

**From:** [REDACTED] on behalf of [OLG Office of Local Government Mailbox](#)  
**To:** [REDACTED]  
**Subject:** Private & Confidential - Correspondence from the Office of Local Government (Our Ref A692631) - LE  
**Date:** Friday, 24 April 2020 3:57:00 PM  
**Attachments:** [A692631 - OLG - Wingecarribee - Response.pdf](#)  
[image001.gif](#)  
[image002.jpg](#)

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PRIVATE & CONFIDENTIAL

Dear Ms Prendergast

Please find attached correspondence from the Office of Local Government in Adobe Acrobat format.

Yours sincerely

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**Office of Local Government** | Locked Bag 3015, Nowra NSW 2541  
e: [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) | p: 4428 4100 | f: 4428 4199 | [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)



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OLG COVID 2020 Email Signature 550x95px



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

Our Reference: A692631  
 Your Reference:  
 Contact: Council Governance  
 Phone: 02 4428 4100

Ms Ann Prendergast  
 General Manager  
 Wingecarribee Shire Council  
 By email: [REDACTED]

24 April 2020

**PRIVATE AND CONFIDENTIAL**

Dear Ms Prendergast

I am writing to express my concerns about the behaviour of some councillors at Council meetings and the misuse of notices of motion to allege breaches of the Council's code of conduct outside of the proper processes.

Section 8A(1)(i) of the *Local Government Act 1993* (the Act) provides as a guiding principle that councils '*should be responsible employers and provide a consultative and supportive working environment for staff*'. As members of Wingecarribee Shire Council's governing body, all councillors have a collective responsibility to ensure that the Council acts in accordance with this principle (see section 223(1)(d) of the Act).

The Office of Local Government (OLG) has been monitoring recent meetings of the Council through its webcasts and an OLG staff member attended the Council's extraordinary meeting of 11 March 2020 as an observer. Based on its observations, OLG is concerned that some councillors have conducted themselves in a manner that is not consistent with the Council's obligation to be a responsible employer.

Councillors need to be mindful of the impact of their behaviour on others, including staff and their fellow councillors, and the importance of recognising the duties they owe under the *Work Health and Safety Act 2011* (WHS Act) to take reasonable care that their acts or omissions do not adversely affect the health and safety of others.

This duty is reflected in the *Model Code of Conduct for Local Councils in NSW* and, by extension, the Council's adopted code of conduct. The Model Code of Conduct also places obligations on councillors not to engage in conduct that causes, comprises or involves intimidation or verbal abuse or that constitutes harassment or bullying behaviour or is unlawfully discriminatory. At meetings, councillors must not engage in bullying behaviour towards the chair, other council officials or any members of the public present.

Consistent with these obligations, councillors must not misuse meetings as a forum to publicly attack staff or to make allegations of wrongdoing against them. This is reflected in clause 3.15 of the Council's Code of Meeting Practice which provides as follows:



3.15 *A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.*

Clause 9.12 of the Council's code of conduct also provides:

9.12 *You must not make allegations about, or disclose information about, suspected breaches of [the] code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.*

If councillors wish to allege a breach of the Council's code of conduct, the appropriate way to do so is through the process prescribed under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

It is disappointing that some councillors have sought to introduce notices of motion for consideration at meetings that are inconsistent with these requirements. Having reviewed the relevant notices of motion and your determinations in relation to them, OLG agrees with your view that they were unlawful. Having correctly determined that the notices of motion were unlawful, it was not open to councillors to then seek to debate your decisions when they were reported to a Council meeting.

I would strongly encourage councillors to reflect on their behaviour and to ensure that they conduct themselves in the future in a manner that is consistent with their duties under the WHS Act and their obligations under the Council's code of conduct.

To ensure that this occurs, OLG will be closely monitoring webcasts of future Council meetings. Should you become aware of conduct of the type I have referred to above at any part of a meeting that is closed to the public, I would ask that you also make a recording of those parts of the meeting available to OLG.

Should councillors persist in behaving in a manner that is inconsistent with the Council's obligation to be a responsible employer, it may become necessary to consider taking steps to exercise the powers available under the Act for enforcing compliance by councillors either individually or collectively with their obligations.

I request that you bring this letter to the attention of all councillors for their consideration.

Thank you for your assistance in relation to this matter.

Yours sincerely



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**



Clr Duncan Gair and Mr Barry Paul  
Mayor and Acting General Manager  
Wingecarribee Shire Council

**NOTICE OF INTENTION TO ISSUE A SUSPENSION ORDER**

Dear Clr Gair and Mr Paul

In accordance with section 438K of the *Local Government Act 1993* (the Act), I hereby give notice of my intention to issue a suspension order to suspend councillors of Wingecarribee Shire Council for a period of three months and appoint an interim administrator under section 438M of the Act.

I am aware that there have been long-standing divisions within Council which have led to numerous code of conduct complaints and complaints about poor meeting practice. There have been ongoing requests for intervention by me and the Office of Local Government to address behavioural issues at Council and the effectiveness of Council decision-making.

Allegations of harassing and bullying behaviour towards Council staff have been made. Concerns have been raised by both councillors and staff about the impact of these behaviours on the health and well-being of staff at the council.

These concerns have been ongoing for some time. The Office of Local Government has previously attempted to work with Council to improve the underlying behaviours that gave rise to disruption at Council meetings and on Council premises, including warning letters, providing observers to meetings and conducting workshops with councillors and senior staff.

Ultimately, as a result of concerns about these issues continuing, I issued Council with a Performance Improvement Order (Order) on 8 September 2020. Councillors attended the mediation sessions and meeting training required by the Order. There were observable improvements in the conduct of meetings and general behaviours for a short time.

However, it was observed by my appointed temporary adviser that the improved behaviours that were exhibited at Council's meeting immediately following the mediation declined over subsequent meetings. This decline in civility impacted on the Mayor's chairing.

More recently it is evident that councillors appear to be unable to sustain the improvements made by the previous intervention. Council's finance committee meeting held on 22 February 2021 and Ordinary meeting on 24 February 2021 do not engender confidence that the governing body is effectively and efficiently managing the affairs of the Council.

I have formed the preliminary view that the Performance Improvement Order has been unsuccessful in effecting cultural change in the behaviour of some councillors and in improving relationships at the council.

These are serious matters. In circumstances where relationships between the councillors themselves, and between the councillors and key Council officers have broken down, that position

is untenable. On the information currently available to me, I have formed the preliminary view that there are significant reputational and work, health and safety risks facing Council that must be addressed.

In light of the division and conflict evident amongst the elected members which is impacting on the ability of the Acting General Manager and other staff to undertake their work, I do not presently believe that Council is in a position to satisfactorily identify and address the issues of concern at this time. To assist Council to move forward, and to restore and retain public confidence in Council as a functional decision-making representative body, I presently consider that a period of independent administration may be required.

In accordance with clause 413E of the Local Government (General) Regulation 2005, I have considered the criteria listed before issuing this notice of intention. Having regard to the criteria, I have formed the preliminary opinion that the appointment of an interim administrator may be necessary to restore the proper or effective functioning of Council for the reasons set out above.

I hereby invite Council to make a submission in respect of the proposed suspension. I invite Council to provide its written response within 7 days of the date of this notice. It is suggested that Council tables this notice of intention at an open Council meeting and provides its submission by way of resolution of the Council.

I have attached an information sheet about the process.

I request that you provide a copy of this notice and the information sheet to each councillor.

Yours sincerely



**The Hon. Shelley Hancock MP**  
Minister for Local Government

Encl

02 MAR 2021

**From:** [REDACTED]  
**To:** [OLG BS Ministerial Correspondence Mailbox](#)  
**Cc:** [OLG BS Ministerial Liaison Office Mailbox](#); [Lindsay Ewens](#)  
**Subject:** (MU) FW: Wingecarribee Shire Council - Response Notice of Intention to issue a Performance Improvement Order - 25/8 forwarded to Luke and Nick.  
**Date:** Wednesday, 26 August 2020 5:33:57 PM  
**Attachments:** [Signed LG Minister 25Aug20.pdf](#)  
[WSC Extraordinary Minutes 24Aug20.pdf](#)

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**Action Sheet**  
**The Hon. Shelley Hancock MP**  
**Minister for Local Government**

<b>Requested by</b>			
DLO	Chief of Staff	Senior Advisor	Other:
<b>Priority</b>			
Immediate (3 days)	Urgent (1 week)	Early (2 weeks)	Routine (3 weeks)
Date specified by MO:			
<b>Action required</b>			
Draft response	NRN – info only	Referral	Dot points
Brief	CIB	Meeting brief	Event brief
Speech	HFN	Other:	
<b>For signature by</b>			
Minister	Chief of Staff	Advisor/Policy Director	Agency
Other:			
<b>Comment/instructions/meeting details</b>			
Response from Wingecarribee re notice of intent to issue a PIO 1 week turn around please @Paula ccing you in so you're aware if anyone asks if this has been sent down for a response			

**From:** Duncan Gair [REDACTED]  
**Sent:** Tuesday, 25 August 2020 3:05 PM  
**To:** Public Hancock's Office Email [REDACTED]  
**Cc:** Barry Paull [REDACTED]; Duncan Gair [REDACTED]; Danielle Lidgard [REDACTED]  
**Subject:** Wingecarribee Shire Council - Response Notice of Intention to issue a Performance Improvement Order - 25/8 forwarded to Luke and Nick.

Dear Minister

Please find attached Wingecarribee Shire Council's submission regarding the Performance Improvement Order as moved at the Extraordinary Council Meeting held Monday, 24 August 2020.

Kind regards

**Duncan Gair** Mayor

[Wingecarribee Shire Council](#)

e. [REDACTED]

t. (02) [REDACTED]

m. [REDACTED]

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

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25 August 2020

The Hon. Shelley Hancock MP  
Minister for Local Government  
NSW Government  
GPO Box 5341  
SYDNEY NSW 2001



Civic Centre, 68 Elizabeth St,  
Moss Vale NSW 2577  
PO Box 141, Moss Vale

02 4868 0888

mail@wsc.nsw.gov.au

ABN 49 546 344 354

EMAIL: [REDACTED]

Dear Minister Hancock

**RE: Notice of Intention to Issue a Performance Improvement Order to Wingecarribee Shire Council Under Section 438A of the Local Government Act 1993**

I wish to advise that Council met for an Extraordinary Meeting of Council on 24 August 2020 to consider your letter dated the 19 August 2020 in which you give Council notice of your intention to issue a Performance Improvement Order to Wingecarribee Shire Council (Council) under section 438A of the *Local Government Act 1993*.

Your correspondence was considered at an Open Meeting of Council and all councillors were in attendance. At this meeting Council resolved to make the following submission to your notice to issue a Performance Improvement Order as follows:

***MN 334/20***

***MOTION*** moved by Mayor Clr T D Gair and seconded by Clr G McLaughlin

1. ***THAT** Council acknowledges the Minister for Local Government's correspondence, dated 19 August 2020, notifying Council of the Minister's intention to issue a Performance Improvement Order on Council under Section 438A of the Local Government Act 1993.*
2. ***THAT** Council advise the Minister that it accepts the "Reasons for the Order" as detailed in Schedule 1, accepts the "Action required to improve performance" in Schedule 2, and accepts the proposal for "Appointment of temporary advisers" in Schedule 3, as proposed in the Draft Order.*

*Working with you*

3. *THAT Council provide all necessary assistance to the proposed "Temporary Adviser" when appointed, including access to relevant documents and video files for the term of this Council.*
4. *THAT the Wingecarribee Shire Council agrees with the intent of the proposed Performance Improvement Order to be issued under the provisions of Section 438B(2) of the Local Government Act 1993 and Clauses 413D and 413DA of the Local Government (General) Regulation 2005 as listed (a) – (f). Particular emphasis should be placed upon (a) with regard to legislative responsibilities.*
5. *THAT the Minister for Local Government ensure that any 'investigation' undertaken by any representative of her be comprehensive and include both elected representatives of the Shire and members of staff of the Council.*


I have attached a copy of the Minutes of the Extraordinary Meeting of Council for your information.

Please contact myself or the Acting General Manager, Mr Barry W Paull on 4868 0714 or [barry.paull@wsc.nsw.gov.au](mailto:barry.paull@wsc.nsw.gov.au) should you have any questions.

Yours sincerely



Councillor Duncan Gair  
**Mayor**



Barry W Paull  
**Acting General Manager**

# MINUTES

of the

## Extraordinary Meeting of Council

held remotely using audio visual link and open to members of the  
community via webcast

on

**Monday 24 August 2020**

The meeting commenced at 4.30pm

*File No. 100/2020*



# MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

Monday 24 August 2020



<b>1. OPENING OF THE MEETING</b>	
<b>2. ACKNOWLEDGEMENT OF COUNTRY</b>	
<b>3. PRAYER</b>	
<b>4. APOLOGIES</b>	
<b>5. DECLARATIONS OF INTEREST.....</b>	<b>2</b>
<b>6. GENERAL MANAGER .....</b>	<b>3</b>
6.1 Notice of Intention from the Minister for Local Government to Issue Council a Performance Improvement Order Under Section 438A of the Local Government Act 1993 .....	3
<b>7. CLOSED COUNCIL .....</b>	<b>5</b>
Nil	
<b>8. MEETING CLOSURE.....</b>	<b>5</b>

**MINUTES OF THE EXTRAORDINARY MEETING OF WINGECARRIBEE SHIRE COUNCIL HELD REMOTELY USING AUDIO VISUAL LINK ON MONDAY 24 AUGUST 2020 COMMENCING AT 4.30PM**

**Present:** Clr T D Gair (Mayor)  
Clr G J Andrews\*  
Clr K J Halstead OAM\*  
Clr G McLaughlin\*  
Clr P W Nelson\*  
Clr I M Scandrett\*  
Clr G M Turland\*  
Clr L A C Whipper\*

<b>In Attendance:</b>	Acting General Manager	Mr Barry W Paull
	Acting Deputy General Manager	
	Operations, Finance and Risk	Mr Richard Mooney
	Deputy General Manager Corporate	
	Strategy and Development Services	Mr Mark Pepping
	Group Manager Corporate and	
	Community	Ms Danielle Lidgard
	Group Manager Project Delivery	Mr Ned Tripkovic
	Chief Information Officer	Mr John Crawford
	Coordinator Media and Communications	Mr David Sommers*
	Administration Officer	Ms Michelle Richardson

**NOTE:** Due to current government requirements around social distancing due to the COVID-19 pandemic, some Councillors and some staff attended the meeting remotely via zoom audio visual link. This is indicated by \*. The Mayor and remaining staff were present in the Council Chambers for this meeting.

## **1. OPENING OF THE MEETING**

The Mayor Clr T D Gair opened the meeting and welcomed members of the public and the press.

## **2. ACKNOWLEDGEMENT OF COUNTRY**

The Mayor Clr T D Gair acknowledged country:

*"I would like to acknowledge the Traditional Custodians of this land and pay my respect to Elders both past and present. I would also like to extend that respect to all Aboriginal and Torres Strait Islanders present here today."*

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### 3. PRAYER

The meeting was led in civic prayer by The Mayor Clr T D Gair .

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### 4. APOLOGY

There were no apologies at this Meeting.

PERS

### 5. DECLARATIONS OF INTEREST

101/3, 101/3.1

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this Meeting and to complete the appropriate form to be handed up at the Meeting.

There were no declarations of interest raised at this meeting.

## 6. GENERAL MANAGER

### 6.1 Notice of Intention from the Minister for Local Government to Issue Council a Performance Improvement Order Under Section 438A of the Local Government Act 1993

Reference:	101; 102; 103/6
Report Author:	Group Manager Corporate and Community
Authoriser:	Acting General Manager
Link to Community Strategic Plan:	An enhanced culture of positive leadership, accountability and ethical governance that guides well informed decisions to advance agreed community priorities

#### PURPOSE

To consider correspondence from the Minister for Local Government, The Hon. Shelley Hancock, MP advising of her intention to issue Council with a Performance Improvement Order.

The Acting General Manager addressed Council on this item.

The Acting General Manager left the meeting, the time being 5.09pm

The Acting General Manager returned to the meeting, the time being 5.13pm

**MN 334/20**

**MOTION** moved by Mayor Cllr T D Gair and seconded by Cllr G McLaughlin

1. **THAT** Council acknowledges the Minister for Local Government's correspondence, dated 19 August 2020, notifying Council of the Minister's intention to issue a Performance Improvement Order on Council under Section 438A of the *Local Government Act 1993*.
2. **THAT** Council advise the Minister that it accepts the "*Reasons for the Order*" as detailed in Schedule 1, accepts the "*Action required to improve performance*" in Schedule 2, and accepts the proposal for "Appointment of temporary advisers" in Schedule 3, as proposed in the Draft Order.
3. **THAT** Council provide all necessary assistance to the proposed "Temporary Adviser" when appointed, including access to relevant documents and video files for the term of this Council.
4. **THAT** the Wingecarribee Shire Council agrees with the intent of the proposed Performance Improvement Order to be issued under the provisions of Section 438B(2) of the Local Government Act 1993 and Clauses 413D and 413DA of the Local Government (General) Regulation 2005 as listed (a) – (f). Particular emphasis should be placed upon (a) with regard to legislative responsibilities.
5. **THAT** the Minister for Local Government ensure that any 'investigation' undertaken by any representative of her be comprehensive and include both elected representatives of the Shire and members of staff of the Council.

**PASSED**

**AMENDMENT** moved by Deputy Mayor G M Turland and seconded by Cllr I M Scandrett

1. **THAT** Council acknowledges the Minister for Local Government's correspondence, dated 19 August 2020, notifying Council of the Minister's intention to issue a Performance Improvement Order on Council under Section 438A of the *Local Government Act 1993*.
2. **THAT** Council advise the Minister that it accepts the "*Reasons for the Order*" as detailed in Schedule 1, accepts the "*Action required to improve performance*" in Schedule 2, and accepts the proposal for "Appointment of temporary advisers" in Schedule 3, as proposed in the Draft Order.
3. **THAT** Council provide all necessary assistance to the proposed "Temporary Adviser" when appointed, including access to relevant documents and video files for the term of this Council.
4. **THAT** the Wingecarribee Shire Council agrees with the intent of the proposed Performance Improvement Order to be issued under the provisions of Section 438B(2) of the Local Government Act 1993 and Clauses 413D and 413DA of the Local Government (General) Regulation 2005 as listed (a) – (f). Particular emphasis

should be placed upon (a) with regard to legislative responsibilities.

5. THAT the Minister for Local Government ensure that any 'investigation' undertaken by any representative of her be comprehensive and include both elected representatives of the Shire and members of staff of the council and community representatives.

**LOST**

**7. CLOSED COUNCIL**

There was no Closed Council at this meeting.

**8. MEETING CLOSURE**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 5.23 PM

In accordance with the provisions of Section 375(2) of the Local Government Act, these Minutes of the Ordinary Council Meeting held Monday 24 August 2020 number M/N 334/20 were signed by me hereunder at the Council Meeting held on Wednesday 26 August 2020.

\_\_\_\_\_  
CHAIRMAN

**READ AND CONFIRMED ON WEDNESDAY 26 AUGUST 2020**

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
PUBLIC OFFICER



**From:** [Sam Thomson](#)  
**To:** [OLG BS Ministerial Liaison Office Mailbox](#)  
**Subject:** FW: Wingecarribee - Notice of Intention to Suspend - 03.03.2021  
**Date:** Wednesday, 10 March 2021 3:26:30 PM  
**Attachments:** [image001.png](#)  
[image001.gif](#)  
[ATT00001.htm](#)  
[image001.gif](#)  
[ATT00002.htm](#)  
[image001.gif](#)  
[ATT00003.htm](#)  
[Response to Notice of Intention to Issue suspension Order..pdf](#)  
[ATT00004.htm](#)

**Action Sheet**  
**The Hon. Shelley Hancock MP**  
**Minister for Local Government**

<b>Requested by</b>			
DLO	Chief of Staff	Senior Advisor	Other:
<b>Priority</b>			
Immediate (3 days)	Urgent (1 week)	Early (2 weeks)	Routine (3 weeks)
Date specified by MO:			
<b>Action required</b>			
Draft response	NRN – info only	Referral	Dot points
Brief	CIB	Meeting brief	Event brief
Speech	HFN	Other:	
<b>For signature by</b>			
Minister	Chief of Staff	Advisor/Policy Director	Agency
Other:			
<b>Comment/instructions/meeting details</b>			

**From:** Dave Chalmers [REDACTED]  
**Sent:** Wednesday, 10 March 2021 2:34 PM  
**To:** Sam Thomson [REDACTED]  
**Subject:** FW: Wingecarribee - Notice of Intention to Suspend - 03.03.2021

Hi Sam

It's come to our attention that the formal submission from Wingecarribee Shire Council in response to the Notice of Intention to issue a suspension order may not have been provided directly to your office by Council. OLG received it yesterday afternoon, it seems they responded directly to the officer at OLG who served the notice.

Please find copy attached for the Minister.

Thanks

Dave



**Dave Chalmers**

**Manager, Government and Parliamentary Services**

Office of Local Government | Department of Planning, Industry and Environment

5 O'Keefe Ave, Nowra, 2541 | [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)



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

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Our ref: 1234/56  
Contact:



9 March 2021

The Hon. Shelley Hancock, MP  
Minister for Local Government  
GPO Box 5341  
SYDNEY NSW 2001

Civic Centre  
68 Elizabeth Street Moss Vale  
PO Box 141 Moss Vale NSW 2577

02 4868 0888  
mail@wsc.nsw.gov.au  
ABN 49 546 344 354

Dear Minister Hancock

**RE: Notice of Intention to Issue Suspension Order – Submission from Wingecarribee Shire Council**

At an Extraordinary Meeting of Council held on 9 March 2021 Council met to consider the Notice of Intention to Issue a Suspension Order (the Notice) on Wingecarribee Shire Council. As suggested the Notice was tabled in an open Council meeting.

Following receipt of the Notice on 3 March 2021, all councillors were immediately provided with a copy of the Notice and the associated information sheet.

At the Extraordinary Meeting held on 9 March 2021 Council considered your invitation to provide a written submission in respect to the proposed suspension. At this meeting Council resolved as follows:

1. *THAT the Notice of Intention to Suspend Wingecarribee Shire Council issued by the Minister of Local Government, the Hon. Shelley Hancock, MP (the Minister) which invites Council to make a submission within 7 days with regard to the proposed suspension by way of Council resolution be received and noted.*
2. *THAT the following achievements of Council during the Council term be noted*
  - a. *Sound financial position with unmodified audit opinion for each year of the Council term*
  - b. *Completion of Merrigang Street Reconstruction Project*
  - c. *Completion of Kirkham Road Reconstruction Program*
  - d. *Completion of the expanded Wattle Street Carpark in Bowral*
  - e. *Completion of the redevelopment of Bowral Rugby Club*
  - f. *Completion of Bundanoon Skate Park*
  - g. *Repair and Upgrade of Mittagong Pool*

*Working with you*

- h. *Exemplary response to the 2019/20 Black Summer Bushfires, Drought, Floods and the COVID-19 pandemic and continuation of service delivery and support to the community during this period.*
3. *THAT Council notes that the majority of councillors adhered to the requirements of the Performance Improvement Order issued by the Minister on the 8 September 2020 and it's a minority of councillors that have not adhered to the requirements of this order.*
4. *THAT Council notes that the majority of councillors adhered to the councillor agreements arising from the mediation workshop undertaken as a part of the Performance Improvement Order and it's a minority that have not adhered to these agreements.*
5. *THAT the Mayor, Councillor Gair and Deputy Mayor Councillor Andrews, and one council nominated Councillor representative request a meeting with the Minister to discuss alternative options to the suspension of all councillors.*
6. *THAT Council seek an extension for its submission to the Notice of Intention to Issue a Suspension Order until 17 March in order for a meeting with the Minister.*
7. *THAT Council call upon the Minister to reiterate that the vast majority of Councillors are not responsible for the dysfunction of Council as identified in her correspondence received by Council on 3 March 2021.*
8. *THAT following this meeting the Minister take decisive action against those Councillors identified by the majority of this democratically elected Council who continue not to adhere with the requirements of the Performance Improvement Order.*

Councillors thank you for your consideration of this submission.

