bridge network assets. At 30 June 2016, the carrying value of these assets was:</p> <ul style="list-style-type: none"> ○ Water network - \$7.0 million. ○ Sewer network - 6.8 million. ○ Roads and bridges - \$52.8 million. 	<p>judgement therefore the risk of misstatement increases.</p> <p>Due to the size of the Councils asset base and the geographical location of some assets there is also a completeness risk.</p> <p>The revaluation of water and sewer and roads and bridge assets is inherently complex and susceptible to error as it involves significant judgement and estimation. It is important that the Council diligently reviews the key judgements, assumptions and valuation results.</p>	<p>determining and agreeing fair value of assets</p> <ul style="list-style-type: none"> ○ methodology used ○ reasonableness of useful lives and depreciation ○ qualifications and experience of any experts used ○ whether there are any indicators of impairment ○ adequacy of disclosure in the financial statements. <p>We will assess:</p> <ul style="list-style-type: none"> ○ the valuation methodology, assumptions and source information used to determine fair value ○ process used to assess the assets conditions ○ reconciliation between the asset management system, the asset register and general ledger to ensure all assets were accounted for ○ the reasonableness of useful lives assigned and depreciation methods adopted ○ the qualifications and experience of the expert used ○ the adjustments made to the Council's fixed asset register and general ledger ○ the adequacy of disclosure in the financial statements.
<p>Related Parties</p> <p>AASB 2015-6 'Amendments to</p>	<p>Failure to identify related parties</p>	<p>We will gain an understanding of</p>

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Issues or risk	Exposure	Audit response
<p>Australian Accounting Standards' extended related party disclosures to not-for-profit entities.</p> <p>From 30 June 2017, the financial statements must disclose key management personnel remuneration, related party relationships, transactions and balances.</p>	<p>and related party transactions may lead to material disclosures being omitted from the financial statements.</p> <p>The Council may have difficulties obtaining related party transactions from councillors who are no longer current members.</p>	<p>Council's policies and procedures to capture and disclose related party information as at 30 June 2017.</p> <p>We will perform testing on related party disclosures to determine whether the Council has materially complied with AASB 124.</p>
<p>Procurement and contract management risk</p> <p>Council spends a substantial amount each year to procure goods and services and its contracts vary in nature, size and complexity.</p>	<p>Lack of probity, accountability or transparency in procurement operations increases the risk of:</p> <ul style="list-style-type: none"> ○ unauthorised purchases and/or fraudulent behaviour ○ value for money will not being achieved ○ non-compliance with the LG Act, the Local Government General Regulations and the GIPA Act. <p>If contracts are not managed appropriately, this increases the risk of service delivery failure, unapproved scope variations and potential legal disputes.</p>	<p>We will gain an understanding of the design and implementation of Council's controls around procurement and contract management that are relevant to the audit</p> <p>For a sample of contracts, the audit team will review:</p> <ul style="list-style-type: none"> ○ compliance with Council's procurement policies ○ accurate and complete updating of the contract register.

The significance of the issues and risks may change and new developments may emerge during the audit. Your audit team will inform you of significant new matters as they arise and the likely impact on the audit.

6 AUDIT APPROACH

The audit approach for the general purpose financial statements is based on our understanding of the issues, new developments and key risks that may impact the financial statements. We have performed a preliminary risk assessment of the financial statement line items taking into consideration:

- complex calculations
- significant judgement when applying relevant accounting principles
- significant accounting estimates
- complex or non-routine transactions
- manual intervention in systems and processes for data collection and processing
- industry or economic environments
- other external circumstances and regulatory developments.

The risk assessment and planned audit approach for the financial statement line items are detailed below. These may change if new issues emerge during the audit. The audit team will inform you of significant matters impacting the audit as they are identified.

We welcome your feedback on this risk assessment and planned audit approach.

Audit Risk Assessment		
	High	The financial statement line item requires special audit consideration as to the nature, timing or extent of testing because there is a strong likelihood of material misstatement.
	Moderate	The financial statement line item requires some additional audit consideration as to the nature, timing or extent of testing because there is some likelihood of material misstatement.
	Low	The financial statement line item requires normal audit consideration as to the nature, timing or extent of testing because there is little likelihood of material misstatement.

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Financial statement line item/disclosure	Potential risk			Audit team's analysis	Audit approach	
	Red	Yellow	Green		More controls testing	More substantive testing
Income Statement						
Rates and annual charges		Yellow		<p>The Council's revenue from rates is based on the value of the properties and is recognised when the Council obtains control over the receipts. Control is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the rates.</p> <p>The Council receives annual charges for providing domestic and non-domestic waste management services, stormwater management services and for water and sewer services.</p> <p>There is an inherent risk of error from:</p> <ul style="list-style-type: none"> failure to charge for rates mistakes in calculating the correct rates and annual charges failure to record proceeds from rates and annual charges through error and / or misappropriation of receipts rates and annual charges being recorded in the incorrect accounting period. <p>Australian Auditing Standards require the auditor to presume there is a risk of fraud relating to revenue recognition; however, we plan to rebut this risk as the incentive, pressure and opportunity for fraud to be committed is not significant.</p>		
User charges and fees		Yellow		<p>The Council receives user charges and fees for services provided including water and sewer supply.</p> <p>The revenue from user charges and fees is recognised when the service has been provided, the payment is received, or when the penalty has been applied, whichever occurs first.</p> <p>There is an inherent risk of error from:</p>		

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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
User charges and fees (continued)		<ul style="list-style-type: none"> ○ failure to record user charges and fees ○ mistakes in calculating the correct rate for user charges and fees ○ failure to record proceeds from fees and charges through error and/or misappropriation of receipts ○ revenue being recorded in the wrong accounting period. <p>Australian Auditing Standards require the auditor to presume there is a risk of fraud relating to revenue recognition; however, we plan to rebut this risk as the incentive, pressure and opportunity for fraud to be committed is not significant.</p>	
Interest and investment revenue		<p>● The Council receives interest on cash at bank and investments. Interest income is accounted for using the effective interest rate at the date the interest is earned. Fair value movements are treated through the income statement.</p> <p>There is an inherent risk of error from:</p> <ul style="list-style-type: none"> ○ inaccurate calculation of interest income ○ interest and investment revenue being recorded in the wrong accounting period ○ misappropriation of receipts. <p>Australian Auditing Standards require the auditor to presume there is a risk of fraud relating to revenue recognition; however, we plan to rebut this risk as the incentive, pressure and opportunity for fraud to be committed is not significant.</p>	
Grants and contributions		<p>● Council receives operating and capital grant funding from the Commonwealth and NSW governments. The grants are either for general or specific purposes, specific items include community care, transport (roads/bridges funding), emergency services etc. These grants are normally</p>	

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Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
Employees benefits and on-costs	●	<p>recognised upon receipt of cash.</p> <p>There is an inherent risk of error from:</p> <ul style="list-style-type: none"> ○ misappropriation or misuse of funds ○ grants and contributions being recorded in the incorrect accounting period ○ not meeting grant funding conditions and/or specific purpose grant funding being used incorrectly. <p>Australian Auditing Standards require the auditor to presume there is a risk of fraud relating to revenue recognition; however, we plan to rebut this risk as the incentive, pressure and opportunity for fraud to be committed is not significant.</p> <p>Council incurs employee related expenses for council services staff. These expenses include costs incidental to employment, such as superannuation, worker's compensation insurance premiums, fringe benefits tax and training costs.</p> <p>There are inherent risks associated with employee expenses including:</p> <ul style="list-style-type: none"> ○ inaccurate processing or calculation of employee pay ○ false timesheet claims ○ delays in processing employee claims or other payroll adjustments resulting in the expense being recorded in the incorrect accounting period. 	
Materials and contracts	●	<p>Materials and contracts costs mainly comprise direct materials, direct labour (contractors and consultancy costs) and an appropriate proportion of variable and fixed overhead expenditure. It also includes operating lease payments and auditor remuneration.</p> <p>The audit team will test the design and implementation of key controls and assess whether they are operating effectively.</p>	

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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
Depreciation and amortisation		<p>The Council records depreciation on its infrastructure, property, plant and equipment (IPPE) using the straight-line method. The Council is required to re-assess the useful life of its depreciable assets on an annual basis.</p> <p>Inherent risks associated with depreciation and amortisation expenses, include:</p> <ul style="list-style-type: none"> ● inappropriate depreciation rates being adopted and/or the incorrect depreciation rates being allocated to asset components ● depreciation charges incurred on assets that have been disposed ● incorrect calculation of depreciation <p>There is a heightened risk due to the specialised nature and complexity in estimating the useful life of the Council's assets.</p>	
Other expenses		<p>The Council incurs significant expenditure to operate its business, meet its objectives and maintain its assets. These expenses include contributions and assistance to other organisations, outsourced community care, insurance, utilities and other expenses.</p> <p>There is an inherent risk of error from recording expenses in the wrong accounting period and/or incurring expenses of a non-business nature.</p> <p>The audit team will test the design and implementation of key controls and assess whether they are operating effectively. The audit team will also perform substantive testing to obtain reasonable assurance over the financial statement line item.</p>	
<p>Statement of Financial Position</p> <p>Cash, cash equivalents and investments</p>			

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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
		<p>Council holds cash in bank accounts and term deposits. There is an inherent risk of error and misappropriation in cash and cash equivalents from:</p> <ul style="list-style-type: none"> ○ uncleared reconciling items ● incorrect classification of investments in cash equivalents ○ incorrect classification of investments between current and non-current. <p>We will independently confirm all cash balances at 30 June 2017. We will review bank reconciliations at 30 June 2017.</p>	
Receivables		<p>The Council records receivables against rates and annual charges, user charges and fees, accrued revenues, GST and other debtors. There is an inherent risk of error from:</p> <ul style="list-style-type: none"> ○ debts not being reviewed and appropriately adjusted for impairment events ○ debts being recorded in the wrong accounting period ○ suspense accounts not being reviewed and cleared. 	
Infrastructure, property, plant & equipment (IPPE)	●	<p>The Council's assets consist of land, buildings, infrastructure, plant and equipment and other assets. There is an inherent risk of error from:</p> <ul style="list-style-type: none"> ○ expenditure of a capital nature not being capitalised and/or repairs and maintenance expenditure being incorrectly capitalised ○ failure to identify and record all assets and/or review and clear reconciling items between asset records and the general ledger ○ completed assets not being transferred from work-in-progress to the fixed asset register ○ using an inappropriate valuation methodology, assumptions and/or source information to determine 	

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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
		<p>fair value</p> <ul style="list-style-type: none"> incorrect calculation and recording of valuation adjustments financial statement disclosures not meeting the requirements of Australian accounting standards. <p>There is a heightened risk of misstatement for this financial statement line item given the size, nature, level of estimation uncertainty and complexity of the assets managed by the Council.</p>	
Payables	●	<p>The Council records payables and accruals for goods and services – operating expenditure, payments received in advance and security bonds, deposits and retentions.</p> <p>There is an inherent risk of error from:</p> <ul style="list-style-type: none"> unrecorded liabilities suspense accounts not being reviewed and cleared inaccurately estimating outstanding accruals income in advance not being transferred to revenue in the correct accounting period. 	
Borrowings	●	<p>The Council has a number of loans with various financial institutions.</p> <p>There is an inherent risk of error in the classification of borrowings between current and non-current. We will independently confirm all borrowings at 30 June 2017. The split between current and non-current items to be assessed against loan repayment schedules and the requirements of Australian Accounting Standards.</p>	
Provisions	●	<p>Council records provisions for employee benefits and other liabilities. There is an inherent risk of error from:</p> <ul style="list-style-type: none"> mistakes in complex calculations and/or errors in the source data used to calculate the relevant provision on-cost rates being incorrectly calculated and applied 	

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**Balranald Shire Council
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Financial statement line item/disclosure	Potential risk	Audit team's analysis	Audit approach
Related Party Disclosures		<p>to leave liabilities</p> <ul style="list-style-type: none"> provisions being incorrectly classified between current and non-current. <p>AASB124 'Related Party Disclosures' applies to Council for the first time for the year ending 30 June 2017.</p> <p>Whilst some related party transactions may not be quantitatively material, they may be material by nature.</p> <p>There is a risk of material misstatement on the completeness of related party disclosures.</p>	

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7 AUDIT TIMETABLE

Accurate and timely financial reporting is key to sound financial management. Preparing high quality financial statements in a timely manner is essential for effective decision-making, managing public funds and public accountability.

The Council can prepare accurate and timely financial reports and facilitate an efficient and effective audit by:

- performing revaluations of infrastructure, property plant and equipment before year-end
- resolving financial reporting issues early
- lodging financial statements within agreed timeframes
- giving high quality and complete work papers to the audit team by the agreed dates
- agreeing selected notes to be completed and audited before the agreed date
- informing the audit team of significant accounting issues as they occur.

The Client Assistance Schedule will detail the working papers and other supporting documentation needed for timely completion of the audit.

Section 412 of the LG Act requires the Council to keep accounting records necessary to correctly record and explain its financial transactions and its financial position. Consequently, the audit team is obliged to report any contraventions of this provision in the Report on the Conduct of the Audit, the Client Service Report, and in a separate letter to those charged with governance (Mayor, General Manager and ARC Chair). Significant contraventions may be reported to the Minister under s421 and s426 of the LG Act.

General Purpose and Special Purpose Financial Statements

The audit timetable, designed to meet the statutory financial reporting requirements, has been discussed and agreed with Charmaine Mufet, Director, Corporate and Community Development.