Yours sincerely



Councillor Duncan Gair  
Mayor



Mr Barry W Paull  
Acting General Manager

1. THAT the Notice of Intention to Suspend Wingecarribee Shire Council issued by the Minister of Local Government, the Hon. Shelley Hancock, MP (the Minister) which invites Council to make a submission within 7 days with regard to the proposed suspension by way of Council resolution be received and noted.
2. THAT the following achievements of Council during the Council term be noted
  - a. Sound financial position with unmodified audit opinion for each year of the Council term
  - b. Completion of Merrigang Street Reconstruction Project
  - c. Completion of Kirkham Road Reconstruction Program
  - d. Completion of the expanded Wattle Street Carpark in Bowral
  - e. Completion of the redevelopment of Bowral Rugby Club
  - f. Completion of Bundanoon Skate Park
  - g. Repair and Upgrade of Mittagong Pool
  - h. Exemplary response to the 2019/20 Black Summer Bushfires, Drought, Floods and the COVID-19 pandemic and continuation of service delivery and support to the community during this periods
3. THAT Council notes that the majority of councillors adhered to the requirements of the Performance Improvement Order issued by the Minister on the 8 September 2020 and it's a minority of councillors that have not adhered to the requirements of this order.
4. THAT Council notes that the majority of councillors adhered to the councillor agreements arising from the mediation workshop undertaken as a part of the Performance Improvement Order and it's a minority that have not adhered to these agreements.
5. THAT Council acknowledge the bullying, harassment and intimidation of council staff and councillors is caused by a minority of Councillors.
6. THAT concerns regarding the impact bullying, harassment and intimidation by a minority of Councillors was having a detrimental impact on the health and wellbeing of council staff and councillors.
7. THAT Councillor Scandrett is requested to tender his resignation from Civic Office as a Councillor of Wingecarribee Shire Council effective immediately and if Councillor Scandrett refuses to resign then THAT Council request that the Minister to suspend Councillor Scandrett immediately.
8. THAT Councillor Turland is requested to tender his resignation from Civic Office as a Councillor of Wingecarribee Shire Council effective immediately and if Councillor Turland refuses to resign then THAT Council request that the Minister to suspend Councillor Scandrett immediately.
9. THAT the Mayor, Councillor Gair and Deputy Mayor Councillor Andrews request a meeting with the Minister to discuss alternative options to the suspension of all councillors.

1. THAT the Notice of Intention to Suspend Wingecarribee Shire Council issued by the Minister of Local Government, the Hon. Shelley Hancock, MP (the Minister) which invites Council to make a submission within 7 days with regard to the proposed suspension by way of Council resolution be received and noted.
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  - g. Repair and Upgrade of Mittagong Pool
  - h. Exemplary response to the 2019/20 Black Summer Bushfires, Drought, Floods and the COVID-19 pandemic and continuation of service delivery and support to the community during this period.
3. THAT Council notes that the majority of councillors adhered to the requirements of the Performance Improvement Order issued by the Minister on the 8 September 2020 and it's a minority of councillors that have not adhered to the requirements of this order.
4. THAT Council notes that the majority of councillors adhered to the councillor agreements arising from the mediation workshop undertaken as a part of the Performance Improvement Order and it's a minority that have not adhered to these agreements.
5. THAT the Mayor, Councillor Gair and Deputy Mayor Councillor Andrews, and one council nominated Councillor representative request a meeting with the Minister to discuss alternative options to the suspension of all councillors.
6. THAT Council seek an extension for its submission to the Notice of Intention to Issue a Suspension Order until 17 March in order for a meeting with the Minister.
7. THAT Council call upon the Minister to reiterate that the vast majority of Councillors are not responsible for the dysfunction of Council as identified in her correspondence received by Council on 3 March 2021.
8. THAT following this meeting the Minister take decisive action against those Councillors identified by the majority of this democratically elected Council who continue not to adhere with the requirements of the Performance Improvement Order.

## **Mayor Gair calls for dysfunctional councillors to resign**

---

This afternoon Council will hold an Extraordinary Meeting to consider the Notice from the Hon Shelley Hancock MP Minister for Local Government to suspend Wingecarribee Shire Council and appoint an interim administrator.

While the correspondence suggests an interim period of three months, the Minister could extend the suspension for an additional three months. A six-month suspension would mean the current Council would not return before the next local government election.

It is extremely disappointing that it has come to this and in my opinion, it is the deliberate attempt by a minority of councillors to disrupt the running of Council and bring the organisation into disrepute.

For over a year the actions of these councillors have deteriorated and the Minister's request for order via a Performance Improvement Order have been largely ignored.

The Minister rightly highlighted her concerns of harassing and bullying behaviour towards Council staff as a major factor for the possible suspension order. Minister Hancock said concerns had been raised by both councillors and staff about the impact of these behaviours on the health and well-being of staff at Council. Former General Manager Ann Prendergast's departure is in my opinion, a prime example of this continued harassment.

Whether in public or behind closed doors, bullying and harassment is never acceptable.

The Office of Local Government is in receipt of numerous threatening and offensive emails and correspondence. I have seen first-hand the effects that these behaviours have had on staff and it cannot be allowed to continue.

I commend all the staff of Council for their continued efforts during these difficult circumstances.

For several months Councillor Scandrett has called for the current cohort of councillors to be 'sacked' to allow a 'new gene pool' to be instated. This is all well and good to publicly advocate yet Councillor Scandrett has already nominated for September's forthcoming Local Government Elections. The hypocrisy is palpable.

Should Council be suspended, even for six months, under the current guidelines all councillors will be free to re-stand at September's Local Government Elections.

Today's meeting will determine what course of action Council will endorse, however it is clear the majority of councillors are unhappy with two dysfunctional councillors.

Our community has had enough of the bickering. The cost alone of this disruption is at least \$600,000 and counting.

For the sake of our Shire I call for Councillor Scandrett and Councillor Turland to resign from Council immediately.

**END**



30 Mar 2022

Article type: Publication

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Southern Highlands Express

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page 1 of 1

# GAIR'S GANG



# OF FIVE COOMUNGIE GOT US

The suspension of **Wingecarribee Shire Councillors** was a political response by the shire's two local state **MPs Wendy Tuckerman and Nathaniel Smith**, to their resistance to the Coomungie/Ashbourne development according to the **suspended Mayor Duncan Gair** and four other members of the suspended council.





30 Mar 2022

Author: Cristian King

Article type: Publication

Page: 3

Southern Highlands Express

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page 1 of 1

## “COMPLETE LACK OF LEADERSHIP”



John Barrett



Nick Wilton



Sara Haslinger (credit: YouTube)

There was a “complete lack of leadership” by Wingecarribee Shire Council (WSC) in the wake of the 2019-20 bushfires, the Public Inquiry into the council was told on Day 2 of hearings on Tuesday.

Inquiry Commissioner Ross Glover heard testimony from Sara Haslinger of the Friends of Wingecarribee, who told of the trauma of losing her home late on January 4, 2020, and went into detail about her experiences with WSC thereafter.

At the council meeting on January 29, 2020, where Ms Haslinger made a presentation regarding the vote by councillors against waiving development application fees for bushfire-affected residents, Ms Haslinger related a “strange” event between herself and Mayor Duncan Gair.

“I stepped outside and whilst standing on my own, the mayor came towards me, but he put his hand out and said something like ‘just remember, I have a lot of support in this town’.

“I thought that was very odd... and I didn’t shake his hand as I have no respect for him,” Ms Haslinger said.

When asked by counsel assisting the Inquiry David Parish if she had any constructive feedback for WSC, Ms Haslinger stated, “It would have been much easier if the council hadn’t existed.”

“I’m not convinced you’ll see any change in good community leadership,” she said.

“The councillors who have been here for many years don’t appreciate the cost of their poor leadership.”

The day featured three other witnesses, including a former senior manager who told of two councillors who “stirred the pot”.

John Barrett, of the Friends of Bowral, appeared after Ms Haslinger regarding the Station Street upgrade in Bowral.

Mr Barrett delivered a vivid timeline of the project since 2013, detailing the erroneous management methods and non-compliance of the community engagement policy by both council staff and councillors.

“The way the council meetings were conducted, we could not have a dialogue or discussion... there was no real opportunity to voice concerns about the project,” Mr Barrett said.

“There was a major change in the project with a loss of 73 car-parks, and the cost went from \$9.5 million in 2017... to about \$18 million, and then went up to \$36 million.

“We felt Council hadn’t complied with its community engagement policy, only having one opportunity to comment at the public event in 2017.”

Bowral resident Jennifer Stokeld testified about the

2019. The EPA officer told me that they were receiving heaps of complaints, but I stopped writing to the council as we all received the same letter, it was cold.

“Nowadays, you occasionally get a whiff, but it’s nothing like what it was and is only due to the EPA, not the council.”

After lunch, former WSC Group Manager Nick Wilton explained measures that went into effect to reduce DA processing times from 2015-2017 and the stress experienced by staff from certain councillors and media reports.

“There were certain council-

**‘It would have been much easier if the council hadn’t existed’ SARA HASLINGER**

**‘I am not living in a third world country, yet I feel like I am’ JENNIFER STOKELD**

Black Summer Bushfires and the fumes from the Bowral Waste Centre.

“It became clear that people who lost their homes had to continue paying their rates and excess water bills, and it wasn’t refunded until six months later... There’s no empathy for them at all or compassion showed towards them.”

Ms Stokeld then described her experience and lack of support from the council over complaints about fumes from the Bowral Waste Centre.

“These fumes permeated through everything. Also, I draw the conclusion that I and my neighbour three doors down got cancer because of these fumes,” Ms Stokeld said.

“I made an impassioned plea to the council, and I was told in a standard letter to go to the NSW Environment Protection Authority (EPA).

“When I called the EPA, they were very kind and patient with me. I am not living in a third world country, yet I feel like I am. There is a tip on the edge of this town, and I ask, why is this allowed to happen in a built-up area near homes, shops and a medical centre.

“I moved to Bowral in 2010 and the fumes only started in

lors who wished to stir the pot, in my view,” Mr Wilton said.

When asked to identify the troublesome councillors, without hesitation, Mr Wilton said, “It was all Councillor (Garry) Turland, and sometimes Councillor (Ian) Scandrett”.

“Sometimes I would arrive at work, and some of my staff were discussing reports in the local newspaper or on the radio that caused some stress, and I would have to remind them that they should be doing their very best to discharge their duties to the community,” Mr Wilton said.

The remaining witnesses this week have been announced by the Office of Local Government NSW:

Today (Wednesday, March 30): Jan Wilson (10am), Alan Olsen (10:30am) and Mark Bourne (2pm).

Thursday, March 31: Geoff Byrne (10am), Richard Mooncy (10:30am), Brigid Kennedy (11:30am) and Holly Campbell (2pm).

Friday, April 1: Sandra Jones (10am), Derek White (10:30am), Christine Rowell (11:30am), Clive West (12:20pm) and John Burgess (2pm).

*By Cristian King*





30 Mar 2022

Author: Mark Wallace

Article type: Publication

Page: 4

Southern Highlands Express

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page 1 of 1

## WSC Inquiry: Senior managers were 'playing favourites'

Senior management was "playing favourites" in dealing with applications, the public inquiry into Wingecarribee Shire Council has been told.

The inability to get Development Applications approved was one of the main complaints by members of the then Southern Highlands Chamber of Commerce, its former President, Steve Horton, told the Inquiry on Monday.

Mr Horton was the first public witness to be heard by Commissioner Ross Glover on Monday, under questioning from Counsel Assisting the Commission, David Parish.

Mr Horton told the Inquiry that the major issues involved not only an inability to get DAs approved, but then trying to find out why certain developments had been rejected by the Council, even after they'd been recommended by staff, having met all relevant conditions for approval.

"The feedback we were getting from members was that consultation was very poor and that that had been going on for quite some time," Mr Horton said.

Asked by Commissioner Glover if he felt that his members' feedback represented a wide range of views, Mr Horton said it was "as wide as you can get from a community like this".

"Getting DAs approved was the big issue," he said.

"They can't operate until the DA goes through, and that's money for them.

"It wasn't just DAs for businesses, many were for personal applications as well.

"There was a real perception that senior management and councillors were playing favourites.

"If we meet all the conditions of the DA process, it should just go through."

He agreed with a report by the Small Business Commissioner councillor and senior staff had "stopped listening," saying that when questioned as to why applications had been rejected even after staff had recommended them as complying with relevant conditions and regulations, that they "didn't want to answer or we were

DAY 1



Counsel Assisting the Inquiry, David Parish



keen observer of the Day 1 proceedings, Cr Ian Scandrett.

fobbed off".

Mr Horton said that as a chamber, it was important to be able to understand why applications were rejected in order to help the applicants overcome the obstacles.

"We'd never seen on strategy that engaged all stakeholders — not key stakeholders, but all stakeholders."

Mr Horton said that when DAs were rejected "There was nobody to talk to to find out why".

He said this had a detrimental effect on business confidence.

Mr Horton said there were a number of lobby groups operating within the Highlands economy which were lobbying for particular developments with which the Chamber of Commerce disagreed on the basis that the type of development proposed was not likely to improve conditions for businesses overall.

Mr Horton was not asked to identify the lobby groups but said they had set agendas and would lobby against particular proposals with which they disagreed.

"We needed a new economic development plan and we just

didn't have one," he said.

"The plan we had in place was outdated. It needed to be reviewed and it just wasn't happening."

Mr Horton was the first of 52 witnesses to be called to give evidence before Commissioner Glover.

Mr Parish said the witnesses would be called in three groups in order over the next three weeks.

This week will see members of the public who had made submissions, although not all who had made submissions would be called. This was not to be considered that those submissions were not fully considered, but rather that they contained information that was covered by other submissions.

Week two of the Inquiry would hear from remaining members of the public, interim administrator Viv May, witnesses from the Office of Local Government and the general manager of the council Lisa Miscamble.

Week three of the hearings would see suspended councillors in the witness box.

Mr Parish said that the Inquiry was not about finding any one councillor to blame.

"We are not looking for bad apples, we're looking at the whole tree," he said.

He would explore issues raised by the Ernest Consulting report into the working culture of council in which staff were interviewed and indicated that the was poor or no leadership by senior staff and the effects that had on staff.

He would also explore and flag specific events such as the council's response to the Bushfires of 2019-20, another report initiated by the administrator, or the Station Street Bypass in which there appeared to be dysfunction and animosity within the council and that members of the public felt consultation was obfuscatory.

Irregularities in spending and the DA process for the redevelopment of the Moss Vale Civic Centre would also be explored along with the question of whether councillors and staff properly understood their roles and responsibilities.

By Mark Wallace



# COOMUNGIE GOT US

Gair's gang allege political stitch up



Duncan Gair



Graham McLaughlin



Grahame Andrews



Peter Nelson



Gordon Markwart with Jan Hainke during a break in the inquiry hearing on Monday.

The suspension of Wingecarribee Shire Councillors was a political response by the shire's two local state MPs Wendy Tuckerman and Nathaniel Smith, to their resistance to the Coomungie/Ashbourne development according to the suspended Mayor Duncan Gair and four other members of the suspended council.

In a bombshell statement issued on the first morning of the hearings by Commissioner Ross Glover's Public Inquiry into the suspended council, Crs Duncan Gair, Graham McLaughlin, Peter Nelson Graeme Andrews and Gordon Markwart (who resigned due to ill-health long before the council was suspended), accused the two state Liberal MPs of applying pressure to approve the development "by a Chinese company without the necessary infrastructure like sewerage in place".

"Councillors and senior staff were guilty of resisting political pressure... so we were suspended," Cr Gair said.

"The state government had forced through the rezoning but refused any funding for basic infrastructure."

The joint statement said both local MPs had called for the councillors to be sacked.

"Having lobbied against the council as a backbencher, the new minister should recuse herself from any decisions flowing from the inquiry," Mr Gair said.

"And Mr Smith is the bloke who said to me in front of senior staff, 'just cut down the trees' in Station Street, Bowral".

Problems on Council, the statement said, were caused by "two or three councillors who, variously, deliberately disrupted council meetings, wrongly interfered in operational matters, publicly trashed their own council and bullied and tried to remove key staff right up to the general manager".

"The then minister [Shelley Hancock] could have removed the problem councillors without sacking the whole council but there were other, political forces at play," the councillors said.

"The Minister rejected her own department's advice to maintain the elected council after it had met her performance improvement conditions and she ordered a costly public inquiry as the only legal way of keeping us out of office."

Whatever problems the former council had, it had done a far better job than the current administration.

"Council has suffered its first loss in at least 26 years of over \$700,000, entirely due to the costs of sacking or forcing the resignation of virtually all the senior staff, and the administrator has flagged another deficit of \$800,000 for 2022/23 and an extraordinary rate increase.

"And he must be the first council boss ever to give grant money (\$4.1 million) back to the state government.

"Council is now struggling to deliver services with the loss of hundreds of years of expertise and local knowhow and scores of staff vacancies it can't fill. The time to process development applications has taken six weeks to many months with ex-

pensive external consultants now hired to try to stem the bleeding."

The statement accused interim administrator Viv May of unleashing "a torrent of criticism against the former councillors and staff on false or meagre grounds contrary to the code of conduct and unfortunately, this had been accepted as gospel by much of the community".

"Mr May has acted like a populist politician and not a paid professional public servant. There have been threats of physical violence against councillors on social media.

"The plethora of external reports he commissioned found relatively insubstantial issues and no smoking gun to justify the suspension of the councillors.

"The inquiry needs to examine whether the administrator has breached the code of conduct on numerous occasions, particularly regarding his involvement in staff operational matters, and the major decisions made behind closed doors without accountability or transparency."

The councillors said the previous council had an "enviable record in financial performance and statutory reporting and had been described by the Auditor General's Office as a 'pearl' among the councils it dealt with".

It had embarked on "the biggest capital works and asset renewal program in the council's history", won multiple tourism, risk management and environmental awards and had greatly improved workplace safety.

"Hardly the smoking ruin alleged by the administrator," the statement said.

NSW Member for Wollondilly Nathaniel Smith said he had no comment to make on the statement.

"Let the Inquiry proceed," he said. Interim Administrator Viv May was unavailable for comment. NSW Member for Goulburn Wendy Tuckerman said she would not be commenting on "baseless allegations".

"I look forward to the independent commissioner's report," she said.

By Mark Wallace



## Highlands Opinion

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11 hrs · 🌐

### "Sacking was political," say councillors

#### (\*Media Statement\*)

Five former councillors have jointly welcomed the opportunity to set the record straight at the public inquiry starting this week into Wingecarribee Shire Council, saying their suspension was political.

"Councillors and senior staff were guilty of resisting political pressure to approve a major land development without the necessary infrastructure like sewerage in place. So we were suspended. The state government had forced through the rezoning but refused any funding for basic infrastructure," the former mayor Duncan Gair said on behalf of his former colleagues Graham McLaughlin, Peter Nelson, Graeme Andrews and Gordon Markwart (who had earlier resigned on health grounds).

The Councillors claim that pressure had come from the two local Liberal MPs Wendy Tuckerman, who is now the Minister for Local Government, and Nathaniel Smith. Both had called for council to be sacked. "Having lobbied against the council as a backbencher the new Minister should recuse herself from any decisions flowing from the inquiry," Mr Gair said. "And Mr Smith is the bloke who said to me in front of senior staff 'just cut down the trees' in Station Street, Bowral."

"The problems on council were caused by two or three councillors who, variously, deliberately disrupted council meetings, wrongly interfered in operational matters, publicly trashed their own council





## Recent Activity



**Highlands Opinion** commented on his own post: "Robyn Fagan for you 😊"



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**Highlands Opinion** reacted to **Geoff Goodfellow's** comment: "Apart from being noisy and annoying, they seem so

"The problems on council were caused by two or three councillors who, variously, deliberately disrupted council meetings, wrongly interfered in operational matters, publicly trashed their own council and bullied and tried to remove key staff right up to the General Manager," he said.

"The then Minister could have removed the problem councillors without sacking the whole council but there were other, political forces at play. The Minister rejected her own department's advice to maintain the elected council after it had met her performance improvement conditions and she ordered a costly public inquiry as the only legal way of keeping us out of office," Gair said.

Mr Gair said that "whatever problems the former council had, it had done a far better job than the current administration."

"Council has suffered its first loss in at least 26 years of over \$700,000, entirely due to the costs of sacking or forcing the resignation of virtually all the senior staff, and the Administrator has flagged another deficit of \$800,000 for 2022/23 and an extra-ordinary rate increase. And he must be the first council boss ever to give grant money (\$4.1 million) back to the state government," said Gair.

"Council is now struggling to deliver services with the loss of hundreds of years of expertise and local knowhow and scores of staff vacancies it can't fill. The time to process development applications has blown out from weeks to many months with expensive external consultants now hired to try to stem the bleeding."

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"Hardly the smoking ruin alleged by the Administrator," Mr Gair said.

*Image: courtesy of ABC.*





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Highlands Opinion reacted to Geoff Goodfellow's comment: "Apart from

Image: courtesy of ABC.



7 12 Comments

Like Comment Share

Elizabeth Fenwick Jordan  
Hm interesting!! 2

Hm interesting!! 2

Like Reply Share 11h

**Geoff Goodfellow**

As my dear old dad always said, "there are three sides to every story and it is a very good idea to listen to them all before rushing to a conclusion."

Like Reply Share 5h 9

**Angus Humphreys**

Geoff Goodfellow so true "somewhere out there....."

Like Reply Share 4h 2

**David Baxter**

Geoff Goodfellow I have heard two of the sides versions Geoff. Now I need to hear yours (privately lol)

Like Reply Share 4h 2

**Jo Babb**

Watching the administrator turn the area into a city suburb is very distressing so it is good to read this and get a different view. Without knowing all the ins and outs, the sacking always looked political to me.

Like Reply Share 4h 2

**Gregory John Olsen Esq**

That's how I see it too. My own investigation into the PIO

## Recent Activity



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**Gregory John Olsen Esq**

That's how I see it too. My own investigation into the PIO uncovered enough for me to smell a rat! Let's hope the PI reveals the political stitch-up of which this whole saga reeks! 😞

LET WINGECARRIBEE VOTE!

Like Reply Share 3h Edited



**Angus McKinnon**

Wow, interesting attempt to re-spin a narrative and rewrite history. Arrogance and incompetence and a loss of trust by the community was my recollection. It will be interesting to see what the enquiry uncovers but I think how it has been framed and its... [See more](#)

Like Reply Share 3h Edited



**Paul Willans**

Typical , always blaming everyone else these councillors are so predictable it's a joke

What double backflip Duncan failed to mention the whole town lost faith in their bumbling antics

These guys are as popular as Vladimir Putin , in fact they'd have ... [See more](#)

Like Reply Share 3h Edited



**Sam Johnson**

The root cause of these problems is political parties involved in local councils. This inquiry of course will never



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**Highlands Opinion** reacted to **Geoff Goodfellow's** comment: "Apart from being noisy and annoying, they seem so darn futile to me. blowing leaves from A



**Sam Johnson**

The root cause of these problems is political parties involved in local councils. This inquiry of course will never address that sacred cow. The elected (or nominated ) councils should be representative of all the Shire stakeholders, ie ratepayers (p... [See more](#)

Like Reply Share 2h Edited



**Gregory John Olsen Esq**

**Sam Johnson**, the vast majority of the original Councillors were independents, seven out of nine, in fact. 😊

Like Reply Share 21m



**Janine Armstrong**

Personally I think Mr Gair continues to live in a fantasy world. This person, as the chair of the council meeting cut me off because he didn't like that I was telling the truth that lied to me in an email. The lack of community consultation was a disa... [See more](#)

Like Reply Share 46m



**Liz Leneve**

I think he is dreaming about a different council to the one that is in the inquiry and the evidence given by some people

Like Reply Share 24m

\*\*

**Subject:** Fwd: GIPA22/170449 (Nelson) - your formal GIPA application relating to emails about Station Street  
**Date:** Tuesday, 29 March 2022 2:11:20 PM  
**Attachments:** [GIPA22170449 \(Nelson\) - Notice of Decision.msg](#)

---

Begin forwarded message:

**From:** [REDACTED]  
**Date:** 29 March 2022 at 1:57:37 pm AEDT  
**To:** Marissa Racomelara [REDACTED]  
**Subject:** FW: GIPA22/170449 (Nelson) - your formal GIPA application relating to emails about Station Street

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

---

**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: GIPA22/170449 (Nelson) - your formal GIPA application relating to emails about Station Street

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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---

**From:** Governance  
**Sent:** Tuesday, 29 March 2022 1:52 PM  
**To:** Peter Nelson [REDACTED]  
**Subject:** RE: GIPA22/170449 (Nelson) - your formal GIPA application relating to emails about Station Street

Dear Mr Nelson,

I have attached my email to you dated 1 March 2022 and Notice of Decision concerning your formal GIPA application GIPA22/1593765. On your application form you did not indicate a preferred contact method for Council to send notices, so all correspondence in relation to that application has been by email in line with the information provided on the form.

I note from your application form you wish to receive a paper copy of the relevant records. As indicated in the Notice of Decision, as soon as you pay the processing charges of \$40, the records will be posted to you.

Please let me know if you require any further information.

Kind regards,

[Redacted]

[Redacted]

(Monday, Tuesday & Thursday)

Wingecarribee Shire Council

[Redacted]

[Redacted]

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

www.wsc.nsw.gov.au

**From:** Peter Nelson [Redacted]

**Sent:** Tuesday, [Redacted]

[Redacted]

**Subject:** Re: GIPA22/159376 (Nelson) - update

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Dear [Redacted]

Thanks for that information.

As you may know I have been called by the commissioner to attend the inquiry and would like to know when I might get the answer to my GIPA application relating to the emails about station street. Others wise I will have to tell the commissioner that the General Manager has failed in her responsibility to provide me with the information.