Event	Date(s)
○ Audit team requests documentation from Council and commences interim audit testing	23 May 2017
○ Council gives audit team details of all bank accounts (e.g. current accounts, interest bearing deposits, overdraft accounts, promissory notes etc.) to allow confirmation via Confirmation.com where applicable	30 May 2017
○ Audit team submits Council's bank account information to Confirmation.com	30 May 2017
○ Council's authorised bank signatory receives and approves a systems generated email from systems.administrator@confirmation.com.au authorising release of its bank account information to the audit team	30 May 2017
○ Council drafts confirmation requests for related party disclosures	30 May 2017
○ Council drafts and gives Confirmation Certificate(s) and associated Request Letter(s) to audit team for posting (e.g. bank confirmation)	30 May 2017
○ Council drafts and gives 'Letter of Enquiry to Legal Counsel' to audit team for posting (sample available on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource)	30 May 2017
○ Council gives financial statements and supporting working papers listed in Client Assistance Schedule to the audit team for the: <ul style="list-style-type: none"> - General Purpose Financial Statements - Special Purpose Financial Statements (Declared Business Activities and Special Schedule No.8 'Permissible Income Calculation') 	25 September 2017
○ Council's solicitors submit response to 'Letter(s) of Enquiry to Legal Counsel' to audit team	25 September 2017

Balranald Shire Council
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Making a difference through audit excellence.



Event	Date(s)
○ Audit team starts audit of financial statements	3 October 2017
○ Audit clearance meeting	23 October 2017
○ Audit Office issues Client Service Report for the: <ul style="list-style-type: none"> - General Purpose Financial Statements - Special Purpose Financial Statements (Declared Business Activities and Special Schedule No.8 'Permissible Income Calculation') 	25 October 2017
○ Council approves financial reports for referral to Audit Office and the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer sign the Statement required by s413(2)(c) of the LG Act.	27 October 2017
○ Council signs and gives Management Representation Letter to audit team (Sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource)	27 October 2017
○ Audit Office issues to Council and to the Chief Executive of OLG, in accordance with section 417 of the LG Act: <ul style="list-style-type: none"> - Independent Auditor's Report on the general purpose financial statements - Report on the Conduct of the Audit 	30 October 2017
○ Audit Office issues Independent Auditor's Report on the Special Purpose Financial Statements for the Council's declared Business Activities and Special Schedule 8 'Permissible Income' to Council and the Chief Executive of OLG	30 October 2017
○ Council submits audited financial statements and the Independent Auditor's Reports to OLG and the Australian Bureau of Statistics	31 October 2017
○ Council gives audit team the draft Annual Report to review for consistency with the financial statements	When available
○ Audit Office reports any identified significant issues to the Minister in accordance with s421 and s426 of the LG Act	30 October 2017 (if required)
○ Council presents its audited financial statements and the Independent Auditor's Reports at the Council meeting	November 2017
○ Audit Office issues final Management Letter	November 2017
○ Audit Office gives the Chief Executive of OLG and the Minister the draft Auditor-General's Report to Parliament. Specific comments referring to Balranald Shire Council are given to the General Manager.	March 2018

Other audits and acquittals

The audit timetable has been discussed and agreed with Charmaine Murfet, Director, Corporate and Community Development.

The Client Assistance Schedule will detail workpapers and other supporting documentation needed for timely completion of the audit.

Event	Date(s)
Roads to Recovery Program	
<ul style="list-style-type: none"> ○ Council gives the Statement and supporting working papers listed in Client Assistance Schedule to the audit team 	25 September 2017
<ul style="list-style-type: none"> ○ Audit team starts audit of the Statement 	3 October 2017
<ul style="list-style-type: none"> ○ Council gives the Audit Office the signed: <ul style="list-style-type: none"> - Statement - Management Representation Letter (Sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource) 	25 October 2017
<ul style="list-style-type: none"> ○ Audit Office signs the Independent Audit Report 	25 October 2017
Application for Payment of Pensioner Concession Subsidy	
<ul style="list-style-type: none"> ○ Council gives the Application and supporting working papers listed in Client Assistance Schedule to the audit team 	11 September 2017
<ul style="list-style-type: none"> ○ Audit team starts audit of the Application 	18 September 2017
<ul style="list-style-type: none"> ○ Council signs and gives Management Representation Letter to Audit Office (Sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource) 	2 October 2017
<ul style="list-style-type: none"> ○ Audit Office signs the Independent Audit Report 	2 October 2017
Domestic Waste Management – Reasonable Cost Calculations	
<ul style="list-style-type: none"> ○ Council gives the Statement and supporting working papers listed in Client Assistance Schedule to the audit team 	25 September 2017
<ul style="list-style-type: none"> ○ Audit team starts review of the Statement 	3 October 2017
<ul style="list-style-type: none"> ○ Council signs and gives Management Representation Letter to Audit Office (Sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource) 	25 October 2017
<ul style="list-style-type: none"> ○ Audit Office signs the Independent Assurance Practitioner's Report 	25 October 2017
Aged Care Prudential Compliance	
<ul style="list-style-type: none"> ○ Council gives the Prudential Return and supporting working papers listed in Client Assistance Schedule to the audit team 	25 September 2017
<ul style="list-style-type: none"> ○ Audit team starts review of the Statement 	3 October 2017
<ul style="list-style-type: none"> ○ Council signs and gives Management Representation Letter to Audit Office (Sample on the Audit Office website: http://www.audit.nsw.gov.au/Publications/Client-Service-Resource) 	25 October 2017
<ul style="list-style-type: none"> ○ Audit Office signs the Independent Audit Report 	25 October 2017

8 FINANCIAL REPORTING ISSUES AND DEVELOPMENTS

The Audit Office publishes [Financial Reporting Issues and Development](#) for councils which is available on its website. The publication details:

- common financial issues and future financial reporting developments that may impact the financial statements and audit
- accounting standards and pronouncements issued during the year that may impact the financial statements/and or annual report.

Understanding significant judgements and assumptions

It is important for persons charged with the governance of the Council, including Audit and Risk Committee members, to understand significant judgements and assumptions used in preparing the financial statements, particularly those for:

- revenue recognition
- fair value measurements
- asset impairment
- actuarial estimates, such as superannuation liabilities and other employee entitlements
- financial instruments
- control, joint control, joint arrangement, or significant influence over another entity
- unusual transactions, Public Private Partnerships, significant contracts, agreements and leases
- changes to accounting policies
- prior period errors
- going concern.

Those charged with governance should ask management to prepare and discuss a comprehensive issues paper on significant judgements and assumptions used in preparing the financial statements and related disclosures. This helps improve the quality of the financial statements, resolve concerns and ensure disclosures and accounting policy notes are appropriate.

Follow up of issues identified in the previous audit

The audit team will examine, update and report on the status of issues raised in last year's Management Letter.

Publications

The Audit Office publishes a monthly 'Professional Update' to help auditors and clients keep abreast of key accounting, auditing and legislative developments in the NSW public and local government sectors. These include pronouncements by professional standard setters and changes in the regulatory environment. To subscribe or access previous editions please visit the Audit Office's website at: <http://www.audit.nsw.gov.au/Publications/ProfessionalUpdate>.

We encourage your staff to review Audit Office publications and discuss them with the audit team.

Reporting misstatements and disclosure deficiencies in the financial statements

Auditing Standards require matters of governance interest identified during the audit of the financial statements to be brought to your attention. Consequently, misstatements and disclosure deficiencies identified in the financial statements will be reported as matters of governance interest in the Client Service Report.

More significant misstatements and disclosure deficiencies will be reported separately, whereas clearly trivial ones will only be reported where the number indicates poor control over the financial statement preparation process, or if their sum in aggregate is significant.

Misstatements and disclosure deficiencies resulting from failures in internal controls and/or systemic deficiencies will be reported in the Management Letter.

9 RELYING ON WORK PERFORMED BY INTERNAL AUDIT

The Council does not expect to have an Internal Audit function during the period 1 July 2016 to 30 June 2017.

10 GENERAL MATTERS

Involvement of others in aspects of the audit

The audit team may need to communicate with relevant experts when planning the audit and as needed during the engagement. Signing the Agreement of Terms attached to the covering letter will confirm your authority to do so.

Auditor-General's Report to Parliament

The Auditor-General's Report to Parliament will report on trends and provide an independent assessment of the financial health of the sector focusing on the following areas:

- the results of the council audits
- themes and analysis of individual reporting entities, focusing on results and key observations relating in the areas of financial performance, reporting and controls, governance and service delivery.

The audit team will advise you in due course of the topics the Auditor-General intends to report on in the Auditor-General's Report to Parliament (the Report), the relevant performance data to be collected, and the timetable for submitting the information to the audit team.

The information reported may change depending on the matters identified during the audit. You will be advised if this occurs.

The Report may contain recommendations for the sector and/or specific councils.

The draft comment to be included in the Report will be given to the Chief Executive of OLG and the Minister for consideration. Specific comments about your Council will be given to the General Manager for consideration. The Audit Office would appreciate your Council's specific comments within five working days of receiving the draft comment. Responses should only be provided where there is fundamental disagreement with significant issues raised by the Audit Office. This helps ensure the Report is not unduly delayed.

The draft report must remain confidential during this process.

11 AUDIT OFFICE BETTER PRACTICE GUIDES

The Audit Office produces a number of Better Practice Guides designed to help our clients achieve better practice and assess their performance. Councils may find the following Guides on the Audit Office [website](#) useful for assessing their performance:

- Government Lighthouse – Strategic Early Warning System
- Fraud Control Improvement Kit: Managing Your Fraud Control Obligations
- Risk Maturity Assessment Tool
- Better Practice Contract Management Framework
- Good Practice Procurement Framework
- Effective Expense Management Framework
- Implementing Successful Amalgamations
- Monitoring and reporting on performance audit recommendations.

12 OTHER ENGAGEMENTS

Audits may be required on grant acquittals, compliance with legislation, or to provide assurance on information, reports or returns under the terms of a contract, lease or agreement.

The LG Act gives the Auditor-General the mandate to conduct these engagements. Councils can leverage their investment in the financial statement audit by engaging the Auditor-General to provide these services.

This CSP details the other audits and acquittals the Council requires for the:

- Roads to Recovery Program
- Application for Payment of Pensioner Concession Subsidy
- Domestic Waste Management – Reasonable Cost Calculations
- Aged Care Prudential Compliance Statement

Please advise the audit team if the Council requires the Audit Office to perform any additional audits, reviews or acquittals. Separate engagement letters will be issued to confirm the terms, scope, key issues and fee arrangements for these engagements.

Roads to Recovery Program

The Commonwealth Department of Infrastructure and Regional Development (the Department) requires the Council to have audited:

- the information it provides in Part 1 – Chief Executive Officer's Financial Statement, being a statement of receipts and expenditure (the Statement) for the Roads to Recovery Program (the Program) under Part 8 of the *National Land Transport Act 2014* (the Act) for the year ending 30 June 2017, audited. The audit is required under section 41 of the Act.
- the Council's compliance with the following criteria in the Roads to Recovery Funding Conditions (the Conditions):
 - the Statement agrees with 'proper accounts and records' as described at Part 7 and Part 1.4 of the Conditions
 - amounts reported as expenditure in the Statement are in accordance with Part 2 of the Conditions
 - the amount certified by the Chief Executive Officer of RMS as its own source expenditure is in accordance with Part 2 of the Conditions and agrees with 'proper accounts and records' as described at Part 7 and defined at Part 1.4 of the Conditions.

The audit team will conduct the audit with the objective of expressing an opinion on whether in all material respects:

- the Statement prepared by the Council presents fairly, the receipts and expenditure for the year ending 30 June 2017 in accordance with the requirements of the Act
- the Council complied with specified criteria outlined in the Conditions.

The Statement is prepared to enable the Council to meet its obligation to report in accordance with the Act. The Independent Auditor's Report on the Statement will advise users that the Statement is prepared solely for the purpose of fulfilling the Council's reporting requirements under the Act and that as a result, it may not be suitable for another purpose.

The Audit Office [website](#) provides additional information on the terms and scope of this engagement.

Application for Payment of Pensioner Concession Subsidy

OLG requires the Council to have the information it provides in its Application for Payment of Pensioner Concession Subsidy (the Application) for year ending 30 September 2017 audited.

The audit team will conduct the audit with the objective of expressing an opinion that the Council's Application for the year ending 30 September 2017 has been prepared in all material respects in accordance with sections 575 and 577 of the LG Act.

The Application is prepared to enable the Council to seek reimbursement for eligible costs from the Minister for Local Government under section 581 of the LG Act.



The Independent Auditor's Report on the Application will advise users that the Application is prepared solely for the purpose of fulfilling the Council's reporting requirements to the OLG and that as a result, it may not be suitable for another purpose.

The Audit Office [website](#) provides additional information on the terms and scope of this engagement.

Domestic Waste Management – Reasonable Cost Calculations

The OLG requires the Council to prepare a special purpose financial statement (the Statement) comprising the Domestic Waste Management (DWM) reasonable cost calculations in accordance with the Council Rating and Revenue Raising Manual 2007 (the Manual).

The audit team will conduct the review with the objective of concluding whether anything has come to the audit team's attention that causes the audit team to believe the Council's DWM reasonable costs calculations for 30 June 2018 has not been properly drawn up in all material respects in accordance with the requirements of the Manual.

The Statement is prepared to enable the Council to comply with s504(3) of the LG Act which requires a Councils' income from domestic waste management charges to not exceed the reasonable costs of providing those services.

The Independent Assurance Practitioner's Report on the Statement will advise users that the Statement is prepared solely for the purpose of confirming the Council's DWM reasonable costs are presented fairly and that as a result, it may not be suitable for another purpose.

The Audit Office [website](#) provides additional information on the terms and scope of this engagement.

Annual Prudential Compliance Statement for Bidgee Haven Retirement Hostel

The Principles issued under the *Aged Care Act 1997* require an 'approved provider' of aged care holding accommodation bonds, entry contributions, or refundable deposits to complete and submit an Annual Prudential Compliance Statement (the Statement) to the Commonwealth Department of Social Services. The Principles require the Statement be audited and submitted by 31 October each year.

The audit team will test Bidgee Haven Retirement Hostel's compliance with the prudential requirements set out in Division 52M of the *Aged Care Act 1997* (the Act) and Part 5 of the Fees and Payments Principles 2014 (the Principles).

The Statement is prepared to enable the Council to meet its obligation to report in accordance with the Act. The Independent Auditor's Report on the Statement will advise users that the Statement is prepared solely for fulfilling the Council's reporting requirements under the Act and that thus, it may not be suitable for another purpose.

The fee estimate for the above engagements has been included in this CSP under Section 13.