Regards

Peter Nelson

Ps I thought that was a formal application?

Sent from my iPhone

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



**From:** [Paul Samulski](#)  
**To:** [OLG SPI Wingecarribee Council Public Inquiry Mailbox](#)  
**Subject:** RE: Attendance at Public [REDACTED]  
[REDACTED] PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.png](#)  
[Open letter to councillors.pdf](#)

---

Thank you. I would also like an email which was sent to the then chairman of the chamber of commerce by councillor Nelson. Why would an elected councillor contact an organisation that I am involved in with the goal of undermining me? This was an email/letter which was circulated in print media. Rather than respond to my email directly he saw fit to instead contact a third party demanding that I be sacked. As was the case for Clr McGlaughlin who contacted the former chairman of the southern highlands branch of the national party to have my membership revoked. Yet neither of these councillors had the courage to actually pick up the phone and call me or respond to my email. Noting this email was printed in the local news paper.

**Kind regards,**

**Paul Samulski J.P.**

Director

**PS Design & Construction Pty. Ltd.**

**ABN:** 53167382907 – **Builders Lic. No:** 269174C

PO BOX 878 BOWRAL NSW 2576

[REDACTED]

This email and any attachments may contain privileged and confidential information and are intended for the named addressee only. If you have received this e-mail in error, please notify the sender and delete this e-mail immediately. Any confidentiality, privilege or copyright is not waived or lost because this e-mail has been sent to you in error. It is your responsibility to check this e-mail and any attachments for viruses. No warranty is made that this material is free from computer virus or any other defect or error. Any loss/damage incurred by using this material is not the sender's responsibility. The sender's entire liability will be limited to resupplying the material.

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**From:** Bron Hewson [REDACTED] **On Behalf Of** OLG SPI Wingecarribee Council Public Inquiry Mailbox  
**Sent:** Friday, 1 April 2022 3:49 PM  
**To:** Paul Samulski [REDACTED]  
**Cc:** OLG SPI Wingecarribee Council Public Inquiry Mailbox  
<wingecarribee.publicinquiry@olg.nsw.gov.au>  
**Subject:** Attendance at Public Hearings - Wingecarribee Council Public Inquiry - Friday 8 April 2022 at 10:30am

Good Afternoon Mr Samulski,

Thank you for your email and I have noted your concerns and comments.

**From:** Peter Nelson [REDACTED]  
**Subject:** Fwd: Open email to council re Imminent suspension  
**Date:** 5 March 2021 at 7:28:01 am AEDT  
**To:** Steve Horton [REDACTED]  
**Cc:** Duncan Gair [REDACTED]

Dear Steve

I respectfully request that as President of the local Chamber of Commerce that you bring Mr Samulski's email to the attention of the chamber board and then take appropriate action to sack Mr Samulski from the position of Council Liaison Office between the Chamber and Wingecarribee Shire Council. His email is disgusting and inappropriate to say the least and not worthy of a person who is suppose to be the contact person between the chamber and Council.

Regards  
Peter Nelson  
Councillor.

Sent from my iPad

Begin forwarded message:

**From:** Paul Samulski [REDACTED]  
**Date:** 4 March 2021 at 8:26:59 pm AEDT  
**To:** Duncan Gair [REDACTED], Councillors [REDACTED]  
**Subject:** Open email to council re Imminent suspension

**External Email:** This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Mayor Gair & Councillors,

I hope this email finds you all well.

Firstly I wish to congratulate you Clr Gair for making contact last year with the minister for local government, the Hon. Shelley Hancock to intervene and provide direction when it was obvious you have lost control and confidence of the council, one that has been toxic, dysfunctional that quite honestly been residual for far too long.

Trapped in the ideology of the 1980s, trapped in the hypocrisy of the 1970s, and public transparency of the 1960s, never has a community been more embarrassed of its elected members than of this council.

The ego's, policy on the run and sheer arrogance of this council has done nothing but accelerate the disconnect between the council and the local community.

A lack of vision and transparency has caused significant community anger and unlike any time in history, it is imperative that as a collective group you all immediately step down from office for an early retirement to give this community a chance to reform, flourish and honour their next elected representative, so once again the residents of this shire can be proud of the local government system.

Mr Mayor, It is hardly fair when I watch the reporting on mainstream media that you are still shaking your head and blaming a but a few. You see councillors, the very reason this council needs to resign is glaringly obvious as each and every one of you continue to deflect and lay blame at your

colleagues feet. Like the skipper of the wallabies after beaten 60 nil, one cannot just blame the rest of the team.

I hope this week has given you a chance to reflect and really understand the power of the community and absolute need for open and transparent governance.

The imminent suspension that is looming is a credit to Mr Smith and Ms Tuckerman for listening to the pleas of the broader community for action to be taken. From conversations I have had over the past few days, the residents, business owners and stakeholders are indebted to our two local members to having the fortitude to take the first step that has triggered a swift response from the minister.

Make the mistake councillors, many of you will go down in history as presiding over a council which can only be described as a dark chapter in the history of the Wingecarribee. Hopefully the sun will shine again.

Just like the name of the Bob Dylan song "Don't think twice, It's all right".

**Kind regards,**

**Paul Samulski**

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:**  
**Subject:** RE: Public Enquiry  
**Date:** Friday, 1 April 2022 2:30:13 PM

---

Dear Clr Gair

I note your concerns.

I will refer them to the Commissioner for his consideration.

Kind regards

**Angus Broad | Officer Assisting**

Office of the Commissioner, Wingecarribee Shire Council Public Inquiry

Locked Bag 3004, Nowra NSW 2541

e: [wingecarribee.publicinquiry@olg.nsw.gov.au](mailto:wingecarribee.publicinquiry@olg.nsw.gov.au) | p: 44284157

w: <https://www.olg.nsw.gov.au/public-inquiries/wingecarribee-shire-council-public-inquiry/>

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**From:** Thomas Gair [REDACTED]  
**Sent:** Friday, 1 April 2022 2:27 PM  
**To:** Angus Broad [REDACTED]  
**Subject:** Public Enquiry

Dear Mr Broad,

I wish to object to the way Ian Scandrett is questioning witnesses, by leading the witness ,the number of questions being allowed and the relevance of them .

Is this Ian Scandrett show.I know ,give him an inch and he will take a mile and he will test the Commissioner to get his own way.

He will turn this enquiry into a farce.

Kind Regards

Duncan Gair

--

Regards Duncan

[REDACTED]

## Archive Manager

## Export

From: Danielle Lidgard  
 To: [REDACTED]  
 CC: Ann Prendergast  
 Subject: FW: NOM re EGM statement

Sent: Wed, 26 Feb 2020 00:48:18 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

 2020\_02\_17 Mayor re EGM's.pdf (224Kb)

From: Danielle Lidgard  
 Sent: Tuesday, 18 February 2020 7:19 PM  
 To: Ian Scandrett [REDACTED]  
 Cc: Ann Prendergast [REDACTED]  
 Subject: FW: NOM re EGM statement

Good evening Cllr Scandrett

I have discussed your Notice of Motion with the General Manager and can advise that your notice of motion will not be included on the agenda for the council meeting on 26 February 2020.

The General Manager has advised that in accordance with clause 3.20 of Council's Code of Meeting Practice (COMP) your QWN will not be included in the agenda for the meeting on 26 February 2020, i.e.

***3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.***

The General Manager has formed the view that it would be unlawful to include your QWN in the agenda as your QWN implies that the Mayor has breached various Council policies and the Local Government Act. As per clause 9.12 it is a breach of Council's Code of Conduct to allege breaches of the Code of Conduct in Council meetings:

***9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.***

As previously advised in my email to you on 5 February 2020 the General Manager also wishes to advise that the Mayor's refusal to accept a motion to suspend standing orders was procedurally correct. There is no provision in Council's COMP or the Local Government Act to suspend standing orders in Council meetings. Nor is there a provision for the community to participate in debate or decision making at Council meetings. The provision for oral submissions from the community is via Public Forum which is outlined in section 4 of the COMP, noting that this applies to Ordinary Meetings of Council and requires an application process as outlined below.

**4.2 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by close of business (4.30pm) two (2) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.**





## Archive Manager

## Export

**From:** Danielle Lidgard  
**To:** [REDACTED]  
**CC:** Ann Prendergast  
**Subject:** FW: Orders Notice of Motion

**Sent:** Wed, 26 Feb 2020 00:46:37 GMT

NoM wording: THAT Councillors be provided with a regular update on the Compliance activities including notices and orders prior to these being issued

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**From:** Danielle Lidgard  
**Sent:** Thursday, 20 February 2020 4:18 PM  
**To:** Garry Turland [REDACTED]  
**Cc:** Ann Prendergast [REDACTED]  
**Subject:** RE: Orders Notice of Motion

Hi Garry,

I have spoken to the General Manager about your revised question. Based on the current format the motion cannot be lawfully implemented and is unlawful for the following reasons;

- Compliance functions under the EP&A Act can only be undertaken by officers who have been appointed as "investigations officers";
- The use of the word *officer* in the Act could only be properly interpreted as to be a reference to an individual (generally a member of staff);
- There is a specific provision under the Act dealing with the appointment of investigations officers (section 9.14);
- The powers that under the EP&E Act that deal with investigations (compliance) matters give statutory power directly to (and only to) an investigation officer (i.e. not the council);
- The effect of the motion appears to be that it would involve the councillors giving an officer who has specific statutory powers bestowed directly to them by the Act instructions relating to their functions as an investigations officer;
- A councillor cannot direct staff (7.2 of the Code of Conduct).

As such, in accordance with 3.20 of Council's Code of Meeting Practice (COMP) your QWN will not be included in the agenda for the meeting on 26 February 2020, i.e.

***3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.***

Kind regards  
Danielle

**Danielle Lidgard** Group Manager Corporate & Community  
**Wingecarribee Shire Council**

e. [REDACTED]  
t. (02) [REDACTED] m. [REDACTED]



**Ann Prendergast**

---

**From:** John Davies [REDACTED]  
**Sent:** Thursday, 27 February 2020 5:10 PM  
**To:** Ann Prendergast  
**Cc:** Doug Friend  
**Subject:** RE: Notice of Motion - fwd to Danielle

Hi Ann

As discussed, having received a notice signed by three councillors requesting an extraordinary meeting, the Mayor is obliged to call a meeting within 14 days under section 366 of the *Local Government Act 1993* and clause 3.2 of Council's Code of Meeting Practice.

Clause 3.27 of the Council's code of meeting practice states that the general manager must ensure that the agenda for an extraordinary meeting deals only with the matters stated in the notice of the meeting. In this case, the notice requesting the extraordinary meeting contains insufficient information about the business that is proposed to be transacted at the meeting to allow you to prepare an agenda for the meeting. This can be addressed two ways:

- by the councillors providing you with an amended notice that more clearly specifies the business proposed to be considered at the meeting, or
- by the councillors submitting a separate notice of motion proposing the business to be transacted at the meeting.

Absent this, the extraordinary meeting may need to proceed without an agenda. If there is no agenda for the meeting, business may only be considered at the meeting in the circumstances set out under clause 3.28, namely:

- a motion must be passed to have the business considered at the meeting **and**
- the chairperson must rule that the business is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

As we discussed, the *Model Code of Conduct for Local Councils in NSW* requires allegations of conduct that would constitute a breach of a council's code of conduct to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. Clause 9.10 – 9.12 provide as follows:

*9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.*

*9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.*

*9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.*

Any notice of motion that seeks to place a matter before a meeting contrary to these requirements, will be unlawful.

Under clause 3.20 of the Council's code of meeting practice, you must not include in the agenda for a meeting any business if, in your opinion, the business is, or the implementation of the business would be, unlawful. Where you exclude unlawful business, you must report any such exclusion to the meeting but without giving details of the item of business.

Should unlawful business be proposed at the meeting as a motion or an amendment to the motion, the chairperson must rule it out of order.

*Let John know when Extra meeting is scheduled.*

If you can let me know when the extraordinary meeting will be held, I will arrange for someone from the Office of Local Government to attend. We may need the Council's approval to attend during the consideration of any items in the absence of the public.

I hope this information is helpful.

Regards

John Davies | Manager Council Governance  
Policy and Sector Development Group  
Office of Local Government | Locked Bag 3015 Nowra NSW 2541  
e [REDACTED] p [REDACTED] f [REDACTED] <http://www.olg.nsw.gov.au>



Office of  
Local Government

From: Bobbie-Jo Gordon [REDACTED] On Behalf Of Ann Prendergast  
Sent: Thursday, 27 February 2020 10:56 AM  
To: John Davies [REDACTED]  
Subject: Notice of Motion

Dear John

Thank you for your time this morning. As discussed, I attach the Notice of Motion submitted at last night's Council meeting signed by Clrs, Turland, Halstead and Scandrett. The NOM calls for the Mayor to hold an extraordinary meeting as a matter of urgency for staff and governance issue. However, it does not identify the item of business to be dealt with at the meeting. I would appreciate your written advice in terms of the steps that the Mayor needs to take in order to determine what the item of business to be discussed at the meeting is.

Also as discussed, I would appreciate a representative from the OLG to be present at that Extraordinary Meeting once a date is fixed. The Mayor has advised that he will be formally writing to you seeking the advice of your office in relation to recent events.

Kind regards

**Ann Prendergast** General Manager

**Wingecarribee Shire Council**

e [REDACTED]  
t. [REDACTED]

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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



# Exclusive: Council's fees for fire victims to rebuild

# HOME WRECKERS

MITCHELL VAN NIMRIGH

SOUTHERN Highlands residents who lost their homes in bushfires have been told they will be slugged thousands of dollars in council fees before they are allowed to rebuild.

During the past six weeks, 60 homes have been destroyed in the Wingecarribee Shire Council area and more than 250 buildings razed.

Exeter resident Sara Haslinger was quoted almost \$10,000 in council fees for approval to build on her scorched

block which was razed on January 4.

"We have been horrified (by their response)," she said.

"There has been a complete lack of empathy from the council, from these people who are getting paid hundreds of thousands of dollars each year."

Wingecarribee defended the charging of development application and construction certificate fees but Blue Mountains, Bega Valley and Shoalhaven City Council have waived charges for residents who lost their homes.

31 FULL REPORT PAGE 11

## CONTAGION

Evacuation plans for  
Aussies caught at ground zero

P4-5

## EMOTIONAL SUPPORT WIFE

Uni denies bid to take spouse to work

P7

UNSW  
SYDNEY

# Battlers burned by fees & red tape

EXCLUSIVE

MITCHELL VAN MORRIGH

SOUTHERN Highlands residents who lost everything in bushfires will be slugged thousands of dollars before being allowed to rebuild their homes as the local council refuses to waive fees.

During the past six weeks, 60 homes have been destroyed in the Wingecarribee Shire Council area and more than 250 buildings razed.

Exeter resident Sara Haslinger, whose house burnt down on January 4, was quoted almost \$10,000 in council fees for approval to build on her scorched block.

"We have been horrified (by their response)," she said.

"There has been a complete lack of empathy from the council, from these people ... who are getting paid hundreds of thousands of dollars each year."

Ms Haslinger was given a "fee quote estimate" of \$9562 on January 20 by the council.

This included \$2645 for a development application, a \$2450 construction certificate, a \$2625 long service levy and other smaller costs.

"Like most people here, it has been a struggle since the fires destroyed everything. We want to rebuild our lives here and to have another ridiculous council fee on top of that is disgusting," Ms Haslinger said.

Councils in the Blue Mountains, Bega Valley and Shoalhaven City Council have waived council fees for residents whose homes were



Horrified: Sara Haslinger.

subsidised these costs to a point where we (as a council) will actually be losing money."

On Wednesday, Wingecarribee Shire Council will vote on how to spend their \$1 million federally-funded disaster grant.

The lion's share of the funding is due to go to a \$5000 land rate waiver over two years for fire-affected property owners.

Independent Wingecarribee Mayor Duncan Gair defended the allocation of federal funds when contacted by The Daily Telegraph.

"We have yet to receive a formal development application. We cannot use previous building plans as some of the homes are between 50 and 80 years old," he said.

"Our response to the bushfires has been exemplary."

"We distributed \$30,000 in 24 hours from the mayoral relief fund."

At the time of publishing, the council had contributed \$50,000 to a mayoral relief fund for residents affected by the fires.

This fund has also received an additional \$45,000 in donations.



# Notice of Business

## Notice of Rescission / Alteration of Motion Form

Submitted in accordance with clauses 3.10 and 18.3 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.

t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/5

### NOTICE OF RESCISSION / ALTERATION OF MOTION

(Refer to clauses 3.10-3.13, 18.3-18.4, 18.6-18.7, 18.9-18.14 of the Code of Meeting Practice, copied overleaf)

*11* We the undersigned hereby give notice that at the Ordinary meeting of the Council to be held on 25/03/2020, the following motion of rescission will be moved:

#### Motion of Rescission:

1. THAT the motion passed by Council on 25/03/2020, being item number minute number 9.1, be rescinded.

(Optional – if motion to be altered)

Should the above motion of rescission be carried, I / we the undersigned hereby give notice of our intention to move the following motion:

#### Motion:

1. THAT AS PER ATTACHED. ITEM (A)

#### Signed By:

(Minimum three Councillors if the motion proposed for rescission was carried less than three months ago)

Signature:

*[Handwritten signatures of three councillors]*

Print Name:

*Garry Turner*  
*Kenneth John HASTEAD*  
*Ian Scandrett*

Dated:

25 / 03 / 2020

#### How to submit this form:

You may submit either:

In person, to the Executive Office

By email, to [council.reports@wsc.nsw.gov.au](mailto:council.reports@wsc.nsw.gov.au)

#### NOTE:

1. The form must be signed in order to be accepted (this can be an electronic signature).
2. Unless clauses 18.10 or 18.12 of the Code of Meeting Practice apply, signed forms are to be submitted no later than 4.30pm seven business days before the meeting is to be held. This will generally be on the Monday in the week prior to the Ordinary meeting of Council.

(A)

NOTICE OF DISCUSSION / ALTERNATIVE  
ITEM 9.1. STATION STREET OF NOTION FOR  
UPGRADE.

① THAT. CONCIL SUSPEND ALL WORKS ON STATION  
STREET UPGRADES UNTIL THIS PANDEMIC TIMES  
PASSER. AND OUR WAY OF LIFE RETURN AS  
NORMAL AS WE HAVE KNOWN IT.

② THAT THIS PROJECT BE SAVER READY  
TO APPLY FOR FEDERAL & STATE GOVERNMENT  
GRANTS IN THE FUTURE.

③ THAT THIS PROJECT BE RE PUBLICLY  
RETHINKED AS THE CHANGES ARE TO  
LARGE FROM THE FIRST APPROVED  
PROJECT.

④ THAT THE FUND THAT HAVE BEEN  
SET ASIDE BE DEVEDED TO HELP  
OUR COMMUNITY THROUGH THIS VERY  
DIFFICULT TIMES

⑤ THAT ALL SENIOR STAFF TAKE A  
25% CUT IN THERE SALARY AND  
FOR 12 MONTHS AND.  
THAT NO BONUS FOR 12 MONTHS

AS WELL  
⑥ THAT THIS MEETING SHOULD HAVE NEVER BEEN CONDUCTED  
AS IT WAS INAPPROPRIATE COUNCILORS AND STAFF.

28/3/2020/



CHAIR TOWN

Kenneth John HALSTEAD

Paul Scandrett

## Councillors call for Wingecarribee Shire Council's administrative staff to take a pay cut

APRIL 20 2020 - 12:30PM



Jackie Meyers

Local News

Two Wingecarribee Shire councillors have called for several council staff to take a pay cut.

Deputy mayor Garry Turland and Cr Ken Halstead are pushing for a 25 per cent reduction in the salary of all council's administrative staff during the Coronavirus pandemic.

They said they believed the reduction should include the wages of the general manager and two deputy general managers of Wingecarribee Shire Council.

However, Council's general manager Ann Prendergast told the *Southern Highlands News* that such a move would not happen as "council was obligated to meet all its legal obligations in regard to the employment of all of its staff."

"The general manager and senior staff of the council are employed under standard employment contracts mandated by the NSW Government under the Local Government Act of 1993," she said.

"The standard contract does not give the council any legal ability to compel the general manager or senior staff members to take a reduction in remuneration."

Cr Turland and Halstead said they believed a 'temporary' wage reform could help to assist the ratepayers of the shire during the pandemic.

"Many residents and ratepayers of the shire are suffering financial distress at this time, due to job loss or being stood-down on leave without pay," Cr Turland said.

"They are suffering financial losses that will have devastating short-term and long-term effects on households."

The councillors said that it was the responsibility of the general manager (under the provisions of the Local Government Act 1993), to manage the functions of the council ensuring infrastructure was maintained during this period of Federal Government directions to 'stay at home'.

They said their push for wage cuts did not include works staff.

Cr Turland and Halstead said that water services, sewer services and road maintenance "must be provided by council's works staff, so as to ensure a safe community existence."



However, they said they found it "most disturbing that the general manager had not seen fit to take the necessary steps to implement a reduction in wages of the 'administrative' staff of the council.

"Indeed it is even more disturbing that the general manager has not seen fit to take a substantial cut in her salary for at least the next six months," Cr Turland said.

"An annual salary of \$330,000 is substantial and should be the subject of a temporary reduction."

Cr Turland and Halstead said they believed mayor councillor Duncan Gair should "demonstrate leadership and take action to ensure that the salary of the general manager is reduced in the short-term, namely six months."

"The general manager should take similar action with the wages of the two deputy general managers, however, that is her call as it falls within the Operational area of council," Cr Turland said.

"These actions should be reviewed after the six month period and appropriate action taken to extend the wage reduction, should the CoronaVirus Pandemic continue.

"The normal level of administration of council's operations would not be in 'full swing' at present, with administrative staff in the most part, working from home; the likelihood of 'normal' output is unlikely.

"Clearly the staff of council are being paid full salaries while the 'less fortunate' are without a job and at best being paid a Job-seeker or Job-keeper allowance, which is minimal having regard to the minimum wage.

"These families are under enormous psychological and financial stress during this disastrous set of circumstances and must be supported by the council."

Cr Turland and Halstead said they believed it was "obscene that the residents and ratepayers of the shire are expected to 'carry the load', whilst suffering financial losses and associated social disruption, whereas the 'administrative' staff of council collect their full wages."

They said that in their opinion, it was responsible for the administrative staff of council to be subjected to a minimum of 25 per cent wage reduction for the next six months (at least) or for the remainder of 2020.

Cr Halstead said that after a long career in local government or facilitating it, it was his "firm belief that the general manager of a council must lead by example".

"The staff of a council looks-up to its senior managers to demonstrate strong and responsible leadership; there can be no more serious time for council administrations to dig deep and support their residents and ratepayers, who are doing it tough," he said.

"At a time of social upheaval it behoves the council to take measures to ensure that the less fortunate in our community are looked after," Cr Halstead said.

Ms Prendergast said the standard employment contracts mandated by the NSW Government did not permit any agreed variation to the contract which would result in a reduction in remuneration.

"Finally, the standard contract does not permit the council to accept any unilaterally volunteered reduction in remuneration by the general manager or senior staff member. That is, if a reduction in remuneration were to be volunteered by general manager or senior staff member, the council would nevertheless be obliged by the standard contract to continue to pay them full remuneration under the contract," she said.

"Council will continue to manage its budget responsibly and whilst the COVID-19 Pandemic will have a financial impact, council will manage its budget to deal with those pressures to ensure that its long term financial position is sound."

Mayor Duncan Gair said that staff members could choose to donate to a charity, but it was "entirely up to them".

He said some councillors, under the same legislation, had previously pledged to donate their annual pay rise to charity, but they "can not refuse to take the pay rise."



From: Gordon Greer [REDACTED]  
Subject: a short email of support  
Date: 12 March 2020 at 3:39 PM  
To: [REDACTED]

Hi Ann,

Disgraceful yesterday.  
Wish I could fix this state of affairs.  
Take it easy and look after yourself.

Gordon

---

FYI I have taken two actions:

1. Graham McLaughlin sent an email to Duncan, Peter, Grahame, Larry and myself saying you should be feeling invigorated following the extraordinary meeting outcome supporting you. I don't know what world Grahame inhabits ... my reply to Grahame and Duncan (only), omitting the others was:

*"invigorated?"*

*After watching a Councillor yesterday storm upstairs, then bang on the GM's door, go in and yell at a staff member inside I see little to be reinvigorated about.*

*As well, I heard threats made by Councillors during the meeting that the GM and the mayor haven't heard the last of this or that .... nothing is resolved. All we've done is sort of survived another meeting.*

*I voted against recommencing the meeting because in my view Cllr Scandrett should have been expelled from the meeting. He was asked to leave and ignored the chair's directive. So what message does that give him? He can ignore the chair. So what's going to happen next meeting? Same old same old.*

*The GM taking leave will fuel some Councillors to renew their efforts.*

*I strongly recommend that if any Councillor steps out of line once - no warning - they be called out for disorder and be required to leave the meeting for the remainder of the meeting, or even subsequent meetings. Get security to enforce it. These Councillors want to grandstand to their public. A 5 minute exclusion or suspending the meeting achieves nothing. These Councillors must be laughing at us all. They should be denied to opportunity to speak at Council meetings. They want a platform - take it away from them. They will understand that.*

*Gordon  
a disgusted Councillor"*

2. Garry sends angry argumentative emails to all Councillors and sometimes yourself. I've asked Garry not to include me in such things. He did so yesterday so

I have told him I now send his email to my JUNK folder unread and if he wants to talk to me about Council stuff, he can call and leave a message.