13 AUDIT FEES

	2017	2016	Increase/(decrease)	
	\$	\$	\$	%
Estimated audit fee				
- Pitcher Partners fee	34,630	31,500	3,130	9.9
- Audit Office fee	7,000	N/A	N/A	N/A
Total audit fee (excluding GST)	41,630	31,500	10,130	32.2
Total audit hours	163	N/A		

The 2017 estimated audit fee includes:



- Independent Auditor's reports in accordance with section 417 of the LG Act:
 - a report on the general purpose financial statements
 - a report on the conduct of the audit
- Independent Auditor's report on the Special Purpose Financial Statements
- Independent Auditor's report on the Special Schedule No.8
- Independent Auditor's report on Part 1 – Chief Executive Officer's Financial Statement for the Roads to Recovery Program under Part 8 of the *National Land Transport Act 2014*
- Independent Auditor's report on the Application for Payment of Pensioner Concession Subsidy
- Independent Assurance Practitioner's report on the Domestic Waste Management–Reasonable Cost Calculations
- Independent Auditor's report on the Aged Care Prudential Compliance Statement.

The audit team will regularly meet with management to track the progress of audit costs against budget. Any costs incurred for additional services not listed above will be discussed with management.

The estimated audit fee is based on estimated hours, the audit team structure and charge-out rates, known changes in the Council, its operations and audit requirements. The increase in Pitcher Partner's fee is due to:

- indexation from the prior year
- liaison with the Audit Office
- audit of 'Related Parties' for which disclosure is required per AASB 124.

The Audit Office component of the fee is to cover the minimum activities we need to complete to fulfil our professional and legislative obligations. This includes:

- attending key client and audit team meetings
- reviewing Pitcher Partners' audit file
- liaison with Pitcher Partners and the Council on key issues throughout the audit
- reviewing and issuing all audit reports.

The Audit Office has published its 'pricing approach' to provide transparency about its pricing model and hourly charge-out rates for each role. The Audit Office performs multi-layered benchmarking to promote accountability for its use of public resources. For more information, please refer to the publication on the Audit Office [website](#).

The fee may change if matters, not known at the date of this letter, emerge during the audit and lead to a significant change to the budgeted audit cost, or if the Council causes unreasonable delays to the audit.

The Council will be invoiced monthly as costs are incurred.

Please provide the Audit Office with a purchase order for the total estimated audit fee when you return the signed 'Agreement of Terms'.

14 YOUR AUDIT TEAM

Recognising the audit mandate change is only a small part of a broader reform agenda within the local government sector, the Auditor-General agreed to a transition period of up to two years to minimise the disruption to the sector. As a result, we have appointed your previous auditor, Pitcher Partners as our contract audit agent for one year, with a one year renewal option. This means key audit staff who worked on previous years' audits will provide continuity.

The Audit Office is committed to ensuring continuity of audit staff on engagements, if practical and possible. However, the Audit Office (including its contract audit agents) must comply with ethical and legal obligations, which require regular rotation of key audit personnel. Lengthy service on audit engagements increases familiarity risks to the financial statement audits, which may negatively impact audit quality.



Audit team

The proposed audit team for this engagement is:

Engagement Controller:	Nathan Carter Director, Financial Audit Services
Engagement Manager:	Olive Ferino Audit Leader, Financial Audit Services

Audit Office of New South Wales contact details:

Address	Postal Address
Level 15 1 Margaret Street SYDNEY NSW 2000	GPO Box 12 SYDNEY NSW 2001
Telephone: 02 9275 7100	Fax: 02 9275 7200
Internet: www.audit.nsw.gov.au	Email: e_mail@audit.nsw.gov.au

Involvement of other members in public practice (Pitcher Partners)

Contract Audit Agent Engagement Partner:	Carl Millington Partner
Contract Audit Agent Engagement Manager:	Robert Craig Manager

Pitcher Partner contact details:

Address	Postal Address
Level 22, MLC Centre 19 Martin Place Sydney NSW 2000	Level 22, MLC Centre 19 Martin Place Sydney NSW 2000
Telephone: 02 9221 2099	Fax: 02 9223 1762
Internet: www.pitcher.com.au	

Auditor independence

The Audit Office and Pitcher Partners confirm, to the best of their knowledge and belief, the proposed audit team meets the independence requirements of the Australian Auditing Standards and other relevant ethical requirements relating to the audit of the financial statements. In conducting the audit of the financial statements, should any contraventions to independence requirements arise you will be notified of these on a timely basis.

Ethical standards include specific restrictions on employment relationships between an audited entity and members of its current or previous audit teams. Please discuss the prospective employment of a current or former audit team member, regardless whether they are from the Audit Office or Pitcher Partners with the Audit Office before commencing formal employment negotiations with them.

Audit communications to 'Those Charged with Governance'

The Audit Office and Pitcher Partners recognise the key role those charged with governance play in Councils. The audit team will communicate specific audit issues and matters of governance interest to them. This reporting is required by Australian Auditing Standards.

Senior members of the audit team will attend Council and Audit and Risk Committee meetings, and brief those charged with governance on audit progress, issues identified and their resolution. We will liaise with management and those charged with governance to determine the meetings we will attend.

The audit team has identified those charged with governance for Balranald Shire Council as:

- The General Manager who will receive our Client Service Report, identifying audit findings, and the type of opinion we anticipate issuing prior to signing the financial statements. The General Manager will also receive the Management Letter containing detailed explanations of significant matters, governance matters, significant weaknesses and recommendations for improvement identified in the current audit
- The Mayor, who will receive the Independent Auditor's Report for the general purpose financial report and special purpose financial statements and the Report on the Conduct of the Audit. The Mayor will also receive copies of the Client Service Report and Management Letter
- The Audit, Risk and Improvement Committee, who will receive copies of all the above reports.

Please advise the audit team if additional persons charged with governance should be included in communications. The [Terms of Engagement](#) on the Audit Office website contain more information on the Audit Office's communication obligations.

Audit team engagement with management

Regular and open communications between the audit team and management help deliver an efficient and effective audit. The audit team will meet regularly with management. It will direct most questions and documentation requests through management's nominated officer, Charmaine Murfet.

It is essential for management to respond promptly to the audit team's questions and requests for supporting documentation. The Client Assistance Schedule lists known information requirements and the dates when management has agreed to provide the information. The audit team cannot anticipate all information that may be requested during the audit.

15 WORKPLACE HEALTH AND SAFETY HARMONISATION LEGISLATION

Workplace health and safety (WHS) laws make councils responsible for meeting legislated standards for the health, safety and welfare of Audit Office staff and Pitcher Partners staff (including contractors) when they are at your premises.

It is the Council's responsibility to:

- provide the audit team with suitable accommodation and appropriate WHS Induction
- ensure the audit team is aware of special personal protective equipment requirements
- appropriately brief audit team and issue them with the necessary personal protective equipment and training in its proper use.

Further details are provided in the [Terms of Engagement](#) on the Audit Office website.



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Our vision

Making a difference through audit excellence.

Our mission

To help hold parliament accountable
for its use of public resources.

Our values

Purpose – we have an impact, are
accountable, and work as a team.

People – we trust and respect others
and have a balanced approach to
work.

Professionalism – we are recognised
for our independence and integrity
and the value we deliver.

Professional people with purpose
audit.nsw.gov.au

Item: C - 11 STATEMENT OF FUNDS: 31 MAY 2017
File number: 085

Reporting Officer Director of Corporate and Community Development

Operational Plan Objective: Pillar Six: Our Leadership – a community that values and fosters leadership, lifelong learning, innovation and good governance

Officer Recommendation:

That Council receive and note the report

Purpose of Report

To advise Council of Funds and Investment held for the month ending 31st May 2017.

INVESTMENT WITH	TERM	START DATE	MATURITY DATE	INTEREST RATE	INVESTMENT VALUE
NAB	90	23/03/2017	21/06/2017	2.56%	500,000
NAB	90	4/04/2017	3/07/2017	2.50%	500,000
NAB	90	6/04/2017	5/07/2017	2.58%	500,000
NAB	91	10/04/2017	10/07/2017	2.58%	500,000
Bankwest	91	24/04/2017	24/07/2017	2.52%	500,000
NAB	90	16/05/2017	14/08/2017	2.65%	600,000
Bankwest	30	22/05/2017	21/06/2017	2.20%	500,000
Bankwest	30	22/05/2017	21/06/2017	2.20%	500,000
TOTAL INVESTMENT PORTFOLIO				2.53%	4,100,000
Westpac Cash Reserves			AT CALL	0.60%	1,663,349
Westpac Bank			CASH AT BANK		968,557
TOTAL INVESTMENTS plus CASH AT BANK					6,731,906

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RESTRICTED FUNDS	EXTERNAL	INTERNAL	June 16 Total	QBR1 Transfers	QBR2 Transfers	Transfers to be approved	May 17 Total
Specific Purpose Unexpended Grants	386,000		386,000		-200,000		186,000
Domestic Waste Management	67,000		67,000				67,000
Water Supplies	562,000		562,000	-214,000			348,000
Sewerage Service	1,740,000		1,740,000	-149,000			1,591,000
Plant & Vehicle Replacement		276,000	276,000				276,000
Infrastructure Replacement		656,000	656,000		-442,000		214,000
Employee Leave Entitlements		300,000	300,000		-31,000		269,000
Deposits, Retentions & Bonds		106,000	106,000				106,000
Carry Over Works		264,000	264,000	-263,221			779
Caravan Park		108,000	108,000	-11,000			97,000
Euston Cemetery		38,000	38,000				38,000
Health Reserve		3,000	3,000				3,000
Hostel Bonds		388,000	388,000			-270,000 ¹	118,000
Hostel Reserve		10,000	10,000	-10,000			0
Market Street Improvements		20,000	20,000				20,000
Town Clock		3,000	3,000				3,000
Gravel Pite Rehabilitation		170,000	170,000				170,000
Other Assets Replacement		300,000	300,000				300,000
Other (Unexpended Cont. Euston)	94,000		94,000				94,000
TOTAL RESTRICTED FUNDS	2,849,000	2,642,000	5,491,000	-647,221	-673,000	-270,000	3,900,779

This is Page 156 of the Business Paper of the Ordinary Monthly Meeting of Balranald Shire Council held in the Council Chambers, Market Street Balranald on Wednesday 28th June 2017

Balranald Shire Council
Agenda – Ordinary Meeting – 28TH June 2017

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FUNDS HELD	Investment	Bank	Combined	Restricted	May 17 Total
General Fund	3,663,349	459,014	4,122,363	1,894,779	564,235
Domestic Waste Management	0	120,550	120,550	67,000	53,550
Water Supplies	600,000	250,060	850,060	348,000	502,060
Sewerage Service	1,500,000	138,933	1,638,933	1,591,000	47,933
TOTAL FUNDS HELD	4,100,000	968,557	6,731,906	3,900,779	1,167,778

Cashbook Summary		
Opening cashbook Balance		91,199.28
Plus Receipts		4,717,770.86
Less Payments		3,840,612.77
Cashbook Balance as at 31 May 2017		968,557.37
Statement Summary		
Opening Statement Balance		105,085.78
Plus Receipts		4,718,220.86
Less Payments		3,846,285.18
Bank Statement Balance at 31 May 2017		977,021.46
Plus Unpresented Receipts		107.15
Less Unpresented Payments		8,571.24
Reconciliation Balance at 31 May 2017		968,557.37

Certification by the Responsible Accounting Officer:

In accordance with paragraph 212(1)(b) of the Local Government (General) Regulation, the investments listed in this report have been made in accordance with:

- (i) The Local Government Act, 1993
- (ii) The Regulations, and
- (iii) Councils Investment Policy



Charmaine Murfet
Responsible Accounting Officer
12 May 2017

Item C - 12 TOURISM REPORT – May 2017

File number: 771B

Reporting Officer: Director of Corporate & Community Development
Operational Plan Objective: Pillar 3: Our Economy – 3.2.1 Tourism

Officer Recommendation:

That Council accept the May 2017 Tourism report for information.

Purpose of Report

To provide Council with a progress report on Tourism activities.

Report

May has been a busy month for tourism within the Shire. The Balranald Business Online Project, for which Council received a grant to help many of the small businesses in the Shire establish websites and an online presence, has been completed; a formal media release has been issued for the Red Bull 'Branched Out' event; the Euston Club has been accredited as a third tier Visitor Information Centre to provide visitors to our region with details of the many attractions in an around Euston; and staff at the Visitor Information Centre have now taken on work associated with tour bookings.

A summary of tourism outcomes is provided in the attached dashboard report which provides insights to Council on the top reasons for visitors stopping in Balranald and how visitors are hearing about Balranald.

Financial Implication	Nil
Legislative Implication	Nil
Policy Implication	Nil
Attachments	Tourism Monthly Reporting Dashboard

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TOURISM MONTHLY REPORTING DASHBOARD: FOR THE MONTHS OF: MAY 2017

Walk-in Figures This Month

Percentage breakdown of total walk-in at the Visitor Information Centre

The Visitor Information Centre		The Interpretive Pavilion		Intrastate Visitors		Interstate Visitors		International Visitors		Coaches		Visitors with no address	
2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016
1504	1337	1684	N/A	41%	42%	44%	45%	1%	2%	13%	10%	1%	1%

Measures This Month

Top Attractions for the month	What brought Visitors to Balranald? How did they hear of Balranald?	Enquiries generated by marketing & promotions for the month/ Conversions								
<ol style="list-style-type: none"> Interpretive Pavilion Souvenirs Looking Around Discovery Café Yanga NP Mungo NP Museum Old Gaol 24hr RV Other (Gallery, Heritage Trail & Military Trail) Outback Geo Adventures tours Swing Bridge Frog Trail Fishing 	<ol style="list-style-type: none"> Passing Through Live in Area Word of Mouth Return visit due to positive experience Website/Social Media Word Of Mouth Visiting Family Friends TV Advertisement Wiki Camps Print Media Trip Advisor 	<p>Enquiries</p> <table border="1"> <tr> <th>2017</th> <th>2016</th> </tr> <tr> <td>101</td> <td>50</td> </tr> </table> <p>No. of people VIC staff converted to stay extra Night</p> <table border="1"> <tr> <th>2017</th> <th>2016</th> </tr> <tr> <td>25</td> <td>15</td> </tr> </table>	2017	2016	101	50	2017	2016	25	15
2017	2016									
101	50									
2017	2016									
25	15									