If he won't behave then I must act to protect myself from his bile.

**Bobbie-Jo Gordon**

---

**From:** [REDACTED]  
**Sent:** Tuesday, 12 May 2020 11:38 AM  
**To:** Ann Prendergast  
**Cc:** Duncan Gair  
**Subject:** Confidential advice - Telephone Conversation Clr Turland 19 March 2020  
**Attachments:** Notes - Cr Turland \_ Phone conversation 19 March 2020.docx

Dear Ann,

Please find attached my notes of a conversation that I had with Councillor Turland on 19 March 2020, they are only a synopsis of the conversation as I was walking and talking as I had to leave the Sport & Rec Committee in the Nattai Room as Clr Turland was shouting down the phone and it could be heard by others. I note [REDACTED] and Mark Pepping mentioned he could hear Clr Turland shouting at me via the phone.

Regards

[REDACTED]  
**Wingecarribee Shire Council**

[REDACTED]  
Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

Thursday 19 March 2020 – 4.55pm

- Received telephone call from Councillor Garry Turland at 4.55pm
- Clr Turland was extremely agitated and was shouting at me down the phone – a lot of bad language.
- He said, *"I sent an ultimatum to "Prendergast" and the Mayor to do something about protecting the staff by 1:00pm*
- *She has done fucking nothing – wait to you see ABC tonight they are going to expose the lack of action of Prendergast and Gair."*
- I tried to provide Clr Turland with details of actions taken to date to manage WH&S for staff and carer needs etc
- Also, tried to advise Clr Turland about our "Business Continuity Planning" and internal actions we have taken to be ready for various scenarios where we would implement a range of BCP – Sub Plans
- Cr Turland insisted we should be shutting pools and libraries and sending all staff home – "you are putting the fucking staff in danger". I advised we were following all Federal and State Government advices regarding COVID 19 and additional steps were in place at each of these facilities
- Cr Turland then went to say: –
- *Wait till I see Gair, he has accused me and my family of bringing COVID-19 virus to Council.*
- *"When I see fucking Gair he is going to be sorry as I am going to take him on over this email and what he has said".*
- *"Clr Nelson has the virus and is isolating at home, he shouldn't have fucking been at Council."*
- Cr Turland was extremely upset and continually criticised the GM - "Prendergast"
- "We shouldn't have staff dealing with the public and still taking cash – his café no longer takes cash".
- "Why have we not let staff work from home" – I tried to explain that staff that were in the at-risk category, over 70 or with immune deficiencies and staff with carer responsibilities are already accommodated to work from home.
- I advised Clr Turland we are following the directives from the Federal Government and would continue to monitor the situation. He shouted "too fucking late "Prendergast" has done exactly what she did with the Fires – nothing – no fucking leadership" – he then hung up – Time 5:08pm

# Wingecarribee Shire Council Initial Incident Report



## Personal safety (threats/abuse)

<b>Type of Event</b>	<b>Event ID</b>	<b>4103</b>
Injury <input type="checkbox"/>	<b>Case No.</b>	
Illness <input type="checkbox"/>	<b>Date of Incident</b>	<b>22/01/2020</b>
Incident <input checked="" type="checkbox"/>	<b>Notifiable Event</b>	<b>NO</b>
Near Miss <input type="checkbox"/>		

## Events Details

<b>Person Type</b> Employee	<b>Event Date</b> 22/01/2020
<b>Employee Name</b> [REDACTED]	<b>Event Time</b> 10:00 AM
<b>Employee Number</b> [REDACTED]	<b>Event Site</b> [REDACTED]
<b>Site</b> [REDACTED]	<b>Event Department</b>
<b>Department</b>	<b>Event Location</b> Civic Centre
<b>Position</b>	<b>Formal Investigation</b> No
<b>Supervisor</b> [REDACTED]	<b>Event Category</b> Personal safety (threats/abusive behaviour)
<b>Reported By</b> [REDACTED]	<b>Severity</b> Insignificant
<b>Reported By Date</b> 20/02/2020	<b>Priority</b> -()
<b>Entered Date</b> 20/02/2020	<b>Priority Due</b>
<b>Milestone Date</b>	<b>Event Completed</b> 14/04/2020 10:00
	<b>Event Status</b> Completed

<b>Event Categorisation</b>	
Environment	<input type="checkbox"/>
Notifiable Event/Incident	<input type="checkbox"/>
Fatality	<input type="checkbox"/>
MVA (Motor Vehicle Accident)	<input type="checkbox"/>

**Event Description** Cllr Ken Halstead - shouted at me during a Councillor information session that I was a pen pushing bureaucrat and that I think I am the hard man at Council. He was hear to tell I was not. This was unprovoked and I indicated I did not accept his view of me. This one many outbursts by Cllr Halstead against me, the list is long



**Wingecarribee Shire Council**  
**Initial Incident Report**



**Psychological**

<b>Type of Event</b> Injury <input type="checkbox"/> Illness <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/>	<b>Event ID</b> 4137 <b>Case No.</b> <b>Date of Incident</b> 26/02/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> No Treatment <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation <input type="checkbox"/>
---	---	---

**Events Details**

<b>Person Type</b> Employee	<b>Event Date</b> 26/02/2020
<b>Employee Name</b> [REDACTED]	<b>Event Time</b> 01:00 PM
<b>Employee Number</b> [REDACTED]	<b>Event Site</b> [REDACTED]
<b>Site</b> [REDACTED]	<b>Event Department</b>
<b>Department</b>	<b>Event Location</b> Nattai Room Civic Centre
<b>Position</b>	<b>Formal Investigation</b> No
<b>Supervisor</b> [REDACTED]	<b>Event Category</b> Psychological injury - harassment/bullying/abuse
<b>Reported By</b> [REDACTED]	<b>Severity</b> Moderate
<b>Reported By Date</b> 11/03/2020	<b>Priority</b> -()
<b>Entered Date</b> 11/03/2020	<b>Priority Due</b>
<b>Milestone Date</b>	<b>Event Completed</b>
	<b>Event Status</b> Underway

<b>Event Categorisation</b> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident) <input type="checkbox"/>
---

**Event Description** What happened:

Inappropriate behaviour displayed by Councillor Turland at Councillor Briefing session. I was present with my [REDACTED]

[REDACTED] for discussion on Bushfire Community Resilience &

Economy Recovery Funds -

\$250,000. During this discussion, Cllr Turland displayed intimidating aggressive behaviour, becoming verbally aggressive, raising his voice and throwing papers at the Mayor.

Following this, the business paper run through commenced during which time the councillors began speaking aggressively and intimidating the General Manager, councillors were yelling at the General Manager, at this point I asked all report writers present at the business paper run through to leave the room. I did this to protect the mental health of the staff and

also so that staff weren't witnessing how the General Manager was being treated. I felt stressed and intimidated and very concerned about the welfare of the General Manager.

**Who else involved:**

Executive, CIO, Group  
Manager Planning and  
Regulatory Services,  
Community Development  
Coordinator, Admin  
Officer - meetings  
Executive, CIO, Group

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Executive, and Group  
Manager Planning and  
Regulatory Services,  
Community Development  
Coordinator, Admin  
Officer - meetings  
Councillors

Initial actions taken:

The following day I advised the General Manager of this incident

# Wingecarribee Shire Council Initial Incident Report



## Psychological

<b>Type of Event</b> <input type="checkbox"/> Injury <input checked="" type="checkbox"/> Illness <input type="checkbox"/> Incident <input type="checkbox"/> Near Miss	<b>Event ID</b> 4123 <b>Case No.</b> <b>Date of Incident</b> 26/02/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> <input checked="" type="checkbox"/> No Treatment <input type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation
---	---	---

## Events Details

**Person Type** Employee  
**Employee Name** [REDACTED]  
**Employee Number** [REDACTED]  
**Site** [REDACTED]  
**Department** [REDACTED]  
**Position** [REDACTED]  
**Supervisor** [REDACTED]  
**Reported By** [REDACTED]  
**Reported By Date** 03/03/2020  
**Entered Date** 03/03/2020  
**Milestone Date**

**Event Date** 26/02/2020  
**Event Time** 03:30 PM  
**Event Site** [REDACTED]  
**Event Department**  
**Event Location** Theatre, Civic Centre  
**Formal Investigation** No  
**Event Category** Psychological injury - other  
**Severity** Significant  
**Priority** -()  
**Priority Due**  
**Event Completed**  
**Event Status** Underway

<b>Event Categorisation</b> <input type="checkbox"/> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident)
---

**Event Description** What happened:  
I am employed [REDACTED] During the ordinary council meeting of 26.2.20 Cllr Turland was yelling at council staff and I was uncomfortable at his tone and volume. I felt worried for my safety. He refused the Mayor's direction to sit down on a number of occasions and spoke loudly over the top of staff. On a number of occasions during the meeting he interrupted others that were speaking. Cllr Scandrett supported Cllr Turland's outbursts by agreeing with his claims and stating the same had been done to him (Cllr Scandrett) and I felt unsafe in the room. Cllr Scandrett then called the Mayor a coward and I was very distressed at the level of unprofessional behaviour that I was witnessing. I was fearful of Cllr Turland's temper and feared the incidents might escalate. I was nervous leaving the building and walking to my car, after the meeting was closed prematurely at 7pm. This was very stressful and I am worried the same scenario will be repeated at the next council meeting on 11 March 2020.

Who else involved:  
Other council staff and councillors in attendance

Initial actions taken:  
NA

**Wingecarribee Shire Council**  
**Initial Incident Report**



**Psychological**

<b>Type of Event</b>	
Injury	<input type="checkbox"/>
Illness	<input checked="" type="checkbox"/>
Incident	<input type="checkbox"/>
Near Miss	<input type="checkbox"/>

Event ID 4141  
Case No.  
Date of Incident 26/02/2020  
Notifiable Event NO

<b>Treatment Required</b>	
No Treatment	<input checked="" type="checkbox"/>
First Aid	<input type="checkbox"/>
Medical Treatment	<input type="checkbox"/>
Hospitalisation	<input type="checkbox"/>

**Events Details**

Person Type Employee  
Employee Name [REDACTED]  
Employee Number [REDACTED]  
Site [REDACTED]  
Department  
Position  
Supervisor [REDACTED]  
Reported By [REDACTED]  
Reported By Date 12/03/2020  
Entered Date 12/03/2020  
Milestone Date

Event Date 26/02/2020  
Event Time 01:00 PM  
Event Site [REDACTED]  
Event Department  
Event Location Nattai Room, Civic Centre  
Formal Investigation No  
Event Category Psychological injury - harassment/bullying/abuse  
Severity Significant  
Priority -()  
Priority Due  
Event Completed  
Event Status Underway

<b>Event Categorisation</b>	
Environment	<input type="checkbox"/>
Notifiable Event/Incident	<input type="checkbox"/>
Fatality	<input type="checkbox"/>
MVA (Motor Vehicle Accident)	<input type="checkbox"/>

**Event Description** What happened:

Inappropriate behaviour displayed by Councillor Turland at Councillor Briefing session. I was present for discussion on Bushfire Community Resilience & Economy Recovery Funds - \$250,000. During this discussion, Clr Turland displayed intimidating aggressive behaviour, becoming verbally aggressive, raising his voice and throwing papers at the Mayor in a confrontational manner. In the room were majority of Councillors, Executive, Administrative Support and some Managers as well as staff who were there to brief Councillors on their reports to go before Council that afternoon. The event triggered a response from me to flee the room because it had become hostile and dysfunctional.

Who else involved:



Initial actions taken:

I left the room to avoid any further exposure to intimidating behaviour by Clr Turland.

**Wingecarribee Shire Council**  
**Initial Incident Report**



**Psychological**

<b>Type of Event</b> Injury <input type="checkbox"/> Illness <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/>	<b>Event ID</b> 4122 <b>Case No.</b> <b>Date of Incident</b> 26/02/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> No Treatment <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation <input type="checkbox"/>
---	---	---

**Events Details**

<b>Person Type</b> Employee	<b>Event Date</b> 26/02/2020
<b>Employee Name</b> [REDACTED]	<b>Event Time</b> 02:00 PM
<b>Employee Number</b> [REDACTED]	<b>Event Site</b> [REDACTED]
<b>Site</b> [REDACTED]	<b>Event Department</b>
<b>Department</b>	<b>Event Location</b> Nattai Room, Civic Centre
<b>Position</b>	<b>Formal Investigation</b> No
<b>Supervisor</b>	<b>Event Category</b> Psychological injury - other
<b>Reported By</b> [REDACTED]	<b>Severity</b> Significant
<b>Reported By Date</b> 03/03/2020	<b>Priority</b> -()
<b>Entered Date</b> 03/03/2020	<b>Priority Due</b>
<b>Milestone Date</b>	<b>Event Completed</b>
	<b>Event Status</b> Underway

<b>Event Categorisation</b> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident) <input type="checkbox"/>
---

**Event Description** What happened:  
I am employed as [REDACTED]  
[REDACTED] at 2pm in the Nattai Room, [REDACTED]. During this meeting Clr Turland was rude and aggressive to council staff. I heard him speak over the top of staff and was terse when questioning staff about items listed in the business paper. Clr Turland and Clr Halstead spoke rudely to staff in a short, abrupt manner and they sounded rude. I felt fearful the meeting would escalate and I felt very uncomfortable listening to Clr Turland and Clr Halstead. AT one stage during the meeting I left the room as councillors' voices were raised and shouting at staff. I was nervous listening to this exchange. I found Clr Turland and Clr Halstead's attitude rude and disrespectful to everyone present.

Who else involved:  
Council staff and councillors in attendance.

Initial actions taken:  
NA



Wingecarribee Shire Council  
Initial Incident Report



Psychological

<b>Type of Event</b> Injury <input type="checkbox"/> Illness <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/>	<b>Event ID</b> 4138 <b>Case No.</b> <b>Date of Incident</b> 26/02/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> No Treatment <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation <input type="checkbox"/>
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Events Details

<b>Person Type</b> Employee	<b>Event Date</b> 26/02/2020
<b>Employee Name</b> [REDACTED]	<b>Event Time</b> 07:00 PM
<b>Employee Number</b> [REDACTED]	<b>Event Site</b> [REDACTED]
<b>Site</b> [REDACTED]	<b>Event Department</b>
<b>Department</b>	<b>Event Location</b> Temporary Council Chambers Civic Centre Moss Vale
<b>Position</b>	<b>Formal Investigation</b> No
<b>Supervisor</b> [REDACTED]	<b>Event Category</b> Psychological injury - harassment/bullying/abuse
<b>Reported By</b> [REDACTED]	<b>Severity</b> Moderate
<b>Reported By Date</b> 11/03/2020	<b>Priority</b> -()
<b>Entered Date</b> 11/03/2020	<b>Priority Due</b>
<b>Milestone Date</b>	<b>Event Completed</b>
	<b>Event Status</b> Underway

<b>Event Categorisation</b> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident) <input type="checkbox"/>
---

Event Description What happened:

A number of Councillors were being incredibly aggressive towards each other, they were yelling at each and staff and being insulting and trying to undermine each other and staff, this behaviour was escalating through out the meeting and the mayor. The Mayor adjourned the meeting for 15 mins because of the conduct of some of the councillors and them failing to comply with the code of meeting practice and the ruling of the chair. Once the meeting recommenced, [REDACTED] The yelling and aggressive behaviour escalated during this report, and their was clear intention during the questions to undermine staff. Due to the escalating behaviour and failure to comply with the code of meeting practice and ruling of the chair, the meeting was shut down. Following the conclusion of the meeting, [REDACTED] At which time Cllr Turland began yelling at and threatening the Mayor as he left the council chambers. Cllr Turland then began yelling directly at me about the mayor. This was very intimidating and stressful. [REDACTED] stop Cllr Turland yelling [REDACTED] and told him his behaviour was inappropriate [REDACTED]

18/05/2020 04:53:59 PM

reviewing the

Notice for an Extraordinary Meeting, this was said in such a way to question my competency to fulfill my role [REDACTED] Clr

Scandrett that I am competent in interpreting legislation, the code of meeting practice and code of conduct and didn't need

the help [REDACTED]. This is not the first time Clr Scandrett has tried to undermine my competency and intimidate me.

Who else involved:

[REDACTED]

Initial actions taken:

The following day I advised the General Manager of this incident.

Wingecarribee Shire Council  
Initial Incident Report



Psychological

<b>Type of Event</b> Injury <input type="checkbox"/> Illness <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/>	<b>Event ID</b> 4140 <b>Case No.</b> <b>Date of Incident</b> 11/03/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> No Treatment <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation <input type="checkbox"/>
---	---	---

Events Details

**Person Type** Employee  
**Employee Name** [REDACTED]  
**Employee Number** [REDACTED]  
**Site** [REDACTED]  
**Department**  
**Position**  
**Supervisor** [REDACTED]  
**Reported By** [REDACTED]  
**Reported By Date** 12/03/2020  
**Entered Date** 12/03/2020  
**Milestone Date**

**Event Date** 11/03/2020  
**Event Time** 02:55 AM  
**Event Site** [REDACTED]  
**Event Department** [REDACTED]  
**Event Location** Civic Centre - GM Office and Hallway outside  
**Formal Investigation** No  
**Event Category** Psychological injury - harassment/bullying/abuse  
**Severity** Insignificant  
**Priority** -()  
**Priority Due**  
**Event Completed** 14/04/2020 10:00  
**Event Status** Completed

<b>Event Categorisation</b> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident) <input type="checkbox"/>
---

**Event Description** What happened:  
Worker aggressively confronted by C/r Turland

Who else involved:

Initial actions taken:  
Apologies for swearing

# Incident Notification Form

## OFFICE USE ONLY

Manager Notified: YES / NO Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Manager Risk Level: 1 2 3 4 5  
 Advised Formal Investigation Required: YES / NO

### SECTION A - DETAILS OF INCIDENT (Please add information and circle appropriate answer)

Reported by:		Date:	11.3.20	Incident Date:	11.3.20	Incident Time:	3.00
Witness 1:		Ph:		Address:	68 Elizabeth street, moss vale		
Witness 2:		Ph:		Address:			

Did an Injury Occur? YES ☐ NO ☐ If YES complete SECTION A & SECTION B/ If NO complete SECTION A only

### TYPE OF INCIDENT (Please tick only 1 Incident type)

Safety Incidents	Safety Incidents (Continued)	Other Incidents
Injury to 'Worker' (e.g. Staff) <input type="checkbox"/>	Psychological <input checked="" type="checkbox"/>	Plant Damage or Loss <input type="checkbox"/>
Manual Handling <input type="checkbox"/>	Security / Act of Aggression <input checked="" type="checkbox"/>	Asset Damage or Loss <input type="checkbox"/>
Confined Space <input type="checkbox"/>	<b>Environmental Incidents</b>	Damage, Injury or Loss to Third Party <input type="checkbox"/>
Slip, Trip or Fall <input type="checkbox"/>	Non Conformance (Water Quality) <input type="checkbox"/>	Non Conformance (Other) <input type="checkbox"/>
Hit by or Against Object <input type="checkbox"/>	Flora, Fauna or Heritage Impact <input type="checkbox"/>	Near Miss (Safety, Environment or Business) <input type="checkbox"/>
Hazardous Subs. / Dangerous Goods <input type="checkbox"/>	Impact to Water Quality or Supply <input type="checkbox"/>	Other - Not Specified <input type="checkbox"/>
Noise or Electrical <input type="checkbox"/>	Pollution / Contamination event <input type="checkbox"/>	

### What happened? (Provide details of the incident)

I was performing my duties [redacted] Clr Turland entered the office and asked me a question in a loud aggressive manner. He then walked into the foyer of the Executive office and banged loudly on the General Manager's door. Clr Turland appeared very agitated and was speaking loudly and aggressively. His tone was very short, abrupt and loud. I felt very nervous as he shouted at staff, I heard a door slam and feared the incident would escalate.

Where did it happen? (Provide Incident location) Council Executive Office

What work activity was being undertaken at the time? n/a

How or why did it happen? (Provide details of why the incident happened - If unknown leave blank)

Did Property / Plant damage occur?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Plant No. / Rego:	
Weather at time of incident?	Not applicable		
Immediate actions taken?	Not applicable		
Was incident notified to regulator?	YES <input type="checkbox"/> NO <input type="checkbox"/>	Did Police attend?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Event No:

### SECTION B - DETAILS OF INJURY (Please add information and circle appropriate answers)

Injured person name:	<u>Not applicable</u>	Gender:	MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
Injured person address:		Phone: No:	
Injured person is:	Employee <input type="checkbox"/> Customer <input type="checkbox"/> Public <input type="checkbox"/>	Contractor <input type="checkbox"/> Volunteer <input type="checkbox"/> Visitor <input type="checkbox"/>	
Expected Outcome:	No work capacity <input type="checkbox"/> Return to normal duties <input type="checkbox"/> Alternative duties <input type="checkbox"/>	Fatality <input type="checkbox"/> Unknown <input type="checkbox"/>	
Treatment Provided:	Ambulance <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospital <input type="checkbox"/>	First Aid <input type="checkbox"/> Nil <input type="checkbox"/>	

### TYPE OF INJURY (Please tick only 1 Injury type)

Head Injury <input type="checkbox"/>	Sprains / dislocation of joints or muscles <input type="checkbox"/>	Break to bone/s <input type="checkbox"/>
Burns or Scalds <input type="checkbox"/>	Open wound and/or amputations <input type="checkbox"/>	Injury to nerves and/or spinal cord <input type="checkbox"/>
Electrocution & Electric shocks <input type="checkbox"/>	Poisoning and toxic effects of substances <input type="checkbox"/>	Soft tissue injury <input type="checkbox"/>
Hearing trauma <input type="checkbox"/>	Eye, ear or throat injury <input type="checkbox"/>	Crush or bruising injury <input type="checkbox"/>
Effects of weather (exposure) <input type="checkbox"/>	Psychological (Stress related injury) <input checked="" type="checkbox"/>	Needle stick or puncture <input type="checkbox"/>
Bites and stings <input type="checkbox"/>	Other - Not specified <input type="checkbox"/>	

Injured body part: (be specific e.g. head, eye, left arm, right leg)	
Date injured worker ceased work:	Time injured worker ceased work:

INCIDENTS MUST BE NOTIFIED WITHIN 24 HOURS. NOTE: IF OUTSIDE BUSINESS HOURS BY COB THE NEXT WORKING DAY.

To report an incident please contact the Workplace Systems Team on 4868 0832. If an injury has occurred, you must also contact Council's RTW Coordinator on 4868 0831.

Forward completed Incident Notification Form to the Workplace Systems Team at the Civic Centre or by email to [incident.notification@wsc.nsw.gov.au](mailto:incident.notification@wsc.nsw.gov.au).

Dataworks Reference:

Version: 1

Document Name: FRM-COU-ALL-003 Incident Notification Form

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Next Review: August 2018



**Wingecarribee Shire Council**  
**Initial Incident Report**



**Psychological**

<b>Type of Event</b> Injury <input type="checkbox"/> Illness <input checked="" type="checkbox"/> Incident <input type="checkbox"/> Near Miss <input type="checkbox"/>	<b>Event ID</b> 4171 <b>Case No.</b> <b>Date of Incident</b> 25/03/2020 <b>Notifiable Event</b> NO	<b>Treatment Required</b> No Treatment <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Medical Treatment <input type="checkbox"/> Hospitalisation <input type="checkbox"/>
---	---	---

**Events Details**

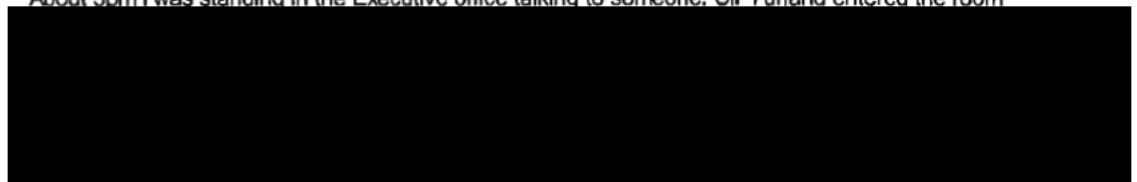
**Person Type** Employee  
**Employee Name** [REDACTED]  
**Employee Number** [REDACTED]  
**Site** [REDACTED]  
**Department** [REDACTED]  
**Position** [REDACTED]  
**Supervisor** [REDACTED]  
**Reported By** [REDACTED]  
**Reported By Date** 27/04/2020  
**Entered Date** 27/04/2020  
**Milestone Date**

**Event Date** 25/03/2020  
**Event Time** 02:00 PM  
**Event Site** [REDACTED]  
**Event Department** [REDACTED]  
**Event Location**  
**Formal Investigation** No  
**Event Category** Psychological injury - harassment/bullying/abuse  
**Severity** Insignificant  
**Priority** -()  
**Priority Due**  
**Event Completed**  
**Event Status** Underway

<b>Event Categorisation</b> Environment <input type="checkbox"/> Notifiable Event/Incident <input type="checkbox"/> Fatality <input type="checkbox"/> MVA (Motor Vehicle Accident) <input type="checkbox"/>
---

**Event Description** What happened:

About 3pm I was standing in the Executive office talking to someone. Cllr Turland entered the room



In the ordinary meeting of council at 3.30pm Cllrs Turland and Scandrett were incredibly rude, aggressive and disrespectful to the Chair.