Sales This Month

TOTAL SALES this Month		RV Donations & Sales of Tours this Month				Top 5 Sellers/Brands for the Month	
2017	2016	RV Donations		Tours		Souvenir	No. Items
2017	2016	2017	2016	2017	2016		
\$8,195.00	\$5,381.29	\$668.50	N/A	\$1,380	N/A	<ol style="list-style-type: none"> Postcards Robinvale Estates Koala Hill (notepads, cards) Frog Figurines Magnets 	<ol style="list-style-type: none"> 119 69 63 99 42

Marketing, Media & Management

Tourism Website (Statistics commenced in Aug 2016)	Tourism Social Media Pages Discover Balranald & Surrounds Page (Page commenced in May 2016)	Tourism Marketing & Media Activities	Tourism Management Activities																
<p>Total Visitors to date: 20,070</p> <p>Total Visitors this month: 1,875</p> <p>Top 10 Pages this month (out of 63 pages)</p> <ol style="list-style-type: none"> Homepage/Visitor Guide Free Camping/RV Stops Road Conditions/Access See & Do The 5 Rivers Balranald Discovery Centre Top Stays Trails & Walks Upcoming Events Pony Club Annual Camp 	<p>Page Likes</p> <table border="1"> <tr> <th>To Date</th> <th>This time last year</th> </tr> <tr> <td>8,597</td> <td>470</td> </tr> </table> <p>No. of Promotions this Month</p> <table border="1"> <tr> <th>Promotions</th> <th>This time last year</th> </tr> <tr> <td>11</td> <td>4</td> </tr> </table> <p>Audience Reach this month:</p> <table border="1"> <tr> <th>Reach</th> <th>This time last year</th> </tr> <tr> <td>240,140</td> <td>24,407</td> </tr> </table> <p>Audience Engagement this Month</p> <table border="1"> <tr> <th>Engagement</th> <th>This time last year</th> </tr> <tr> <td>24,399</td> <td>1,121</td> </tr> </table>	To Date	This time last year	8,597	470	Promotions	This time last year	11	4	Reach	This time last year	240,140	24,407	Engagement	This time last year	24,399	1,121	<p>Promotions & Media Releases on the following:</p> <ul style="list-style-type: none"> Red Bull – Branched Out event – Announcement Upcoming Events Mother's Day Specials 8000 Likes Competition Variety Concert Pelicans @ Lowbidgee Yanga Lake Promotion Lake Benanee Promotion River Redgum Promotion 	<p>Management activities included the following:</p> <ul style="list-style-type: none"> May Tourism Committee Meeting Acquittal of the Balranald Business Online Project Euston Visitor Information Accreditation (Euston Club) FOSC meeting Balranald Inc meeting Heritage Near Me Project
To Date	This time last year																		
8,597	470																		
Promotions	This time last year																		
11	4																		
Reach	This time last year																		
240,140	24,407																		
Engagement	This time last year																		
24,399	1,121																		



Item C -13 OUTSTANDING COUNCIL RATES

File number: 130

Reporting Officer: Director of Corporate and Community Development

Operational Plan Objective: Operational Plan Objective: Pillar 6: Our Leadership 6.3.2 – Provide good Governance, prudent financial management and effective support services for all its activities.

Officer Recommendation:

9. That the report be received and noted.

Purpose of Report

To update Council of the status of outstanding rates and charges owing to Balranald Shire Council.

Report

The total amount of rates and charges outstanding as at 16 June 2017 was \$298,166 or 11.21% of rates and annual collectable for the year. This out including outstanding water consumption charges of \$106,978.

Council staff have recently sent payment reminder letters to all ratepayers with outstanding amounts. This has resulted in a number of ratepayers paying these amounts, or entering into payment arrangements.

A list of assessments with outstanding rates greater than \$5,000 (total amount owing for this category is \$63,746.74) and the action Council has taken to recover the debts is as follows:

	Outstanding Balance	Action Taken
2604790	\$8,180.55	Payment agreement in place
2604793	\$6,949.34	Legal Action Commenced
2605297	\$5,608.22	Payment agreement in place
2605299	\$6,744.69	Payment agreement in place
2605615	\$17,505.66	Payment agreement in place

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2605333	\$6,786.84	Payment agreement in place
3254195	\$6,379.00	Payment agreement in place
2605675	\$5,592.44	Payment agreement in place

A list of assessments with water consumption charges greater than \$3,000 (total amount owing for this category is \$29,574.16) and the action Council has taken to recover the debts is as follows:

Assessment	Outstanding Balance	Action Taken
2604903	\$1,490.13	Payment agreement in place
2605094	\$2,034.32	Legal Action Commenced
2605137	\$13,566.08	Payment agreement in place
2605188	\$1,182.80	Payment agreement in place
2605297	\$1,930.03	Payment agreement in place
2605299	\$1,385.87	Payment agreement in place
2605728	\$2,620.47	Payment agreement in place
2605737	\$3,600.55	Payment agreement in place
2605756	\$1,763.91	Payment agreement in place

Rate Debt	Amount
Less than 12 months	\$107,667.44
Greater than 12 months	\$82,966.69

Water Consumption Debt	Amount
Less than 12 months	\$54,409.93
Greater than 12 months	\$55,071.65

<u>Financial Implication</u>	Nil
<u>Legislative Implication</u>	Yes
<u>Policy Implication</u>	Yes
<u>Attachments</u>	Nil

Infrastructure and Development Reports

Item I - 5

PLANNING ADMINISTRATION

File number: 600

Reporting Officer: Acting Director Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 6

Officer Recommendation:

That the report be noted.

Purpose of Report

To advise Council of certificates issued under delegated authority.

Report

The following Construction Certificates, Complying Development Certificates, Section 68 Certificates and / or Notices of Determinations have been issued since the May 2017 meeting of Council.

Application	Owner/Applicant	Locality	Description
DA 46/2017	G Griffiths	180-182 Market Street, Balranald	Shed Extension
DA 47/2017	Scalora Packaging Pty Ltd	Sturt Highway, Euston	2 x Storage Shed
DA 48/2017	D. Rogers	Dry Lake Road, Euston	Transportable Dwelling
DA 49/2017	K. Barnes	Keogh Road, Kyalite	Dwelling
DA 50/2017	A Barrett	13 Cally Street, Balranald	Veranda
DA 52/2017	N. Dalton	74 Moa Street, Balranald	Shed
S68 13/2017	E.B. Mawson & Sons Pty Ltd	Duryea Street, Balranald	Septic Tank
S68 14/2017	V. Violi	Bertram Road, Euston	Septic Tank

The following numbers of other certificates have been issued

149(2)	149(5)	121ZP	735A	Drainage Diagram	Noxious Weeds
1	1	1	1	5	0

Annual Fire Safety Statement letters have been sent out to owners of relevant properties. This process will be conducted in stages to manage workflow.

An Annual Fire Safety Statement is issued by a building owner / manager which certifies that the fire safety measures installed in a building are operating appropriately. This is an annual certification process and it is the responsibility of the owner to provide the certificate to Council and NSW Fire and Rescue under Part 9 of the Environmental Planning and Assessment Regulation 2000.

<u>Financial Implication</u>	Nil.
<u>Legislative Implication</u>	The approvals process.
<u>Policy Implication</u>	Nil.
<u>Attachments</u>	Nil.

Item I - 6 HEALTH & DEVELOPMENT MAJOR ACTIVITIES

File number: 600

Reporting Officer: Acting Director of Infrastructure and Development –
Robert Stewart

Operational Plan Objective: Pillar 5 – Our Infrastructure

Officer Recommendation:

That the report be noted.

Purpose of Report

To provide Council with a progress report on major activities, since the May meeting.

Report

Better Boating Project: Euston complete
 Kyalite pontoon complete, drainage improvements
 scheduled with Works staff
 Balranald concreting footway and gangway slide area
 underway, gangway to be installed week commencing
 26/06/2017
 Euston has been completed under budget, with Kyalite and
 Balranald also expected to be completed under budget.
 Staff are in discussions with the funding body to investigate
 options to reallocate unexpended funds.
 Benanee – consulting underway to develop a proposal to
 upgrade the boat ramp

DA Assessments: 14/2017 Price Merrett Pump site (integrated
 development)
 42/2017 PM Camera Pump site (Integrated
 development)
 43/2017 CMV Farms pump site (Integrated
 development)
 45/2017 R Barrett BYO premises
 47/2017 Scalora Packaging Storage Sheds (RMS Referral)

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- Pool Inspections: Approx. 20% complete
- Food inspections: Mid-year inspection round, 50% complete
- LEP Mapping review: Flood prone land map errors
- National Park areas incorrectly identified over private land
- Bushfire prone land map labels managed farmland as fire prone, some town areas as fire prone, draft GIS information sent to RFS
- Theatre Royal: Cosmetic work complete
- Store room complete
- Hardstand laid and compacted, with drainage repair at rear
- Moa St house: Awnings complete
- Court St house: Painting, kitchen, floor coverings and landscaping improvements complete
- Greenham Park Hall: Internal cosmetic repairs and paint complete
- Gravel search: Two sites identified by engineering staff
- Cultural walkovers complete
- Engineering staff nearing completion of Draft REFs to be referred to State agencies.
- Swimming Pool: Decommissioning complete
- Toilet installed in heated pool complex
- Medley Art Park: Pavement works complete on nature strip area at entrance

<u>Financial Implication</u>	As per budgeted works program.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Nil
<u>Attachments</u>	Nil.

Item I - 7 MAINTENANCE AND CONSTRUCTION PROGRAM

File number: 726

Reporting Officer: Acting Director of Infrastructure and Development – Robert Stewart

Operational Plan Objective: Pillar 5 – Our Infrastructure

Officer Recommendation:

That the report be noted and accepted.

Purpose of Report

To provide Council with a progress report on works, since the May meeting.

Report

1. Roads Program

After some rain at the start of the month, roadworks programs have had a very productive period.

a) Works Programs

Works have been undertaken in the following areas:

- Marma Box Creek Rd – Construction & Seal
- Mildura-Ivanhoe – Gravel Resheeting
- Mildura-Ivanhoe – Grids installation
- Tillara Rd, Marma-Box Creek Rd and Prungle Mail Rd – Construction & Seal
- Prungle-Marma-Arumpo Rds – Realignment works, drainage formation, and grids and culvert installations
- Kilpatrick Rd Widening – Construction

b) Maintenance

Minimal patrol grading occurred during this period due to construction commitments, however small amount of maintenance grading occurred at the beginning of the month within the immediate vicinity of the programmed construction works.

2. Roads to Recovery Program

Construction and seal works have been completed :

- Prungle Mail Road (at the Sturt Highway end),
- Marma Box Creek Road, and
- Tillara Road (at the Sturt Highway end)

Works for Mildura-Ivanhoe gravel resheeting are also complete as-well-as the installation of three new double grids.

Kilpatrick Road Widening at Euston has commenced – shoulder construction is complete and the sealing contract work is scheduled to commence on Monday 16th June.

Prungle-Marma-Arumpo Rds realignment - earthworks and gravel are complete with three culvert and two grids to be installed once they arrive (ordered).

3. RMS Capital Works Program

Natural Disaster Funding

RMS has approved approximately \$293,150 worth of works, with further \$89,880 details of planned work to be provided and \$87,962 of emergency works ledger detail also to be provided.

About \$36,000 of work was not approved.

As it stands, Council labour and plant costs are not eligible for funding unless the Minister approves an exemption from the requirement to contract works. This would mean that most of the emergency work is not eligible and Council would be required to contract the rest of the work.

Submissions have been made to the local State Member to have the Minister for Emergency Services – The Hon. Troy Grant, to take up the Commonwealth offer to permit the use of day labour. Support has been provided to REROC who are advocating on this issue.

A short section of re-sheeting on the Oxley Road has been rolled-over to the upcoming financial year.

4. Water Supply and Sewerage Program

The water supply and sewerage program is progressing with major capital works complete and maintenance being carried out.

The next phases of work:

- The second stage of sewer camera work to complete Balranald will commence next week
- A short section of raw water pipe (asset renewal) is also scheduled for the next two weeks along Ballendella street
- All hydrants for Balranald have been cleaned and marked

5. Miscellaneous Works

- a) Road Manager Consent – National Heavy Vehicle Regulator:
One route given consent (Consent Request Number 105755, 17/5/2017) –
Vehicle Type: Road Train up to 36.5m; Kyalite Road, Kyalite (between shire boundary and Yanga Way).
- b) Parks and Gardens – Ongoing verge and median strip grass cutting has slowed down which enabled us to concentrate on weeding and mulching garden beds in preparation for the seasons planting programme. New roses are been sourced to replace the missing ones at the Shire Office. Pruning of the roses at the Shire Office will commence towards the end of this month.

<u>Financial Implication</u>	As per budgeted works program.
<u>Legislative Implication</u>	Nil.
<u>Policy Implication</u>	Rural Roads Policy.
<u>Attachments</u>	Nil.

Marma Box Creek Rd Construction



Trucks mobilising from Clarebank out onto Mildura-Ivanhoe Rd following rain event



Aerial View of South Clare Gravel Pit



Kilpatrick Rd Widening



QUESTIONS ON NOTICE

CLOSED MEETING - CONFIDENTIAL MATTERS

ITEM IC – 1 ALLEGATION OF CODE OF CONDUCT BREACH

File number:

Reason for Confidentiality

This report is CONFIDENTIAL in accordance with Section 10A (2)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public and press for business relating to the following: -

(i) alleged contraventions of any code of conduct requirements applicable under section 440.

ITEM GC – 1 CARAVAN PARK FUTURE DIRECTION

File number: 028

Reason for Confidentiality

This report is CONFIDENTIAL in accordance with Section 10A (2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public and press for business relating to the following: -

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,