Cllr Turland was talking over the Chair when the Chair was speaking; he interrupted the Chair and made sarcastic comments to the Chair.

The Chair was compelled to stand up twice during this interaction and threatened to remove both Cllr Turland and Cllr Scandrett from the meeting. Cllr Turland was impolite and unprofessional in his

response, muttering under his breath.

Cllr Turland suggested other councillors may be infected with the coronavirus as they were coughing in the chamber.

He suggested other staff had not followed the correct procedure regarding self isolation and medical testing for the virus.

Yet Cllr Turland refused to sit at his designated location that had been marked with a cross. These measures were put in place for council staff and councillors' health to minimise the risk of spreading infection.

I noted Cllr Turland had a face mask on in the council meeting, yet stood in close proximity to me in the Executive office without a mask.

Further, during the meeting Cllr Turland suggested an amendment to a motion. Whilst wearing his

Further, during the meeting Clr Turland suggested an amendment to a motion. Whilst wearing his mask he read out the amendment. His voice was muffled and it was unclear what he was saying. [REDACTED] however he did not [REDACTED] but Clr Turland did not appear to hear me. I felt extremely upset and nauseated with this behaviour as he appeared to be trying to humiliate me by undermining my ability to hear [REDACTED] I felt the situation was unconscionable and I was unable to perform my duties properly. [REDACTED] and I explained my situation. [REDACTED] A short time later I left the Chambers nauseous and worried with this seemingly focussed behaviour targetting myself.

Who else involved:  
Na

Initial actions taken:  
None

Our Ref: DG:MGR  
Contact: Danielle Lidgard

16 March 2020

The Hon. Shelley Hancock MP  
GPO Box 5341  
SYDNEY NSW 2001

BY EMAIL: [REDACTED]

Dear Ms Hancock

As the Mayor of Wingecarribee Shire Council, I wish to express my deep concern and disappointment in the conduct of some members of the current Council. Over the course of this Council term the conduct of councillors has degenerated to personal attacks and insults amongst councillors, breaches of the Code of Meeting Practice and Code of Conduct. The Council was not been able to consider all matters on the agenda for the Ordinary Council meetings on 12 and 26 February, in addition the meeting on 26 February and 11 March had to be adjourned for 15 minutes due to the poor conduct of Councillors, this includes one councillor refusing to leave the Chamber after being directed by myself to do so.

Similar to outlined above the conduct towards staff in the Chamber, post Council meeting and councillor briefing sessions is also of significant concern, it is my view this is becoming a significant work health and safety issue.

I am of the view that this Council coming dysfunctional and I wish to request a urgent meeting with you to further discuss these concerns. Can you please advise this is possible and if the General Manager and Group Manager Corporate and Community, as well Mr John Davies from the Office of Local Government can attend this meeting to discuss these matters.

Below are some links to webcasts of Council meetings with some time indicators for you to view some of the recent conduct in the Chamber.

**Council Meeting 11 March 2020**

<https://www.facebook.com/WingecarribeeShireCouncil/videos/209120223627599/> (watch from 2 hours 46 minutes)

<https://www.facebook.com/WingecarribeeShireCouncil/videos/209120223627599/> (watch from beginning unto 2 mins 12 seconds)



Civic Centre, Elizabeth St, Moss Vale, NSW 2577. PO Box 141, Moss Vale. t. (02) 4868 0888 f. (02) 4869 1203

e. [mail@wsc.nsw.gov.au](mailto:mail@wsc.nsw.gov.au) 1800 540 344 354

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

**Council Meeting 26 February 2020**

[https://www.facebook.com/WingecarribeeShireCouncil/videos/514039779491303/?\\_tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V](https://www.facebook.com/WingecarribeeShireCouncil/videos/514039779491303/?_tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V) (watch from 2 hours 45 minutes)

[https://www.facebook.com/WingecarribeeShireCouncil/videos/513516812904414/?\\_tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V](https://www.facebook.com/WingecarribeeShireCouncil/videos/513516812904414/?_tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V)

I look forward to hearing from you soon.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan Gair', written in a cursive style.

Councillor Duncan Gair  
**Mayor**

## Brett Murray

---

**From:** Michelle Lane [REDACTED]  
**Sent:** Monday, 20 April 2020 1:39 PM  
**To:** Duncan Gair  
**Cc:** Danielle Lidgard  
**Subject:** Meeting with Minister Hancock  
**Attachments:** image003.png; Letter to Shelley Hancock dated 16.3.20.pdf; Meeting Disclosure Form\_Hancock.pdf

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Good afternoon Clr Gair

Thank you for your correspondence and request for a meeting with Minister Hancock to discuss the conduct of some councillors.

Due the large demand in the Minister's time and dramatic increase in meeting requests because of the COVID 19 pandemic; the Minister is endeavouring to meet with as many stakeholders as possible. However because of this demand, the meeting times are shorter than normal.

Minister Hancock welcomes the meeting with yourself and Ms Ann Prendergast via teleconference on Friday, 24 April at 9.00am – 9.20am.

Should this be suitable, please advise as soon as possible and complete and return the attached Meeting Disclosure Form along with the best contact number for the Minister to call you on. Once the completed form is received, the meeting will be confirmed.

Please let me know if you have any questions.

Kind regards  
Michelle

**Michelle Lane | Senior Executive Assistant**  
Office of the Hon Shelley Hancock MP  
Minister for Local Government  
[REDACTED]



Please note my working days are Monday to Thursday

---

**From:** Duncan Gair [REDACTED]  
**Sent:** Monday, 16 March 2020 2:44 PM  
**To:** Public Hancock's Office Email [REDACTED]



Cc: Danielle Lidgard [REDACTED]  
Subject: Wingecarribee Shire Council

Dear Ms Hancock,

Please find attached letter for your attention.

*Best regards*

**Duncan Gair** Mayor

**Wingecarribee Shire Council**

e [REDACTED]  
t [REDACTED]

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

**Disclaimer:** This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please notify the sender and delete the message. Views expressed in this message are those of the individual sender and are not necessarily the views of Wingecarribee Shire Council. This email may be made available to third parties in accordance with the Government Information (Public Access) Act 2009.

## Brett Murray

---

**From:** Leesa Stratford [REDACTED]  
**Sent:** Friday, 24 April 2020 8:55 AM  
**To:** Michelle Lane  
**Subject:** RE: Confirmation: Meeting with Minister Hancock  
**Attachments:** image005.png; image006.png; image007.png; image008.png; Councillors call for pay cut.pdf; front page shn.JPG; continued shn.JPG

Hi Michelle

Mayor Gair has just received a copy of this information and asked if the attached article that appeared in the Southern Highland News dated Wednesday 22 April could be given to the Minister for her information.

Many thanks  
Leesa

---

**From:** Michelle Lane [REDACTED]  
**Sent:** Friday, 24 April 2020 8:40 AM  
**To:** Leesa Stratford [REDACTED]  
**Subject:** RE: Confirmation: Meeting with Minister Hancock

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Thanks Leesa – you too!

**Michelle Lane | Senior Executive Assistant**  
Office of the Hon Shelley Hancock MP  
Minister for Local Government  
[REDACTED]



Please note my working days are Monday to Thursday

---

**From:** Leesa Stratford [REDACTED]  
**Sent:** Friday, 24 April 2020 8:33 AM  
**To:** Michelle Lane [REDACTED]  
**Subject:** RE: Confirmation: Meeting with Minister Hancock

Many Thanks Michelle.  
Have a wonderful weekend.  
Leesa

---

**From:** Michelle Lane [REDACTED]  
**Sent:** Friday, 24 April 2020 8:29 AM  
**To:** Leesa Stratford [REDACTED]  
**Subject:** RE: Confirmation: Meeting with Minister Hancock

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Hi Leesa

That's fine – confirming the Minister will call the Mayor on the number below.

Kind regards  
Michelle

**Michelle Lane | Senior Executive Assistant**  
Office of the Hon Shelley Hancock MP  
Minister for Local Government  
[REDACTED]



Please note my working days are Monday to Thursday

---

**From:** Leesa Stratford [REDACTED]  
**Sent:** Friday, 24 April 2020 8:25 AM  
**To:** Michelle Lane [REDACTED]  
**Subject:** FW: Confirmation: Meeting with Minister Hancock

Good morning Michelle  
Would it be possible for the Minister to call Clr Gair directly on his mobile this morning? [REDACTED]  
We are having a couple of phone difficulties!

Sorry for the change of plans.

Kind regards Leesa

---

**From:** Michelle Lane [REDACTED]  
**Sent:** Monday, 20 April 2020 3:26 PM  
**To:** Leesa Stratford [REDACTED]  
**Cc:** Danielle Lidgard [REDACTED] Bobbie-Jo Gordon [REDACTED]  
**Subject:** Confirmation: Meeting with Minister Hancock

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Dear Leesa

Thank you for sending through the Meeting Disclosure Form.

The meeting with Minister Hancock has been confirmed for:

**Date:** Friday, 24 April  
**Time:** 9.00am – 9.20am

**Venue:** NA  
**Purpose of Meeting:** to discuss the conduct of some councillors  
**Minister's Office Attendees:** Minister Hancock and Luke Sikora, Chief of Staff  
**Attendees:** Clr Duncan Gair, Mayor  
Ms Ann Prendergast, General Manager  
**Minister's Office Contact:** [REDACTED]  
**Instructions:** Minister to call [REDACTED] who will transferred to Clr Gair.

Please note that to increase transparency, NSW Government Policy requires certain details of meetings held with the Minister to be publicly disclosed on a quarterly basis.

Should you have any changes/additional attendees before the meeting, please contact me.

Kind regards  
Michelle

**Michelle Lane | Senior Executive Assistant**  
Office of the Hon Shelley Hancock MP  
Minister for Local Government  
[REDACTED]



Please note my working days are Monday to Thursday

---

**From:** Leesa Stratford [REDACTED]  
**Sent:** Monday, 20 April 2020 3:08 PM  
**To:** Michelle Lane [REDACTED]  
**Cc:** Danielle Lidgard [REDACTED] Bobbie-Jo Gordon [REDACTED]  
**Subject:** RE: Meeting with Minister Hancock

Good afternoon Michelle

On behalf of Mayor Duncan Gair, thank you for your email and offer of a teleconference with Minister Hancock on Friday, 24 April at 9.00am. Clr Gair understands the time constraints that the Minister must have at present and is most appreciative of the offer to discuss his concerns via phone.

I wish confirm that Ms Prendergast and Clr Gair will be available at 9am on Friday. Please find attached a disclosure form for your information and do not hesitate to contact me should you require additional information.

If you would like to call [REDACTED] on Friday morning and I will transfer the call to Clr Gair.

Kind regards  
Leesa

**Leesa Stratford** PA for Mayor

Wingecarribee Shire Council

e. [REDACTED]  
[REDACTED]

**From:** Michelle Lane [REDACTED]  
**Sent:** Monday, 20 April 2020 1:39 PM  
**To:** Duncan Gair [REDACTED]  
**Cc:** Danielle Lidgard [REDACTED]  
**Subject:** Meeting with Minister Hancock

External Email: This email was sent from outside the organisation, please be cautious with links and attachments in the email.

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Good afternoon Clr Gair

Thank you for your correspondence and request for a meeting with Minister Hancock to discuss the conduct of some councillors.

Due the large demand in the Minister's time and dramatic increase in meeting requests because of the COVID 19 pandemic; the Minister is endeavouring to meet with as many stakeholders as possible. However because of this demand, the meeting times are shorter than normal.

Minister Hancock welcomes the meeting with yourself and Ms Ann Prendergast via teleconference on Friday, 24 April at 9.00am – 9.20am.

Should this be suitable, please advise as soon as possible and complete and return the attached Meeting Disclosure Form along with the best contact number for the Minister to call you on. Once the completed form is received, the meeting will be confirmed.

Please let me know if you have any questions.

Kind regards  
Michelle

**Michelle Lane | Senior Executive Assistant**  
Office of the Hon Shelley Hancock MP  
Minister for Local Government  
[REDACTED]



Please note my working days are Monday to Thursday



**From:** Duncan Gair [REDACTED]  
**Sent:** Monday, 16 March 2020 2:44 PM  
**To:** Public Hancock's Office Email [REDACTED]  
**Cc:** Danielle Lidgard [REDACTED]  
**Subject:** Wingecarribee Shire Council

Dear Ms Hancock,

Please find attached letter for your attention.

*Best regards*

**Duncan Gair** Mayor  
**Wingecarribee Shire Council**



Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

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## **Councillors call for Wingecarribee Shire Council's administrative staff to take a pay cut**

Jackie Meyers

Two Wingecarribee Shire councillors have called for several council staff to take a pay cut.

Deputy mayor Garry Turland and Cr Ken Halstead are pushing for a 25 per cent reduction in the salary of all council's administrative staff during the Coronavirus pandemic.

They said they believed the reduction should include the wages of the general manager and two deputy general managers of Wingecarribee Shire Council.

However, Council's general manager Ann Prendergast told the Southern Highlands News that such a move would not happen as "council was obligated to meet all its legal obligations in regard to the employment of all of its staff."

"The general manager and senior staff of the council are employed under standard employment contracts mandated by the NSW Government under the Local Government Act of 1993," she said.

"The standard contract does not give the council any legal ability to compel the general manager or senior staff members to take a reduction in remuneration."

Cr Turland and Halstead said they believed a 'temporary' wage reform could help to assist the ratepayers of the shire during the pandemic.

"Many residents and ratepayers of the shire are suffering financial distress at this time, due to job loss or being stood-down on leave without pay," Cr Turland said.

"They are suffering financial losses that will have devastating short-term and long-term effects on households."

The councillors said that it was the responsibility of the general manager (under the provisions of the Local Government Act 1993), to manage the functions of the council ensuring infrastructure was maintained during this period of Federal Government directions to 'stay at home'.

They said their push for wage cuts did not include works staff.

Cr Turland and Halstead said that water services, sewer services and road maintenance "must be provided by council's works staff, so as to ensure a safe community existence."

However, they said they found it "most disturbing that the general manager had not seen fit to take the necessary steps to implement a reduction in wages of the 'administrative' staff of the council.

"Indeed it is even more disturbing that the general manager has not seen fit to take a substantial cut in her salary for at least the next six months," Cr Turland said.

"An annual salary of \$330,000 is substantial and should be the subject of a temporary reduction."

Cr Turland and Halstead said they believed mayor councillor Duncan Gair should "demonstrate leadership and take action to ensure that the salary of the general manager is reduced in the short-term, namely six months."

"The general manager should take similar action with the wages of the two deputy general managers, however, that is her call as it falls within the Operational area of council," Cr Turland said.

"These actions should be reviewed after the six month period and appropriate action taken to extend the wage reduction, should the CoronaVirus Pandemic continue.

"The normal level of administration of council's operations would not be in 'full swing' at present, with administrative staff in the most part, working from home; the likelihood of 'normal' output is unlikely.

"Clearly the staff of council are being paid full salaries while the 'less fortunate' are without a job and at best being paid a Job-seeker or Job-keeper allowance, which is minimal having regard to the minimum wage.

"These families are under enormous psychological and financial stress during this disastrous set of circumstances and must be supported by the council."

Cr Turland and Halstead said they believed it was "obscene that the residents and ratepayers of the shire are expected to 'carry the load', whilst suffering financial losses and associated social disruption, whereas the 'administrative' staff of council collect their full wages."

They said that in their opinion, it was responsible for the administrative staff of council to be subjected to a minimum of 25 per cent wage reduction for the next six months (at least) or for the remainder of 2020.

Cr Halstead said that after a long career in local government or facilitating it, it was his "firm belief that the general manager of a council must lead by example".

"The staff of a council looks-up to its senior managers to demonstrate strong and responsible leadership; there can be no more serious time for council administrations to dig deep and support their residents and ratepayers, who are doing it tough," he said.

"At a time of social upheaval it behoves the council to take measures to ensure that the less fortunate in our community are looked after," Cr Halstead said.

Ms Prendergast said the standard employment contracts mandated by the NSW Government did not permit any agreed variation to the contract which would result in a reduction in remuneration.

"Finally, the standard contract does not permit the council to accept any unilaterally volunteered reduction in remuneration by the general manager or senior staff member. That is, if a reduction in remuneration were to be volunteered by general manager or senior staff member, the council would nevertheless be obliged by the standard contract to continue to pay them full remuneration under the contract," she said.

"Council will continue to manage its budget responsibly and whilst the COVID-19 Pandemic will have a financial impact, council will manage its budget to deal with those pressures to ensure that its long term financial position is sound."

Mayor Duncan Gair said that staff members could choose to donate to a charity, but it was "entirely up to them".

He said some councillors, under the same legislation, had previously pledged to donate their annual pay rise to charity, but they "can not refuse to take the pay rise."

# Southern Highland News

THE HOME OF SIR DONALD BRADMAN

NEWS  
**COVID-19  
UPDATE**



ENTERTAINMENT  
**CAT AWARD  
SUCCESS**



HISTORY  
**HIGHLANDS  
HISTORY**



## Siblings shine on the court

Moos Vale teenagers Will and Grace Burke have proved a force to be reckoned with on the basketball court. The siblings have both been selected to represent Australia in their respective age divisions in the sport. But the acknowledgement comes with mixed emotions.

Continued page 3

# PAY CUT PUSH

## No 'legal ability' to take a pay cut says general manager

BY JACQUE STEVENS

Wimmera Shire Council members have called for several council staff to take a pay cut.

Council member Gary Turland and Cr Kate Hahnel said they were pushing for a 25 per cent reduction in the salary of all council's administrative staff during the coronavirus pandemic.

They said they believed the reduction should include the wages of the general manager and two deputy general managers of Wimmera Shire Council.

However, Council's general manager Sam Pendergast told the Southern Highland News that such a move would not happen as "council was obligated to meet all its legal obligations in regard to the employment of all its staff."

"The general manager and senior staff of the council are employed under standard employment conditions that

are set by the NSW Government under the Local Government Act of 1993," she said. "The standard contract does not give the council any legal ability to compel the general manager or senior staff members to take a reduction in remuneration."

Cr Turland and Hahnel said they believed a 'temporary' wage reform could help to assist the ratepayers of the shire during the pandemic. "Many residents and ratepayers of the shire are suffering financial distress at this time, due to job loss or being underemployed, so we need to do what we can to assist them," Cr Turland said.

They are suffering financial losses that will have devastating short-term and long-term effects on households.

The council also said that it was the responsibility of the general manager under the provisions of the Local Government Act (1993) to manage the finances of the council, ensuring it remains

solvent and unencumbered during this period of Federal Government directions to stay at home. They said their push for wage cuts did not include works staff.

Cr Turland and Hahnel said that water services, sewer services and road maintenance "must be provided by council's works staff, so as to ensure a safe community environment."

However, they said they found it "most disturbing" that the general manager had not seen fit to take the necessary steps to implement a reduction in wages of the "senior administrative" staff of the council.

"Indeed it is even more disturbing that the general manager has not seen fit to take a substantial cut in her salary for at least the next six months," Cr Turland said. "An annual salary of \$330,000 is substantial and should be the subject of a temporary reduction."

Continued page 6

**ANZAC DAY: HONOUR OUR FALLEN P2**



# Meryla - a name well used

## HIGHLANDS HISTORY

MERYLA is one of Wimmera's oldest towns. Many localities, situated south-west of Mena Vale and Eumer.

Today it is a rugged, mountainous area.

A history of Meryla was provided in a three-part series in this edition on November 2018.

Following this, after a brief summary of the history, is an additional series based on further research.

From the 1880s, the parish of Meryla encompassed the area that includes today's Manchester Square and Mena Vale localities.

It also extended south to Sandy Creek and down into Meryla Valley at the very end of Kangaroo Valley, reached by a steep track at Meryla Pass.

In March 1914, sheep and goats had escaped to Charles Throsby and his party down the Pass which he described, but did not name, in his journal.

From the 1820s the Pass served as a stock route for settlers including James A. Hoddle of South Australia.

The first known use of the name Meryla is in a mountain and a creek, appearing in Robert Hoddle's 1833 map of Kangaroo Valley.

By the 1850s, settlement had begun in the area as a result of the gold rush.

## THE FIRST KNOWN USE OF THE NAME MERYLA WAS AS A MOUNTAIN AND A CREEK, APPEARING ON ROBERT HODDLE'S 1833 MAP OF KANGAROO VALLEY.

As well as being adopted for the Pass, the name Meryla was given to a village (later Mena) on the Southern Railway, and by the 1890s there were farms in Meryla Valley, accessed by Meryla Road.



**OLD LIFE:** Janet Cash, who passed away in 1989, is pictured here in early 1980s. Photos: BING/MS

While some of the Meryla locality remains in private land today, much of its area is now NSW State Forest or lies within Morton National Park.

Details about Meryla Valley's early settlers and their fate, and also about more recent developments along the Pass in the 1930s, will come later in this second series.

The history of Meryla became of great interest in the 1970s, to Janet Cash and Rachel Roxburgh, two local women.

They undertook research, interviewed old-timers, and visited the Pass which they continued down on foot.

Janet Cash (1902-1989) had a direct connection, being a great-granddaughter of James Adamson who, as noted above, used the Pass in the 1820s.

Granted land at Sutton Forest in 1829 he built a res-

idence, Oldbury, but died at the age of 34.

## THE HISTORY OF MERYLA BECAME OF GREAT INTEREST, IN THE 1970S, TO JANET CASH AND RACHEL ROXBURGH, TWO LOCAL WOMEN.

An intelligent and successful farmer, he wrote An Account of the State of Agriculture and Grazing in NSW, a much-acclaimed book published in London in 1828.

The youngest daughter, Louisa, became a well-known novelist, poetess and naturalist.

Her daughter Anne married Dr John Cash, and Janet was their daughter.

Janet Cash was a prolific diarist.

She collected and illustrated



Rachel Roxburgh, from a 1982 Southern Highland News article

three specimens unique to the Southern Highlands and beyond.

Her collection is now housed at the University of Wollongong's Janet Cash Herbarium.

Rachel Roxburgh (1915-1991) was an artist, conservationist and architectural heritage campaigner, born at Point Piper, Sydney.

In the 1950s she joined the National Trust of Australia (NSW), seeking to identify the cultural architectural heritage of NSW.

She moved to Mena Vale in 1968, converting the old barn at Hymrod Park into a residence.

She was the first locally elected female councillor, serving on Wimmera Shire Council from 1977 to 1980.

A gentle interest in the ladies was Dr Charles Throsby's part in the 1833 map. It's part in the 1833 map, dated at 1814, and by James Murchison, in fact a way to the coast from the Southern Highlands.

Hampered by heavy rain, the expedition with two men, groups at the Murchison Gorge.

Throsby headed back northwest and found a way to the coast, but his route down

to Lewis Bay. It was this that Janet Cash established beyond doubt.

The first record of travelling down Meryla Pass is found in the note-books of Dr Charles Throsby.

In March 1814, guided by natives, he crossed the Bundanong Creek south of Manchester Square and went along an easy line to Sandy Creek and then came upon the gorges of the Lower Yarra valley into which the party descended by way of the Pass.

The horses had to be unloaded and the packs carried down. It took 41/2 hours to reach Yarra Creek.

The next day the party climbed over rough country but then dropped to meadow land on the banks of the Kangaroo River.

## "THE FIRST RECORD OF TRAVELLING DOWN MERYLA PASS IS FOUND IN THE NOTE-BOOKS OF DR CHARLES THROSBY."

Rachel Roxburgh's description of Throsby's route, based on Janet's research, was published in the Rural Australian Historical Society Journal of March 1981.

The two ladies then visited the early historical significance of Meryla Pass.

Part 1 of a four-part series.

**Heritage District Historical & Family History Society - compiled by PD Morton**

Do you have a great story or photos you would like to share? Why not send them to the Southern Highland News through the website portal [www.southernhighlandnews.com.au](http://www.southernhighlandnews.com.au). Go to the community tab and then click on send us your news.

# Pay cut push for administrative staff

## FROM front page

Councillors and Mayor said they believed major council cuts would be necessary to ensure that the future of the general manager is reduced in the short-term, mainly six months.

The general manager should take similar action with the wages of the non-deputy general managers, however, that is not call as it falls within the Operational area of council," Cr Turford said. "The normal level of administration of council's op-

erations would not be in full swing at present, with administrative staff in the main paid, working from home, the likelihood of normal operations is unlikely.

"Clearly the staff of council are being paid full salaries while the 'low fortune' are without a job and at best being paid a job-saver on full-time absence, which is minimal having regard to the minimum wage.

"These families are under enormous psychological and financial stress during this disastrous set of circumstances and must be sup-

ported by the council."

Cr Turford and Hubbard said it was "obvious" that the residents and taxpayers of the shire are expected to carry the load, while not being financial losses and associated social disruption, however the "administrative" staff of council collect their full wages.

They said it was responsible for the administrative staff of council to be subject to a minimum of 25 per cent wage reduction for the next six months, or leave for the remainder of 2020.

Cr Hubbard said after a long period in local government or facilitating it, it was his "firm belief" that the general manager of a council must lead by example.

"The staff of a council have-up to its senior managers to demonstrate strong and responsible leadership, there can be no more serious time for council administrators to dig deep and support their residents and taxpayers who are doing it tough," he said.

Ms Pennington said the standard employment contracts mandated by the NSW Government did not permit

any agreed variation to the contract which would result in a reduction of remuneration. "Finally, the standard contract does not permit the council to accept any and all necessary reduction in remuneration by the general manager or senior staff members. This is if a reduction in remuneration were to be volunteered by general manager or senior staff members, the council would nevertheless be obliged by the standard contract to continue to pay them full remuneration under the contract," she said.

"Council will continue to manage its budget responsibly and whilst the CEO-ED 14 Pennington will have a financial impact, council will manage its budget to deal with these pressures to ensure that its long-term financial position is sound."

Cr Gale said staff could choose to donate to a charity, but it was "entirely up to them." He said some councillors, under the same legislation, had previously pledged to donate their annual pay rise to charity, but they "can not reduce the pay rise."

## Archive Manager






## Export

This message was sent with High importance.

**From:** Duncan Gair  
**To:** John Davies  
**CC:** Ann Prendergast ; Mark Pepping ; Barry Paull ; Danielle Lidgard ; Duncan Gair  
**Subject:** Wingecarribee Shire / Councillors Turland and Halstead.

**Sent:** Tue, 24 Mar 2020 01:54:57 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

 Scanned email (1).pdf (814Kb)  Scanned email (2).pdf (684Kb)  Letter to Shelley Hancock dated 16.3.20.pdf (133Kb)   
**FW:** Council updates strategy to deal with COVID-19 in response to Government direction » Wollondilly Shire Council (3Kb)  **FW:** Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020 (11Kb)

Dear John

Following recent correspondence with you via myself or Council's Group Manager Corporate and Community (Danielle Lidgard), I wish to raise further concerns in relation to the conduct of some councillors of Wingecarribee Shire Council.

I have attached emails recently sent by Cllr Garry Turland and Cllr Ken Halstead as an example of this concerning conduct which appears to be escalating with the COVID-19 situation. This behaviour is impacting significantly on the wellbeing of staff, other councillors and myself, it is also impacting significantly on the staff and my ability to focus on the business of Council including responding to COVID-19 and bushfire recovery. My response to Cllrs Turland and Halstead this morning is also attached to this email.

While it may appear that these concerns could be dealt with via a Code of Conduct complaint, I believe with the mounting evidence already provided in terms of the conduct of these councillors at council meetings that these concerns should be addressed via other mechanisms. Are there any provisions in the *Local Government Act 1993* or powers held by the Office of Local Government to put councillors on notice in relation to their conduct in meetings, towards staff and other councillors?

This behaviour is of great concern to me, the only way currently to combat the constant tirade is to block emails from these councillors however this is not the preferred option in addressing this aggressive and bullying behaviour.

Please also note that a letter of concern was sent to the Minister of Local Government on 16 March 2020 in relation to these concerns, this letter has been acknowledged by the Minister's office and we are awaiting further response.

I realise that the Office of Local Government is also under a lot of pressure in assisting NSW councils in their response to COVID-19, however I look forward to your reply in relation to this escalating matter.

Kind regards

Duncan

**Duncan Gair** Mayor

**Wingecarribee Shire Council**

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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**Leesa Stratford**

---

**From:** Ken Halstead [REDACTED]  
**Sent:** Monday, 23 March 2020 5:11 PM  
**To:** Duncan Gair; Garry Turland; 'Ian Scandrett'  
**Subject:** Re: Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020

Duncan,

Thank you for the email which I have noted with great interest.

I recommend that you read our email very carefully indeed.

**We did NOT state that we would NOT attend the meeting.**

By now you should realise that I object very strongly to General Managers of any council being delegated the authority to accept 'high value' Tenders. It is clearly the responsibility of the elected councillors to deliberate on tenders on behalf of ratepayers.

In the case of the Wingecarribee Shire, I do not believe that tenders should be pontificated on by staff only, on behalf of the ratepayers. I for one want to maintain the role of **reviewing the process** to ensure that it **complies absolutely** with the provisions of the Local Government Act 1993 and Local Government (General) Regulation 2005.

I cannot believe that you are so 'hell bent' on enabling this proposition; I ask the question Why?

Please don't insult my intelligence by trying to manipulate me, which has been your methodology from 'time-to-time'; you don't have either the qualifications or experience to do so.

To use the CoronaVirus as an excuse to persuade councillors to undo an adopted Policy of the Council, is unacceptable in my opinion.

There is no doubt that the CoronaVirus is the **most important** issue to confront mankind since the Spanish Flu Pandemic of 1918/1919. What astounds me is, that you are prepared to risk the health and welfare of every person attending the Council Meeting on Wednesday. I do not have any confidence whatsoever that the administrative staff of council are 'on top' of the health and welfare of attendees. Do I trust them to protect my life? I think not.

Regards,

Ken Halstead

(on behalf of Councillors Garry Turland, Ian Scandrett and myself)



**Leesa Stratford**

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**From:** Ken Halstead [REDACTED]  
**Sent:** Monday, 23 March 2020 11:56 AM  
**To:** Duncan Gair; Leesa Stratford  
**Subject:** Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020

Mr Mayor,

I write this email on behalf of Councillors Garry Turland, Ian Scandrett and myself.

We have reviewed the email in detail and respond as follows:

**NO - We are available, however we believe that the Briefings and Council Meeting should be CANCELLED because of the COVID-19 Virus.**

We are extremely concerned that a safe meeting place for Councillors, the public and staff cannot be provided.

If a meeting is to proceed the following must be provided:

- Face Masks and Alcohol-based Hand sanitiser.
- Seating arrangements must comply strictly with the Federal Government CoronaVirus disease (COVID-19) directive on Social Distancing.

The financial impost on the ratepayers will be considerable and cannot be justified.

It is unlikely that the proposed public meeting will comply with the requirements of the Federal Government for inside meetings.

All three of us believe that we will be exposed to unnecessary health risks and will most certainly seek recompense from the Council should we contract the CoronaVirus.

The Council administration must rethink their 'manic' rush to hold this meeting to 'push through' business that is not justifiable.

Councillors do not have the protection of Worker's Compensation, as do the staff of Council



Council cannot guarantee the health and safety of the Councillors that attend the meetings.

Council must instead arrange for teleconferencing from the private homes of Councillors, as have the Public Sector and Private sector to enable the transaction of council business.

We ask the question: Has the Mayor and all other Councillors and staff been tested for the CoronaVirus as Councillors Turland and Nelson (?) have?

We advise that any business transacted in a council meeting held this coming Wednesday will be the subject of Rescission Motions to be submitted by the three of us, namely Councillors Turland, Scandrett and myself, because the public must be able to attend untricted.

The Mayoral Minute (Item 7.3) is a move to undo the adopted position of the Council on the Delegation of the Acceptance of Tenders by the General Manager. We three object strongly to this proposed change.

Indeed we believe that this Mayoral Minute endeavours to bring forward a Motion that should be debated by the councillors in a business paper in accordance with the Local Government Act 1993.

We have no doubt that the staff of Council have brought forward this 'overturning' of the existing Policy in the guise of a "must do" to transact the normal business of the Council. We believe that this is a reprehensible move by the Mayor and General Manager. It is a manipulative move to enable the General Manager to usurp the role of the elected council.

Regards,

Councillors, Halstead, Turland and Scandrett.

**Leesa Stratford**

---

**From:** Ken Halstead  
**Sent:** Friday, 20 March 2020 1:40 PM  
**To:** Duncan Gair  
**Subject:** CoronaVirus Pandemic: ExtraOrdinary Meeting and Code of Meeting Practice

Duncan,

I believe that the CoronaVirus Pandemic is the most serious health issue faced by Australia since the Spanish Flu of 1919. This is irrefutable.

I would be amazed if you don't agree; to do otherwise is reprehensible behaviour in my opinion.

Why is it that YOU have not called an ExtraOrdinary Meeting of Council under Clause 3.3 of the Code of Meeting Practice to deal with this most serious issue? It is certainly 'Urgent Business' without any doubt. As Mayor you should show leadership.

If you feel that the CoronaVirus Pandemic is an issue that can be dealt with in an 'Information Session', you are much mistaken. The community at large would not in my opinion have any faith in the Council dealing with this most serious health issue 'behind closed doors'.

An ExtraOrdinary Meeting of the Council will be called for by myself and Councillor Turland under Clause 3.2 of the Code of Meeting Practice, to deal with this very urgent health threat if you do not act.

Please be advised that this issue is NOT one that should be categorised as 'Operational'. It is clearly a Policy matter that should be dealt with by the elected councillors NOT the staff.

Regards,  
Ken Halstead

Sent from my iPad

**Leesa Stratford**

---

**From:** Ken Halstead  
**Sent:** Thursday, 19 March 2020 12:31 PM  
**To:** Mark Pepping  
**Cc:** Duncan Gair  
**Subject:** Re: Bloomfield Development - Issues

Dear Mark,

Information noted.

I assume that you realise the serious nature of this matter.

It seems to me that Council staff may not have been as thorough as they could have been on the processing of the development application. Who analysed the predicted storm flows under the provisions of Australian Rainfall and Runoff? Staff or Consultant?

This is a very serious matter that cannot be "swept under the carpet" any longer.

Legal action by property owners against the Council would most likely succeed. The council has a "Duty of Care" to its ratepayers to ensure that a safe environment exists.

I am very concerned that the storm flows shown in the photo would cause damage to property and more concerning endanger lives, particularly children.

It is likely that the Council will be held liable in a Court of Law.

A factual report should be presented to the Council after your inspection in my opinion.

Regards,

Ken Halstead

Sent from my iPad

On 19 Mar 2020, at 12:16 pm, Mark Pepping [REDACTED] wrote:

Good afternoon Aaron

The onsite meeting by staff will be Friday 27<sup>th</sup> all things being equal

**Mark Pepping** Deputy General Manager Corporate Strategy and Development Services  
**Wingecarribee Shire Council**

[REDACTED]  
Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

**From:** Aaron Neill-Stevens [REDACTED]  
**Sent:** Monday, 16 March 2020 6:04 PM  
**To:** Mark Pepping [REDACTED]  
**Cc:** Duncan Gair [REDACTED] Ian Scandrett [REDACTED]  
Grahame Dawson [REDACTED] Councillors  
[REDACTED] Nicholas Wilton [REDACTED] Gabriel  
Sciannimanica [REDACTED] Mitchell Cunningham  
[REDACTED]  
**Subject:** Re: Bloomfield Development - Issues

Hello Mark,

Thank you for informing me on this.

If you would kindly advise me as to the new date proposed for next week in replacement of tomorrows postponed site visit.

Sincerely - Aaron.NS

On Mon, Mar 16, 2020 at 5:10 PM Mark Pepping [REDACTED] wrote:

Good afternoon Aaron

An inspection of the Bloomfield Close/Hordens Road area had been arranged for tomorrow afternoon involving myself with a team of officers, however due to the developing situation surrounding the Covid-19 health scare I have had to postpone the site visit until next week due to my unavailability tomorrow.

Regards

**Mark Pepping** Deputy General Manager Corporate Strategy and Development Services

**Wingecarribee Shire Council**



Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

**From:** Aaron Neill-Stevens [REDACTED]  
**Sent:** Sunday, 8 March 2020 5:37 PM  
**To:** Mark Pepping [REDACTED]  
**Cc:** Duncan Gair [REDACTED] Ian Scandrett [REDACTED]  
Grahame Dawson [REDACTED] Councilors  
[REDACTED] Nicholas Wilton [REDACTED] Gabriel  
Sciannimanica [REDACTED] Mitchell Cunningham [REDACTED]  
**Subject:** Re: Bloomfield Development - Issues

Hello Mark,

This photo was taken by a long standing resident of Mansfield Road in 2017.

Collectively we have many more photos and video ranging in dates from '17 through to last week, highlighting the issues ongoing.

I am sure you are aware the residence of the area - both neighboring and within the development - are looking for this to be remedied with solutions that will fix the problem. We hope your investigations are focused on this alone.

Sincerely

On Sun, Mar 8, 2020 at 4:31 PM Mark Pepping [REDACTED] wrote:

Good afternoon Aaron

Staff are undertaking investigations in relation to this matter.

In relation to the photo included in your email could you please confirm when that was taken.



Regards

Mark Pepping

Deputy General Manager

Corporate Strategy and Development Services

Sent from my I-phone

On 8 Mar 2020, at 3:21 pm, Aaron Neill-Stevens [REDACTED] wrote:

Hello All,

Council need to be acting swiftly on this matter.

- Not throwing the hot potato around the council chambers...

I would hope your interest would be to put a team of Experts together, tasked to advise you on how you are going to fix the problems you are liable for. Your staff are who approved and signed off this mess as compliant within the guidelines of the EPA. Not to mention the responsibility Water NSW place on local council to ensure 'ANY' water flowing into the catchment is free of pollutants and manged through appropriately designed infrastructure.

<IMG\_3088.JPG>

LINK to image above -

<https://drive.google.com/open?id=1TNIGcBIWLvLWwlyaro169s-3lygfy9az>

As you can see in the above photograph. This development is far from compliant. I am also confident that there is no need to highlight again to you all how unsafe this is to both local residence or the general public wanting to use either Horderns or Mansfield roads during times of rain.

As a matter of updating you, we now have further evidence to show these inadequate council stormwater assets are also impacting properties on

Carisbrooke drive. I believe the local constituent would like to understand exactly what the stormwater portion within our rates council are charging us for..?

Sincerely

On Thu, Mar 5, 2020 at 5:17 PM Duncan Gair [REDACTED] wrote:

Hi Ian

I will refer this matter to staff for a comment and update to all Councillors.

Regards Duncan

**From:** Ian Scandrett

**Sent:** Thursday, 5 March 2020 7:49 AM

**To:** Duncan Gair [REDACTED]

**Cc:** Aaron Neill-Stevens [REDACTED]; Grahame Dawson

[REDACTED]; Councillors

[REDACTED] Mark Pepping

[REDACTED]; Nicholas Wilton

**Subject:** Re: Bloomfield Development - Issues

Duncan,

This relates to my request yesterday for inspections next Wednesday - can you ask staff to attend meanwhile and update us?

regards,

Ian

---

**From:** Aaron Neill-Stevens [REDACTED]  
**Sent:** Thursday, 5 March 2020 1:33 AM  
**To:** Grahame Dawson [REDACTED]  
**Cc:** Ian Scandrett [REDACTED] Garry Turland  
[REDACTED] Larry Whipper  
**Subject:** Re: Bloomfield Development - Issues

Hello Grahame,

Thank you for the call back today. As discussed some video and photos of just one of the numerous issues within the Bloomsfield Close development.

Just one....

These types of erosion and pollution have occurred far too many times over the past 3+ years. Causing damage to private assets, pollution of the surrounding catchment area and protected environments along with endangering public lives with the frequent flooding of torrent water and sludge within the intersection of Horderns and Mansfield road's.

If you look through your records I think you will also find the civil group on this development were caught pumping water off site onto neighboring properties during the dark of night. This was just the beginning....

Water NSW had been well aware of the issues this development would cause if not managed, designed and built properly. After flagging their concerns early on they are very keen to be updated on what has been occurring.

With the damage that continues to occur from this certified development, it would surprise me that council would seem to have not kept a very close eye on this and further issues after they caught out the civil group, especially after the many attempts from multiple local residents to get some answers from council as to why their properties, after many years of no issues, were now being flooded with polluted runoff water. .!?!

11th Feb 2020 @ 6:55pm - overflow of a rain garden approved by council 7 days prior flowing directly onto neighboring properties then on down into the water catchment drains.

<https://photos.app.goo.gl/Q8gaiK3HioHYXDVT6>

11th Feb 2020 @ 7:20pm - Council easement within right of carriageway unable to handle stormwater from properties on the top of the hill. Water filled with pollution from deep erosion, has been flowing onto neighboring properties and down into the Catchment drainways.

<https://photos.app.goo.gl/2GK8e14KvjUbDfwd8>

Erosion caused on private property from stormwater runoff that has nowhere to go other than flooding neighboring private property due to ineffective design of council stormwater easement.

<https://photos.app.goo.gl/aG4LjldMxWyBemFD7>

<https://photos.app.goo.gl/GgbkhJVmA8Ans3sh9>

Wednesday 28th November 2018 @ 2:33pm - Speaks for itself.

<https://photos.app.goo.gl/fLfvQt5H3Rciwy3K6>

Sunday 2nd February 2020 @ 1:49pm. Discovery of overflow pipes from neighbors raingarden. These point - as required and instructed within the 888 instrument for all properties within the development - directly into the Council approved stormwater easement, which in this case however, due to bad and ineffective design, ensures water flows away from council drainage and directly onto neighboring private properties. Please Note this was approved by local council 2 days later.

<https://photos.app.goo.gl/Y58ndduDb2a3Xm1P7>

3 Days after approval and the first rain the newly installed and empty system receives.

I encourage you to zoom into the pipes on the right and you will see the water gushing out. this is in the morning well before any significant rain fell. Nothing out of the ordinary in terms of rainfall for the local area. following this the water was witnessed to be over a meter into the air, shooting directly across the

stormwater easement, over the right of carriage way and down behind a newly built retaining wall on a neighboring property.

<https://photos.app.goo.gl/QZNVUTZ8jXDIdjd98>

You may also have noticed that this road within the picture unnecessarily climbs uphill. This causes all the waste and stormwater to flow the opposite way than it is supposed to, according to what is stated within the supporting documents and reports of DA15/0007. I again am unsure as to why council would have approved this water drainage design when there is no stormwater infrastructure built to take the water away from neighboring private property as described within the wingecarribee councils development design specification documents' D5 and D7, and the EPA guidelines on what should and should not occur with 'diffuse source water'.

The below images, 3 days after the above raingarden and the overflow drainage works was approved by a senior certifier from wingecarribee shire council..

<https://photos.app.goo.gl/9Xp6frQVhwsJ7fUn8>

<https://photos.app.goo.gl/fY9DELRIcgHDZKrdA>

<https://photos.app.goo.gl/JHyMbgUUraVZExLk8>

Please reference email sent, subject - ATT: Garima Mandritta ( Ref# 19/0894 )

To: [mail@wsc.nsw.gov.au](mailto:mail@wsc.nsw.gov.au) on Saturday Jan 12, 2019, 11:56pm

Council where provided these photos following a number of phone calls, prior to them granting approval of a bank of fill that had slipped twice before approval. This bank - as you see in other photos and videos above - is currently still eroding away through the development and across the road into Water NSW catchment along with private properties both within the development and on Mansfield road causing damage to private assets.

I would like to see the engineers reports on this bank that council approved. Also the waste water management plans submitted and subsequently approved by council. I would be horrified to think after council receiving these photos that at a minimum, the above two reports were not requested before approval of the works that had been carried out.

As highlighted earlier in this email thread - within the DA submitted for the subdivision (application number 15/0007) on the 8th January 2015, with supporting reports from Douglas Partners, multiple designs by Landteam and finally approved for development by council on the 12th June 2015 - Section 61 (i) of



the original DA states 'No revision to lot layout, works or staging of the subdivision that will impact water quality, shall be permitted without the agreement of Water NSW.'

FYI - There are photos available that clearly show the change of contour of this bank from the original ground.

Wednesday 28th November 2018 @ 11:34am

<https://photos.app.goo.gl/TkY3aKL5D2KLGbRFA>

Wednesday 28th November 2018 @ 2:33pm

<https://photos.app.goo.gl/7U6B9J4MijFs4VsU7>

Friday 30th November 2018 @ 1:04pm

<https://photos.app.goo.gl/df1wStDrTWmEyFRg6>

This again is only a small part of the many issues occurring due to this developments poorly design and badly implemented council approved stormwater assets, both within the development and associated modifications made along Horderns and Mansfield road's.

Council charge us within our rates for stormwater. I am unsure as to why that is with this case when the approved designs of these council assets are causing so many issues and so much damage to the adjoining, privately owned, property. More concerning the danger to life on the surrounding roads that carry both southern highlands residents and tourists visiting the area.

Excuse the frustration Grahame - but council have quite a bit to answer for with regards to all the above, along with many other incidents of which documentation will follow once sent on to Water NSW.

Awaiting further advise on councils intended actions to remedy the situation..

Aaron.NS

On Fri, Feb 28, 2020 at 3:05 PM Grahame Dawson

[REDACTED] wrote:

Hi Aaron

Sorry I keep missing you, I will be unavailable for the rest of the day, other than by email, Thank you for the information you have provided me it is very helpful, I will contact you Monday, Council has issued a stop work Order (DCO) on the owners of the property, your concern regarding the quality of the soil is a concern shared by Council, Council also has major concerns with the pollution caused as a result of the soil being deposited on the land and the impact to on the local environment.

Thanks again for your support on this matter, talk to you Monday.

Kind Regards

Grahame Dawson

Development Compliance Officer

Wingecarribee Shire Council.

**From:** Aaron Neill-Stevens [mailto:[REDACTED]]  
**Sent:** Friday, 28 February 2020 12:56 AM  
**To:** Grahame Dawson  
**Subject:** Re: Bloomfield Development - Issues

Hello Grahame,

Apologies I missed your call yesterday. It is good to finally have a reply from a representative of council.

If you could please give me an appropriate time to call today (Friday 27th), I will call you back.

The matter does indeed need to be discussed at the soonest.

Below some images taken only a couple of weeks (Jan 22nd 2020) before the never ending procession of trucks appeared. These pictures illustrate some of the concerns. The main easement for stormwater highlighted on the original plans within the DA submitted for the sub-division (application number 15/0007) on the 8th January 2015, designed by Landteam and approved by council on the 12th June 2015, has been covered by this fill. We would like to know if there has been a wastewater management plan conducted and approved by council with new calculations done for the diverted water flow caused by whoever is bringing this dirt in? Section 61 (i) of the original DA states *'No revision to lot layout, works or staging of the subdivision that will impact water quality, shall be permitted without the agreement of Water NSW.'*

We are hoping this fill has been tested, certified and all the correct paperwork in place. Last thing we, nor I am sure, Water NSW would want is contaminated soil brought into the catchment area, especially with the extent of erosion and sediment runoff that has been occurring over this entire site.

Flooding and erosion caused by large volumes of diffuse source water, which is not being properly carried down appropriately designed and built stormwater easements and drainage is already a massive problem over the entire sub-division. Many private assets have been damaged by inefficient and ineffective drainage assets, causing flooding of the local area unlike anything that has occurred before this sub-division went in.

I look forward to speaking with you about this at your earliest convenience.

Regards - Aaron.NS

On Thu, Feb 27, 2020 at 1:36 PM Aaron Neill-Stevens [REDACTED] wrote:

Hello Grahame,

I believe you were up on Bloomfield road today taking a look at landfill. You met with a local resident who has passed your details onto me. I believe he

mentioned the group of concerned residence, both within and surrounding the development.

I have quite a bit of detail I would like to discuss with you. If you could kindly give me a call on [REDACTED]

I look forward to hearing from you and talking through the matter in more detail.

Kind Regards

Aaron.NS

**Disclaimer:** This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please notify the sender and delete the message. Views expressed in this message are those of the individual sender and are not necessarily the views of Wingecarribee Shire Council. This email may be made available to third parties in accordance with the Government Information (Public Access) Act 2009.

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## Leesa Stratford

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**From:** Ken Halstead  
**Sent:** Thursday, 19 March 2020 11:41 AM  
**To:** Garry Turland  
**Cc:** Duncan Gair; Garry Turland; Grahame Andrews; Peter Nelson; Larry Whipper; Gordon Markwart; Graham McLaughlin; Ian Scandrett  
**Subject:** Re: Covid-19 and the personal safety of WSC Staff

Dear Garry,

I concur with the contents of your email.

I have serious concerns that Senior Management of the Wingecarribee Shire Council has been less than astute regarding the welfare of ALL staff being protected from the CoronaVirus. I strongly support the intervention of the Union in this very serious matter. If senior management fails to act, then the Union must.

Other councils in NSW have taken 'urgent' action to protect their ratepayers, residents and staff from the spread of the CoronaVirus.

This Pandemic must be taken seriously by senior management. We as elected councillors have a responsibility to 'hold them accountable', or we will be seen to be negligent.

I offer no apology for expressing my opinion on what is the most serious health issue to confront this country since the Spanish Flu of 1919. Rest assured that the Wingecarribee Shire Council will be held accountable for a 'slow response' to a National crisis.

Local government has a role to play in this serious health threat; indeed it has a 'Duty of Care' to act swiftly.

I certainly hope that all of you realise the responsibility you have to the staff of the council and the wider community. I will be vocal on these issues if there is further inaction.

Regards,  
Ken Halstead

Sent from my iPad

On 19 Mar 2020, at 10:25 am, Garry Turland [REDACTED] wrote:

I will give you and the General Manager to take emergency steps to protect staff and the community that enter council facilities by 1 pm today or I will call the union in to force action .

Sent from my iPhone

On 19 Mar 2020, at 9:37 am, Duncan Gair [REDACTED] wrote:

Hi Garry

Thanks for your email and I hope Cade is recovery well and is back to full health soon.



I am not in Council today and would be suggest next week would be best to meet. However, please feel free to contact me direct to discuss your concerns or send a email to Leesa outlining any points you may wish to address.

I believe that the extraordinary meeting was carried out in line with the Code of Meeting Practice.

In relation to staffing issues this is an operational matter and all questions should be directed to the General Manager. However, I believe there is a press release coming out today outlining Council's strategy combating COVID-19. I am also aware that the General Manager is in constant contact with a number of Councils and they are working in cooperatively together.

If you have any questions please direct these to the General Manager.

Regards Duncan

Duncan Gair Mayor  
Wingecarribee Shire Council

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

-----Original Message-----

From: Garry Turland

Sent: Thursday, 19 March 2020 7:49 AM

To: Duncan Gair

Cc: Councillors Ann Prendergast

Barry Paul  
Mark Pepping

Subject: Re: Covid-19

I will be returning to Bowral today to deliver food supplies to one of my sons who is in self isolation and i would request a meeting with you the Mayor and the General Manager re this meeting of extraordinary meeting last week on the 11 march .

Please provide a time today and I will attend .

If you require a legal representatives to attend please advise before the meeting .

If you wish to wear a face mask please do .

As mayor have you instructed the staff to do what all commercial business have implemented That being that half the staff of the council work at home for one week and the other half then return to work in the second week so that all staff are not working at one time in one building.

Sent from my iPad CLR Garry Turland

On 17 Mar 2020, at 5:35 pm, Duncan Gair

[REDACTED] wrote:

Hello All

I sent this afternoon an email to OLG requesting whether council meetings are to continue as usual or is there contingency options being put in place.

I will advise councillors once information is received.

On another note I have been contacted by Radio 2st in relation to a member of a councillors family who may have contracted covid-19.

I believe it is essential for councillors to make their colleagues and Senior Staff aware if they have been in contact with an infected person and when this occurred .

This pandemic is not going to end soon so your respect for others is to be appreciated.

Best Regards

Duncan

Sent from my iPhone

## Wingecarribee - A Coal Mining Free Shire



Our Ref: DG:MGR  
Contact: Danielle Lidgard

16 March 2020

The Hon. Shelley Hancock MP  
GPO Box 5341  
SYDNEY NSW 2001

BY EMAIL: [REDACTED]

Dear Ms Hancock

As the Mayor of Wingecarribee Shire Council, I wish to express my deep concern and disappointment in the conduct of some members of the current Council. Over the course of this Council term the conduct of councillors has degenerated to personal attacks and insults amongst councillors, breaches of the Code of Meeting Practice and Code of Conduct. The Council was not been able to consider all matters on the agenda for the Ordinary Council meetings on 12 and 26 February, in addition the meeting on 26 February and 11 March had to be adjourned for 15 minutes due to the poor conduct of Councillors, this includes one councillor refusing to leave the Chamber after being directed by myself to do so.

Similar to outlined above the conduct towards staff in the Chamber, post Council meeting and councillor briefing sessions is also of significant concern, it is my view this is becoming a significant work health and safety issue.

I am of the view that this Council coming dysfunctional and I wish to request a urgent meeting with you to further discuss these concerns. Can you please advise this is possible and if the General Manager and Group Manager Corporate and Community, as well Mr John Davies from the Office of Local Government can attend this meeting to discuss these matters.

Below are some links to webcasts of Council meetings with some time indicators for you to view some of the recent conduct in the Chamber.

### **Council Meeting 11 March 2020**

<https://www.facebook.com/WingecarribeeShireCouncil/videos/209120223627599/> (watch from 2 hours 46 minutes)

<https://www.facebook.com/WingecarribeeShireCouncil/videos/209120223627599/> (watch from beginning unto 2 mins 12 seconds)



Civic Centre, Elizabeth St, Moss Vale, NSW 2577. PO Box 141, Moss Vale. t. (02) 4868 0888 f. (02) 4869 1203

[mail@wsc.nsw.gov.au](mailto:mail@wsc.nsw.gov.au) [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au)

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

**Working with you**

**Council Meeting 26 February 2020**

<https://www.facebook.com/WingecarribeeShireCouncil/videos/514039779491303/?tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V> (watch from 2 hours 45 minutes)

<https://www.facebook.com/WingecarribeeShireCouncil/videos/513516812904414/?tn=%2Cd%2CP-R&eid=ARDecxm6rliRNKIJ5vBrTKQZvgaAWa-ROA24782TveDz52qnzVruiarxtjQDV9g0o7wQwo9rkGGJG0V>

I look forward to hearing from you soon.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan Gair', written in a cursive style.

Councillor Duncan Gair  
**Mayor**

## Archive Manager Export

---

**From:** Duncan Gair  
**To:** Garry Turland  
**CC:** Councillors  
**Subject:** FW: Council updates strategy to deal with COVID-19 in response to Government direction - Wollondilly Shire Council  
**Sent:** Tue, 24 Mar 2020 00:43:34 GMT

Dear Garry

I am totally fed up with your carry on, including your bullying and intimidating emails. You requested a meeting last Thursday, on very short notice when I was not in the office. As previously and now as a final offer, I invite you to meet with a mediator present to discuss the issues and concerns you have. If you wish to meet please contact me directly or Leesa to make arrangements.

I will not tolerate any more intimidating, inflammatory, bullying or harassing emails from you, anymore and I will request that your emails be blocked. I also believe that some other Councillors may request the same action.

I am sorry that it has come to this and am disappointed that our friendship has been reduced to this level.

The well being of the community at this time is of great importance and cooperation is required.

Regards  
Duncan

Message-----

From: Garry Turland  
Sent: Tuesday, 24 March 2020 7:52 AM  
To: Councillors <Councillors@wsc.nsw.gov.au>  
Subject: Council updates strategy to deal with COVID-19 in response to Government direction » Wollondilly Shire Council

This is what Wollondilly has put out how do you think WSC is ?  
<https://www.wollondilly.nsw.gov.au/home/mediareleases/council-updates-strategy-to-deal-with-covid-19-in-response-to-government-direction/>

Sent from my iPhone



## Leesa Stratford

---

**From:** Garry Turland  
**Sent:** Sunday, 22 March 2020 7:58 PM  
**To:** Duncan Gair; Councillors  
**Subject:** Fwd: Covid-19

I believe it is essential for councillors to make their colleagues and Senior Staff aware if they have been in contact with an infected person and when this occurred .

So this is your statement so WHY HAVE YOU AND THE GENERAL MANAGER NOT informed us the Councillors about the staff BEING TESTED .

YOU ALSO MUST HAVE KNOWN ABOUT clr Nelson ( not clr Peter )was in isolation and being tested .But no you make smart ass comment about me ,who the hell do think you are .

You have a shop that to tourists enter so you don't think you have been exposed to someone who mite be positive to the virus or did you close your business .?

Maybe that is what council should have done but as normal we are follower only .

Sent from my iPad CLR Garry Turland

Begin forwarded message:

**From:** Garry Turland [REDACTED]  
**Date:** 22 March 2020 at 7:48:15 pm AEDT  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Fwd: Covid-19

Sent from my iPad CLR Garry Turland

Begin forwarded message:

**From:** Duncan Gair [REDACTED]  
**Date:** 17 March 2020 at 5:35:19 pm AEDT  
**To:** Councillors [REDACTED], Ann Prendergast  
[REDACTED], Barry Paul [REDACTED]  
Mark Pepping [REDACTED]  
**Subject:** Covid-19

Hello All

I sent this afternoon an email to OLG requesting whether council meetings are to continue as usual or is there contingency options being put in place.

I will advise councillors once information is received.

On another note I have been contacted by Radio 2st in relation to a member of a councillors family who may have contracted covid-19.

I believe it is essential for councillors to make their colleagues and Senior Staff aware if they have been in contact with an infected person and when this occurred .

This pandemic is not going to end soon so your respect for others is to be appreciated.

Best Regards  
Duncan

## Leesa Stratford

---

**From:** Garry Turland  
**Sent:** Sunday, 22 March 2020 7:40 PM  
**To:** Duncan Gair; Nicholas Wilton; Richard Mooney; Dominic Lucas; John Burgess  
**Cc:** Councillors; Ann Prendergast; Barry Paull; Mark Pepping  
**Subject:** Re: Covid-19 and implementations

Thank you but it would have been appropriate to request me the deputy mayor at this meeting or was it because you have made statements about a Councillors family member have the Covid 19 virus . If you have bothered to ask I have had two test and both are NEGATIVE while I have been looking after two of my sons but only one with the virus.

Maybe you can also inform all councillors that two of council staff are awaiting test results or is that to operational and we just leave it to you and the General Manager .

Clr Halstead and I have been requesting you and the so called General Manager take action now for over a week now .

How is it the union know before Councillors know about the staff .

We have Councillors have been excluded from the political games you and the General Manager have been playing ever since you illegally played a tape that was not for training and quality purpose .

I have requested before WHAT IS COUNCILS PLAN ,and what is going to be implemented.

Stop it and bring all councillors up on the security plans to protect the staff ,community and us the forgotten councillors .

If We don't get an full response on the above I will call a no conference on the General Manager for not implementing a emergency planning is there is one in place and providing us the Councillors with her obligation to protect us all .

Pools still opened .

Library still opened .

The civic centre still opened.

The RRC still opened .

Cattle sale still on what ?

Sent from my iPad CLR Garry Turland

> On 22 Mar 2020, at 5:22 pm, Duncan Gair [REDACTED] wrote:

>

>

> Hello All

> I will meet with Senior Staff in the morning to discuss the implications for the functionality of council and the Council Meeting and Information Sessions set down for Wednesday 25th March following the announcements made by the Federal Government today and advise all as soon as possible.

> Best Regards

> Duncan

>

> Sent from my iPhone

## Leesa Stratford

---

**From:** Garry Turland  
**Sent:** Friday, 20 March 2020 3:51 PM  
**To:** Ann Prendergast; Barry Paul; Mark Pepping; Nicholas Wilton; Richard Mooney; Dominic Lucas; John Burgess; Councillors  
**Subject:** FB Live with Mayor & Deputy Mayor - March 2020

What a great initiative ,

What do we do ?

We do a media statement that tell the community nothing on how we will protect them and the staff from the corona virus .

The new government statement on social distances inside is 4 meters apart .

How will you have a council meeting next week with keeping 4 meters apart

<https://www.facebook.com/wollondilly/videos/643610769766758/UzpfSTUyMzY4NzA5MToxMDE1Nzg2MjA4NTM3NzA5Mg/>

Sent from my iPad CLR Garry Turland

**Leesa Stratford**

---

**From:** Garry Turland  
**Sent:** Friday, 20 March 2020 3:44 PM  
**To:** Councillors  
**Subject:** FB Live with Mayor & Deputy Mayor - March 2020

This is what is amazing connection with there community .

What does our council do , ?

<https://www.facebook.com/wollondilly/videos/643610769766758/UzpfSTUyMzY4NzA5MToxMDE1Nzg2MjA4NTM3NzA5Mg/>

Sent from my iPad CLR Garry Turland

## Leesa Stratford

---

**From:** Garry Turland  
**Sent:** Friday, 20 March 2020 9:38 AM  
**To:** Duncan Gair  
**Cc:** Councillors; Ann Prendergast; Barry Paull; Mark Pepping; Nicholas Wilton; Richard Mooney; Dominic Lucas; John Burgess  
**Subject:** Re: Covid-19

Like always you don't tell the full story It would be good if the General Manager and you would do the right thing but that is expected for your mob Protecting the staff and the community take second place with this leadership

Sent from my iPhone

> On 19 Mar 2020, at 6:16 pm, Duncan Gair <Duncan.Gair@wsc.nsw.gov.au> wrote:

>

> Hello All

> Clr Peter who returned from overseas eleven days ago has done the correct thing and has been tested for the virus.

> His results are negative

> Well done Peter!

> Cheers

> Duncan

>

> Sent from my iPhone



\_\_\_\_\_

**From:** Garry Turland  
**Sent:** Thursday, 19 March 2020 10:25 AM  
**To:** Duncan Gair  
**Cc:** Ann Prendergast; Barry Paull; Mark Pepping; Councillors  
**Subject:** Re: Covid-19

I will give you and the General Manager to take emergency steps to protect staff and the community that enter council facilities by 1 pm today or I will call the union in to force action .

Sent from my iPhone

> On 19 Mar 2020, at 9:37 am, Duncan Gair [REDACTED] wrote:

2

> Hi Garry

> Thanks for your email and I hope Cade is recovery well and is back to full health soon.

2

> I am not in Council today and would be suggest next week would be best to meet. However, please feel free to contact me direct to discuss your concerns or send a email to Leesa outlining any points you may wish to address.

✓

> I believe that the extraordinary meeting was carried out in line with the Code of Meeting Practice.

>

> In relation to staffing issues this is an operational matter and all questions should be directed to the General Manager. However, I believe there is a press release coming out today outlining Council's strategy combating COVID-19. I am also aware that the General Manager is in constant contact with a number of Councils and they are working in cooperatively together.

> If you have any questions please direct these to the General Manager.

2

> Regards Duncan

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**> Duncan Gair Mayor**

> Wingecarribee Shire Council

\_\_\_\_\_

>

**> Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577**

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> [www.wsc.nsw.gov.au](http://www.wsc.nsw.gov.au)

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> -----Original Message-----

> From: Garry Turland

> Sent: Thursday, 19 March 2020 7:49 AM

> To: Duncan Gair

> Cc: Councillors [REDACTED] Ann Prendergast [REDACTED] Barry Paul

Mark Pepping [REDACTED]

> Subject: Re: Covid-19

>

> I will be returning to Bowral today to deliver food supplies to one of my sons who is in self isolation and i would request a meeting with you the Mayor and the General Manager re this meeting of extraordinary meeting last week on the 11 march .

> Please provide a time today and I will attend .

> If you require a legal representatives to attend please advise before the meeting .

> If you wish to wear a face mask please do .

> As mayor have you instructed the staff to do what all commercial business have implemented That being that half the staff of the council work at home for one week and the other half then return to work in the second week so that all staff are not working at one time in one building.

>

> Sent from my iPad CLR Garry Turland

>

>> On 17 Mar 2020, at 5:35 pm, Duncan Gair [REDACTED] wrote:

>>

>> Hello All

>> I sent this afternoon an email to OLG requesting whether council meetings are to continue as usual or is there contingency options being put in place.

>> I will advise councillors once information is received.

>> On another note I have been contacted by Radio 2st in relation to a member of a councillors family who may have contracted covid-19.

>> I believe it is essential for councillors to make their colleagues and Senior Staff aware if they have been in contact with an infected person and when this occurred .

>> This pandemic is not going to end soon so your respect for others is to be appreciated.

>> Best Regards

>> Duncan

>>

>> Sent from my iPhone

**Leesa Stratford**

---

**From:** Garry Turland  
**Sent:** Thursday, 19 March 2020 9:00 AM  
**To:** Duncan Gair; Ann Prendergast; Barry Paull; Mark Pepping; Councillors  
**Subject:** Covid 19

Can all councillors get a updated and a report on what has been implemented to comply with councils OPHS

Have council got a plan in place .

Can you forward it to all councillors today .

If council does not have a plan WHY is there not one .

If there is no plan in place , that putting staff and the put at risk .

Council should not be follower but leaders and take action as business has or who will take responsibility for none action ?

Sent from my iPhone

## Leesa Stratford

---

**From:** Garry Turland [REDACTED]  
**Sent:** Tuesday, 17 March 2020 2:46 PM  
**To:** Duncan Gair  
**Subject:** Re: Extraordinary meeting of the 11 march re the General Manager was to be confidential as per the code of meeting policy.

What action will you take as the Mayor ,  
I am sure you have talked both Mr Paul and Prendergast .

Sent from my iPad Garry Turland

On 17 Mar 2020, at 2:38 pm, Duncan Gair [REDACTED] wrote:

Sorry Garry, I have not advised you to take any action just options!

Cheers

Duncan

Sent from my iPhone

On 17 Mar 2020, at 2:29 pm, Garry Turland [REDACTED] wrote:

Your call then I will start my action as you advised .

Sent from my iPad CLR Garry Turland

Sent from my iPad Garry Turland

On 16 Mar 2020, at 3:35 pm, Duncan Gair [REDACTED] wrote:

Hello Gary, thank you for your email. The issues you raised are not within my area and as such should be addressed to the General Manager.

Under the Code of Conduct if there is a concern that any breaches have occurred then there are procedure and processes to be followed.

Best regards,

Duncan

**From:** Garry Turland [REDACTED]  
**Sent:** Monday, 16 March 2020 8:51 AM  
**To:** Duncan Gair [REDACTED]  
**Subject:** Fwd: Extraordinary meeting of the 11 march re the General Manager was to be confidential as per the code of meeting policy.

Sent from my iPad Garry Turland

Begin forwarded message:

**From:** Garry Turland [REDACTED]

**Date:** 15 March 2020 at 12:50:07  
pm AEDT

**To:** ken Halstead

**Subject:** Fwd: Extraordinary  
meeting of the 11 march re the  
General Manager was to  
confidential as per the code of  
meeting policy.

Sent from my iPad Garry Turland

**From:** Garry  
Turland

[REDACTED]  
**Date:** 15 March  
2020 at 12:29:49  
pm AEDT

**To:**

[REDACTED]  
**Subject:**  
Fwd: Extraordinary  
meeting of the 11  
march re the  
General Manager  
was to confidential  
as per the code of  
meeting policy.

Sent from my iPad  
Garry Turland

Begin forwarded  
message:

**Fro**  
**m:**  
Gar  
ry  
Turl



**Leesa Stratford**

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**From:** Garry Turland [REDACTED]  
**Sent:** Tuesday, 17 March 2020 2:30 PM  
**To:** Duncan Gair  
**Subject:** Re: Extraordinary meeting of the 11 march re the General Manager was to be confidential as per the code of meeting policy.

Your call then I will start my action as you advised .

Sent from my iPad CLR Garry Turland

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Best regards,

Duncan

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**To:** Duncan Gair [REDACTED]  
**Subject:** Fwd: Extraordinary meeting of the 11 march re the General Manager was to be confidential as per the code of meeting policy.

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Sent from my iPad Garry Turland

**From:** Garry Turland [REDACTED]  
**Date:** 15 March 2020 at 12:29:49 pm AEDT  
**To:** [REDACTED]  
**Subject:** Fwd: Extraordinary meeting of the 11 march re the General Manager was to confidential as per the code of meeting policy.

Sent from my iPad Garry Turland

Begin forwarded message:

**From:** Garry Turland  
[REDACTED]

**Subject:** Extraordinary meeting of the 11 march re the General Manager was to confidential as per the code of meeting policy.

Well Mr Mayor Gair  
You have a emerging issue that you will have to make the call on re the extraordinary meeting and the events that happened straight after the meeting in the foyer entrance for all the public to witness and hear with Mr Paul and clr Nelson together at the first floor foyer leading into the door leading to the General Managers and your office .

As soon as this meeting was finished Mr Paul and others departed the chamber and headed strait to the General Managers Office followed be clr Nelson .

As I was heading through the inside double glass doors I heard clearly lots of statements made by Mr Paul very loud about me like ( that fucking cunt Turland ) and a lot more statements as I entered the entrance foyer to go up the Stairs from the foyer with clr Nelson was with Mr Paul .

As I started the stair clr Nelson was on his way down and I passed him on my way to front Mr Paul about what I had listened to in the entrance foyer down stairs .

As I got to the locked door I used my swiped tag and entered the hall passing clr Markwood leaving the office hall .

As I entered in the secretary office was Bobby Joe ,Michelle, Mr Crawford where in the front office next to the General managers office.

I stated to them did you hear what was said by Mr Paul out side of the hall door in the open foyer ( that fucking cunt Turland and lots more ) and i ask where was he and I was told in the General Manager Office .

I continue to the General Manager office and knocked loudly before opening the door and I could clearly hear Mr Paul telling what had happened at the confidential meeting that just finished about the General Manager contract and performance to Mss Prendergast.

As I opened the door to the General Manager office was Mr Paul sitting on the southern side of the desk and Mss Prendergast on her side sitting .

Both look very disturbed to see me open the door and as they looked up at me .  
I did not go pass the door still in the hallway .

I looked straight at Mr Paul and said I heard what you said in a public area for public and staff to witness and hear statements like ( that fucking cunt Turland and lots more ).

At that point Mr Paul jumped up from his seat and came to the door with MssPrendergast following straight behind Mr Paul .

As Mr Paul started to speak Prendergast pushed him back in the room and said don't talk to that horrible man and she pushed him back in her office and slammed the door in my face .

As I left the office hall I past Mr Pepping before I went through the double doors .

I left the office hall very disturbed and went straight down to the council chamber and pasted the OLG mr ----- At the double glass doors leaving the building and asked him for his business card and then proceeded to the chamber .( he may have heard Mr Paul)

I sat next to clr Halstead and clr Scrandrett was with him .

I explained what Mr Paul had said about me in a public place and to clr Nelson for everyone to hear ,public and staff .

They could see I was pretty disturbed on what had just unfolded with the General Manager and Mr Paul in the hall leading into her office .

About 15 minutes later Mr Paul came down to the chamber where we were still sitting to apologise and stated he was under lots of pressure and stress .

I could see he was just about to break down so to calm him down I shook his hand and said you should

have never been in the closed council meeting in the first point .

He said that he did not prepare the motion that cllr McLaughlin had put ,that the mayor prepared prior the meeting as you stated during the meeting to all Councillors .

I stated to Mr Paul it look like you passed the paper to cllr McLaughlin to read the motion and he said he nothing to do with it .

(It looks like a motion that a staff member has prepared )

I said we never wanted you there ,but only a secretary to be at that meeting and you said that the mayor had asked me ( Paul ) to be there .Mr Paul said that he had 40 years of experience in local government and that's why the mayor wanted him there .

Well where do we go now and what decisions will you make mr mayor ?

I will next week GO THROUGH THE CORRECT PROCESS AND GIPPA ALL THE VIDEO RECORDINGS from the council chamber hall to the entry hall ,up the stairs ,on the first floor foyer, in the hallway leading to yours and the General Manager office ,Secretaries office and the council chamber after the meeting ,also the office hall before the meeting to see who entered the mayor and General manager offices

I will be requesting statements from all witnesses.

Confidentiality has been breached by Mr Paul by going straight to the General Manager after the meeting to explain all statements and the events that took place and statements made by Councillors that was to be confidential.



Sent from my iPad Garry Turland

**Disclaimer:** This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please notify the sender and delete the message. Views expressed in this message are those of the individual sender and are not necessarily the views of Wingecarribee Shire Council. This email may be made available to third parties in accordance with the Government Information (Public Access) Act 2009.

**Leesa Stratford**

---

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**Sent:** Monday, 16 March 2020 8:51 AM  
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Confidentiality has been breached by Mr Paul by going straight to the General Manager after the meeting to explain all statements and the events that took place and statements made by Councillors that was to be confidential.

Sent from my iPad Garry Turland



**From:** Garry Turland  
**Sent:** Wednesday, 11 March 2020 6:59 PM  
**To:** Councillors  
**Subject:** Fwd: NoM - Presentations from Councillor Strategic Planning Day

Twice refused by the GM BUT NOW IN THIS WEEK PAPER

Sent from my iPad CLR Garry Turland

Begin forwarded message:

**From:** Danielle Lidgard [REDACTED]  
**Date:** 20 November 2019 at 3:52:53 pm AEDT  
**To:** Garry Turland [REDACTED]  
**Subject:** NoM - Presentations from Councillor Strategic Planning Day

Good afternoon Clr Turland

We have received the following Notice of Motion (NoM) from you for the Council Meeting on 27 November 2019:

1. **THAT the General Manager provides a copy of all the council staff presentations to councillors on 6 November at the Council's strategic planning day at Peppers Craigieburn, Bowral.**
2. **THAT because the General Manager is unwilling to present to the public what was presented to councillors on that day, THAT the Mayor provide a report to the public in the December meeting.**

The General Manager has considered this NoM and has determined that your NoM will not be included on the agenda in accordance with section 3.20 of Council's Code of Meeting Practice, which states as follows:

*"3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council".*

In regard to point 1, the objective of this year's councillor strategic planning day held on 6 November was to provide councillors with updates on a number of infrastructure matter, an overview of achievements against the Delivery Program and an update on a number of organisational improvement initiatives. This was intended to be an information session for councillors only and did not require any decision from council. The information presented therefore was not required for councillors to effectively discharge their official functions in accordance with section 223 of the *Local Government Act 1993*. Information that is required for councillors to effectively discharge their official functions are presented in formal reports to Council and the Finance Committee. As such, access to the staff presentations is refused in accordance with section 8.8 of Council Code of Conduct on the basis that the presentations were intended to be informal

## Achive Manager Export

**From:** Leesa Stratford  
**To:** Leesa Stratford  
**Subject:** FW: Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020

**Sent:** Tue, 24 Mar 2020 00:58:10 GMT

---

**From:** Duncan Gair  
**Sent:** Tuesday, 24 March 2020 11:52 AM  
**To:** Ken Halstead [REDACTED]  
**Cc:** Garry Turland [REDACTED]; Ian Scandrett [REDACTED]  
**Subject:** FW: Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020

Hello Ken

Having read your previous email, I am over playing games and either you attend tomorrow or you are an apology. I ask that you contact Leesa to confirm, so that the correct procedures for social distancing can be put in place.

I believe your other comments are disingenuous and could be of a bullying nature and I will not tolerate any further correspondence which is of a personal derogatory manner.

I wish to work with you in a positive manner during this current time of crisis. As I have said to you on previous occasions, we may disagree on some issues but this should be done in a mutually respectful way and without denigrating the other person. I believe I have always given you this respect.

Regards Duncan

---

**From:** Ken Halstead [REDACTED]  
**Sent:** Monday, 23 March 2020 5:11 PM  
**To:** Duncan Gair [REDACTED]; Garry Turland [REDACTED]; Ian Scandrett [REDACTED]  
**Subject:** Re: Proposed Council Meeting and Briefing Session - Wednesday 25 March 2020

Duncan,

Thank you for the email which I have noted with great interest.

I recommend that you read our email very carefully indeed.

**We did NOT state that we would NOT attend the meeting.**

By now you should realise that I object very strongly to General Managers of any council being delegated the authority to accept 'high value' Tenders. It is clearly the responsibility of the elected councillors to deliberate on tenders on behalf of ratepayers.

In the case of the Wingecarribee Shire, I do not believe that tenders should be pontificated on by staff only, on behalf of the ratepayers. I for one want to maintain the role of reviewing the process to ensure that it complies absolutely with the provisions of the Local Government Act 1993 and Local Government (General) Regulation 2005.

I cannot believe that you are so 'hell bent' on enabling this proposition; I ask the question Why?

Please don't insult my intelligence by trying to manipulate me, which has been your methodology from 'time-to-time'; you don't have either the qualifications or experience to do so.

To use the CoronaVirus as an excuse to persuade councillors to undo an adopted Policy of the Council, is unacceptable in my opinion.

There is no doubt that the CoronaVirus is the **most important** issue to confront mankind since the Spanish Flu Pandemic of 1918/1919. What astounds me is, that you are prepared to risk the health and welfare of every person attending the Council Meeting on Wednesday. I do not have any confidence whatsoever that the administrative staff of council are 'on top' of the health and welfare of attendees. Do I trust them to protect my life? I think not.

Regards,

Ken Halstead

(on behalf of Councillors Garry Turland, Ian Scandrett and myself)



## Archive Manager

## Export

From: Danielle Lidgard  
To: [REDACTED]  
CC: Ann Prendergast  
Subject: FW: QWN for Council 12/2/2019

Sent: Wed, 26 Feb 2020 00:56:21 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.



2020\_02\_03\_QWN\_for\_12th\_Feb\_Mayor re refusing to accpet motion to suspend standing orders.pdf (440Kb)

From: Danielle Lidgard  
Sent: Tuesday, 4 February 2020 8:28 PM  
To: Ian Scandrett [REDACTED]  
Cc: Ann Prendergast [REDACTED]  
Subject: FW: QWN for Council 12/2/2019

Good evening Cllr Scandrett,

I have discussed the Question with Notice with the General Manager regarding the Mayor refusing to suspend standing orders at the Extraordinary Council on 29 January 2020. The Office of Local Government has also been consulted.

The General Manager has advised that in accordance with clause 3.20 of Council's Code of Meeting Practice (COMP) your QWN will not be included in the agenda for the meeting on 12 February 2020, i.e.

**3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.**

The General Manager has formed the view that it would be unlawful to include your QWN in the agenda as your QWN implies that the Mayor has breached various Council policies and the Local Government Act. As per clause 9.3 it is a breach of Council's Code of Conduct to allege breaches of the Code of Conduct in Council meetings:

**9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.**

The General Manager also wishes to advise that the Mayor's refusal to accept a motion to suspend standing orders was procedurally correct. There is no provision in Council's COMP or the Local Government Act to suspend standing orders in Council meetings. Nor is there a provision for the community to participate in debate or decision making at Council meetings. The provision for oral submissions from the community is via Public Forum which is outlined in section 4 of the COMP, noting that this applies to Ordinary Meetings of Council and requires an application process as outlined below.

**4.2 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by close of business (4.30pm) two (2) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.**

**4.6 No more than one (1) speaker 'for' and one (1) speaker 'against' are permitted for each item of business on the agenda for the council meeting. Noting the total number of speakers for a public forum is limited to four (4).**

Kind regards

Danielle

**Danielle Lidgard** Group Manager Corporate & Community  
**Wingecarribee Shire Council**

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

-----Original Message-----

**From:** Ian Scandrett [mailto:[REDACTED]]  
**Sent:** 3 February 2020 12:40  
**To:** Leesa Stratford [mailto:[REDACTED]]  
**CC:** Bobbie-Jo Gordon [mailto:[REDACTED]] Danielle Lidgard [mailto:[REDACTED]]  
**Subject:** Re: QWN for Council 12/2/2019

Dear Leesa,

I attach a QWN for Council 12th February which is addressed to the GM [copied in].

Please receipt.

thankyou,

Clr Ian Scandrett

<2020\_02\_03\_QWN\_for\_12th\_Feb\_Mayor re refusing to accpet motion to suspend standing orders.pdf>



# Notice of Business

## Question with Notice Form

Submitted in accordance with clauses 3.10 and 3.14 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0714 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
101/2

### QUESTION WITH NOTICE

(Refer to clauses 3.10, 3.14-3.16 of the Code of Meeting Practice, copied overleaf)

I the undersigned hereby give notice that at the ordinary meeting of the Council to be held on 12 / 02 / 2020, I request a response by the General Manager to the following question about the performance or operations of Council:

#### Question with Notice:

Q: Did the Mayor have the power at the EGM 29/1/2020 to refuse to accept my motion to "suspend Standing Orders and allow members of the public to address Council or ask questions" and If so, please detail that power with the relevant extracts and references from **our Code of Meeting practice and the Local Government Act** and please also advise how the statement "it is not permitted" by the Mayor accords with policies which I reference below:

- a) "Our Mission, Our Vision, Our Values" statement that appears in every Agenda paper [below]
- b) Our Community Engagement Policy  
[[https://www.wsc.nsw.gov.au/uploads/3266/community-engagement-policy\\_final\\_adopted-10-april-2019.pdf](https://www.wsc.nsw.gov.au/uploads/3266/community-engagement-policy_final_adopted-10-april-2019.pdf)]
- c) Our statement of Ethics policy [https://www.wsc.nsw.gov.au/uploads/3266/wsc-statement-of-ethics\_adopted-270612.pdf]
- d) Our Workplace Bullying Policy  
[https://www.wsc.nsw.gov.au/uploads/3266/workplace-bullying-policy-august-2016.pdf]

Furthermore, why did the Mayors second refusal of my motion ["it is disallowed"] not appear in the draft Minutes?

# Notice of Business

## Question with Notice Form

Submitted in accordance with clauses 3.10 and 3.14 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0714 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
101/2

AGENDA FOR THE EXTRAORDINARY MEETING OF COUNCIL  
Wednesday 29 January 2020



### Our Mission, Our Vision, Our Values



## POLICY STATEMENT

Council views **community engagement** as important to its effective, transparent and accountable governance. Council recognises that a clear standard of engagement should be established appropriate to the nature, complexity and forecast level of impact associated with each decision made regarding major projects, policies, strategies and operational changes.

Council is committed to:

- offering opportunities for the community to contribute to the decisions made by Council;
- effective two-way flow of information between Council and the community;
- decision-making that is transparent and works in the interest of the community, considering its many and diverse stakeholders; and
- ensuring that effective internal processes and controls exist within Council to ensure good governance and effective community representation.

[https://www.wsc.nsw.gov.au/uploads/3266/community-engagement-policy\\_final\\_adopted-10-april-2019.pdf](https://www.wsc.nsw.gov.au/uploads/3266/community-engagement-policy_final_adopted-10-april-2019.pdf)

# Notice of Business Question with Notice Form

Submitted in accordance with clauses 3.10 and 3.14 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0714 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
101/2

## Councillor Obligations

The Code of Conduct and **Statement of Ethics** requires all WSC Councillors to<sup>1</sup>:

- Abide wholeheartedly by the spirit and letter of the Seven Principles of Public Life set out by Lord Nolan in 1995: selflessness, integrity, objectivity, accountability, openness, honesty and leadership
- Be guided by considered evidence, our real world experience and expertise, our constituencies and our consciences
- Be non-discriminatory, ethical and committed to pluralism
- Make decisions transparently and openly at every stage and level of the political process, enabling people to see how decisions are made and the evidence on which they are based
- Listen, consulting our communities constantly and innovatively
- Treat political opponents with courtesy and respect, challenging them when we believe they are wrong, and agreeing with them when we believe they are right
- Resist abuses of power and patronage and promote democracy at every level
- Work with other elected members as a Group with a chosen spokesperson (Mayor)
- Claim expenses, salaries and compensation openly so the public can judge the value for money of our activities

[https://www.wsc.nsw.gov.au/uploads/3266/wsc-statement-of-ethics\\_adopted-270612.pdf](https://www.wsc.nsw.gov.au/uploads/3266/wsc-statement-of-ethics_adopted-270612.pdf)

## POLICY STATEMENT

Wingecarribee Shire Council is committed to providing a safe and healthy work environment in which all workers are treated fairly, with dignity and respect.

Bullying and harassment are risks to health and safety in the workplace. It is unacceptable and will not be tolerated by Council.

<https://www.wsc.nsw.gov.au/uploads/3266/workplace-bullying-policy-august-2016.pdf>

# Notice of Business Question with Notice Form

Submitted in accordance with clauses 3.10 and 3.14 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0714 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
101/2

## Signed By:

Signature:

*[Handwritten Signature]*

Print Name:

Clr Ian Scandrett

Dated:

03

/

02

/

2020

## How to submit this form:

You may submit either:

In person, to the Executive Office

By email, to [council.reports@wsc.nsw.gov.au](mailto:council.reports@wsc.nsw.gov.au)

## NOTE:

1. The form must be signed in order to be accepted (this can be an electronic signature).
2. Signed forms are to be submitted no later than 4.30pm seven business days before the meeting is to be held. This will generally be on the Monday in the week prior to the Ordinary meeting of Council.
3. In accordance with clause 3.15 of the Code of Meeting Practice, a Councillor is not permitted to ask a question with notice that comprises a complaint against the General Manager or a member of staff of the Council, or a question that implies wrongdoing by the General Manager or a member of staff of the Council.

## OFFICE USE ONLY:

Action Taken:

## CODE OF MEETING PRACTICE CLAUSES 3.10, 3.14-3.16

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted prior to the close of business at 4.30pm, seven (7) business days before the meeting is to be held.
- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.

# Notice of Business Question with Notice Form

Submitted in accordance with clauses 3.10 and 3.14 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0714 e. [council.reports@wsc.nsw.gov.au](mailto:council.reports@wsc.nsw.gov.au)



DataWorks Reference No:  
101/2

- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.



## Archive Manager

## Export

**From:** Danielle Lidgard  
**To:** [REDACTED]  
**CC:** Ann Prendergast  
**Subject:** FW: NOM for EGM on 6/2/2020

**Sent:** Wed, 26 Feb 2020 00:55:44 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.



2020\_02\_02 Expenditure of Federal Grant and Council Reserves.pdf (249Kb)

**From:** Danielle Lidgard  
**Sent:** Monday, 3 February 2020 12:09 PM  
**To:** Ian Scandrett [REDACTED]  
**Cc:** Ann Prendergast [REDACTED]  
**Subject:** RE: NOM for EGM on 6/2/2020

Good morning Clr Scandrett,

I have discussed your notice of motion with the General Manager.

The meeting on the 6 February 2020 is an extraordinary council meeting called by the Mayor. As this is an extraordinary meeting, the only item of business that will be considered is the DA fees relating to the recent bushfires. As per the Code of Meeting Practice, the provision for NoM or QWN relate to ordinary meetings of Council. Additionally, Council already has a motion relating to the expenditure of the \$1million Commonwealth Disaster Recovery Grant, as such a rescission motion for MN2/20 would be required before items 1, 2, 3 could be considered by Council.

Kind regards  
Danielle

**Danielle Lidgard** Group Manager Corporate & Community  
**Wingecarribee Shire Council**

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

**From:** Ian Scandrett  
**Sent:** Monday, 3 February 2020 12:10 AM  
**To:** Ann Prendergast [REDACTED]  
**Cc:** Danielle Lidgard [REDACTED] Bobbie-Jo Gordon

Tender Bundle E page 137

[REDACTED] Leesa Stratford [REDACTED]

Subject: NOM for EGM on 6/2/2020

2/2/2020

Dear General Manager,

I attach a NOM for the EGM on Thursday the 6th February, the agenda of which is not yet set - and Councillors have not received it.

It is a substantially different motion to the one it is to replace, if successful. There is a substantial section on expending funds from our reserves.

Please advise by 12.00 Monday 3rd February whether, or not, you are going to accept this motion, and if not, your specific reasons for doing so.

It is lengthy so if you would like to suggest any changes then please do so.

thankyou,

Clr Ian Scandrett

# Notice of Business

## Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

### NOTICE OF MOTION

(Refer to clauses 3.10-3.13 and 18.5-18.9 of the Code of Meeting Practice, copied overleaf)

I / We the undersigned hereby give notice that at the Extraordinary General meeting of the Council to be held on

06 / 02 / 2020 , the following motion will be moved:

#### Motion:

1. THAT Council acknowledge the allocation of \$1 million to Wingecarribee Shire Council through the Commonwealth Government Disaster Recovery Grant for bushfire impacted communities and recognise the directives as to how the funds be spent:
2. THAT Council acknowledge the requirement of the grant funding to develop a program of works within three (3) months (i.e. no later 9 April 2020) and report to the Office of Local Government on how the funding was spent within 12 months (i.e. no later 9 January 2021).
3. THAT Council now allocate the \$1 million Commonwealth Government Disaster Recovery Grant for bushfire impacted councils for the following projects in amounts specified below and that this motion supercedes the motion with substantially different elements approved by 6 Councillors at the EGM of the 29<sup>th</sup> January 2020 and includes the expenditure of funds from our reserves:
  - a. Fire affected Waste disposal for residents in the Northern Villages at Bargo Waste Management Centre \$50,000, noting the State Government undertaking regarding site cleanups
  - b. Fire affected Waste Disposal for residents in the Southern Villages be made available at Moss Vale RRC, or the Bowral Tip, or Goulburn Tip \$50,000, noting the State Government undertaking regarding site cleanups
  - c. Tourism Recovery Program of \$150,000, to include funding for suitable local community events in our Villages and waiving of health inspection fees for this year [2019: \$26,000]; footpath dining fees [2019 \$47,278]
  - d. Payment of livestock daily feeding fees at our saleyards for affected farmers selling their cattle \$5,000
  - e. Balmoral Park, Balmoral \$100,000
  - f. Works at Casburn Park, Wingello \$50,000
  - g. Tree Removal & associated clean up at Balmoral, Wingello, Exeter, Wombeyan Caves Road and Manchester Square \$500,000
  - h. Burnt Infrastructure replacement at the Glow Worm Glen tourism site \$25,000
  - i. Contribution to Honouring Fallen RFS Firefighters \$15,000
  - j. Fire damaged Road & related Infrastructure rebuilding \$50,000
  - k. Contingency \$10,000
4. And that the following be funded from Council reserves, namely THAT:
  - i. Council unconditionally pay \$5k Rate Relief into rate accounts for each Property with Homes Completely Destroyed or uninhabitable homes to \$300,000

# Notice of Business

## Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice



Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au

DataWorks Reference No:  
100/4

- ii. Council unconditionally waive from reserves our components of Development Application fees for Property with Homes Completely Destroyed or uninhabitable to \$600,000
  - iii. Council waive late rate fees and associated interest and collection agent charges for 2020 for businesses, this in addition to any hardship applications
  - iv. Council restoration works on Mountain Bike Tracks at Wingello and Bundanoon \$25,000 to address fire damage
  - v. Council fund fire related works at Roadside Entrance into Bundanoon \$25,000
  - vi. Council donate the sum of \$10,000 towards animal care via "wombat care" at Bundanoon from the E&S levy.
  - vii. Council prepare a schedule of proposed Bush restoration activities to be funded by Council reserves and the Environment Levy and then hold a public forum to the amount of \$200,000 and seek public submissions – this schedule to include but not limited to:
    - assisting regeneration activities & groups proposing same;
    - restoration of bush tourism signage;
    - fencing, infrastructure & the like.
5. **THAT** Council consider the request from the Balmoral Village Association in relation to the park and lands per the emails from the President of the Balmoral Village Association dated 27 January 2020 to staff and that these be reported promptly back to Council
  6. **THAT** Council refer the request from the Wingello community in relation to urgent works and issues per the email dated 29 January 2020 from David Bruggeman to staff and that these be reported promptly back to Council
  7. **THAT** Any funds or grants received from Government that cover these areas & works shall be utilised for these activities or shall repay our reserves where so used.
  8. **THAT** an urgent EGM of the finance committee shall be called to approve the expenditure of these funds.

### Signed By:

(Minimum three Councillors if the Notice of Motion has the same effect as a motion lost less than three months ago, per clause 18.6 of the Code of Meeting Practice)

Signature:


Print Name:

Clr Ian Scandrett


Dated:

02	/	02	/	2020
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### How to submit this form:

You may submit either:

In person, to the Executive Office



# Notice of Business

## Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

By email, to [council.reports@wsc.nsw.gov.au](mailto:council.reports@wsc.nsw.gov.au)

### NOTE:

1. The form must be signed in order to be accepted (this includes electronic signatures).
2. Signed forms are to be submitted no later than 4.30pm seven business days before the meeting is to be held. This will generally be on the Monday in the week prior to the Ordinary meeting of Council.

### CODE OF MEETING PRACTICE CLAUSES 3.10-3.13, 18.5-18.9

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted prior to the close of business at 4.30pm, seven (7) business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a response in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must be referred to Council's Finance Committee (committee of the council) for consideration.
- 18.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.
- 18.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.
- 18.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.
- 18.8 The provisions of clauses 18.5–18.7 concerning lost motions do not apply to motions of adjournment.



# Notice of Business Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

18.9 A notice of motion submitted in accordance with clause 18.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

## Archive Manager

## Export

From: Danielle Lidgard  
To: [REDACTED]  
CC: Ann Prendergast  
Subject: FW: Notice of Motion - Confidential Session

Sent: Wed, 26 Feb 2020 00:52:48 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

 Notice of Motion.pdf (178Kb)

From: Danielle Lidgard  
Sent: Tuesday, 25 February 2020 1:36 PM  
To: Ken Halstead [REDACTED]; Garry Turland [REDACTED]  
Cc: Ann Prendergast [REDACTED]  
Subject: Notice of Motion - Confidential Session

Good morning Cllr Halstead and Cllr Turland,

I refer to the Notice of Motion attached which was received in time but not actioned until yesterday.

The General Manager has advised that your NOM could never have been included in the agenda for the meeting on 26 February 2020. This is because;

Clause 3.20 of Council's Code of Meeting Practice (COMP) provides;

***3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.***

The General Manager has formed the view that it would be unlawful to include your NOM in the agenda as your NOM implies (and specifically alleges) breaches of various legislation and Council's Code of Conduct. As per clause 9.12 it is a breach of Council's Code of Conduct to allege breaches of the Code of Conduct in Council meetings:

***9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.***

As your motion breaches clause 9.12 of the Code of Conduct, it would have been unlawful for the General Manager to include your motion on the agenda for the Council meeting on 26 February 2020.

Kind regards  
Danielle

**Danielle Lidgard** Group Manager Corporate & Community  
**Wingecarribee Shire Council**



# Notice of Business Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre Elizabeth St Moss Vale, NSW 2577 PO Box 141, Moss Vale  
t (02) 4868 0719 e council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

## NOTICE OF MOTION

(Refer to clauses 3.10-3.13 and 18.5-18.9 of the Code of Meeting Practice, copied overleaf)

I / We the undersigned hereby give notice that at the Ordinary meeting of the Council to be held on 26 Feb 2020

Councillors Halstead and Turland, the following motion will be moved:

We Councillors Halstead and Turland give notice I intend to move the following notice of motion at the next Ordinary Meeting of Council.

That Council resolve to hold discussions in confidential session to deal with matters arising from the discussion by Council in a briefing session of private information in respect of a telephone inquiry which is a breach of the Code of Conduct requirements Clause 8.12 and Section Section 10 (A) (2) (i) of the Local Government Act, and the disclosure of details of a telephone call in breach to Section 17 of the Privacy and Personal Information Protection Act and the Surveillance Devices Act 2007 NSW to those Councillors present at the briefing by the Mayor and General Manager on the 29 January 2020.

I give further notice I intend to discuss in the confidential session issues that affect staff which can only be discussed in a confidential session of the Council in accordance with the Local Government Act Section 10 A (2) (a).

### Signed By:

(Minimum three Councillors if the Notice of Motion has the same effect as a motion lost less than three months ago, per clause 18.8 of the Code of Meeting Practice)

Signature:

*[Handwritten signatures of Councillors Halstead and Turland]*

Dated:

17 Feb 2020

Print Name:

CAROL TURLAND  
KEN HALSTEAD

## Archive Manager

## Export

From: Danielle Lidgard  
To: [REDACTED]  
CC: Ann Prendergast  
Subject: FW: Question with Notice: Council Meeting 26 February 2020

Sent: Wed, 26 Feb 2020 00:51:46 GMT

From: Danielle Lidgard  
Sent: Tuesday, 18 February 2020 7:03 PM  
To: Ken Halstead [REDACTED]  
Cc: Ann Prendergast [REDACTED]  
Subject: Question with Notice: Council Meeting 26 February 2020

Good evening Clr Halstead

I have discussed the question with notice submitted by you (see below) with the General Manager.

The General Manager has advised that in its current form your QWN will not be included in the agenda for the meeting on 26 February 2020, as clause 3.15 of Council's Code of Meeting Practice (COMP) states:

**3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.**

The General Manager has formed the view that in accordance with clause 3.20 of the COMP it would be unlawful to include your QWN in the agenda for the Council meeting as your question breaches clause 3.15.

**3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.**

The General Manager has advised that she would consider including your question with notice if the following statement is removed "I am of the opinion that insufficient investigation and decision-making has been made to ensure that the council is afforded the protection of the Civil Liability Act 2002 (NSW)."

Kind regards  
Danielle

-----Original Message-----

From: Ken Halstead  
Sent: Monday, 17 February 2020 12:02 PM  
To: Ann Prendergast [REDACTED]  
Cc: Leesa Stratford [REDACTED]  
Subject: Question with Notice: Council Meeting 26 February 2020

#### QUESTION

Please provide a report to the elected council outlining what the intention of senior management is to address the state of the road pavement on Old South Road Mittagong between Range Road and Bong Bong Road, Mittagong. Road Safety is priority no. 1. and road users must be provided with safe roads. In my opinion this length of road



carriageway presents an 'unsafe' set of circumstances. AS 1742.3 must be complied with absolutely with regard to temporary signage which must be erected.

The road pavement has suffered structural failure and must be reconstructed as soon as possible. I am of the opinion that insufficient investigation and decision-making has been made to ensure that the council is afforded the protection of the Civil Liability Act 2002 (NSW).

This report should be prepared by a 'qualified' and experienced civil engineer, not an administrative bureaucrat.

Ken Halstead

Sent from my iPad

## Archive Manager

## Export

This message was sent with High importance.

**From:** Danielle Lidgard

**Sent:** Wed, 26 Feb 2020 00:51:22 GMT

**To:** [REDACTED]

**CC:** Ann Fendergast

**Subject:** FW: Questions with Notice: Old South Road & Sewer line Edward Street , Mittagong

**From:** Danielle Lidgard

**Sent:** Tuesday, 18 February 2020 7:09 PM

**To:** Ken Halstead [REDACTED]

**Subject:** FW: Questions with Notice: Old South Road & Sewer line Edward Street , Mittagong

**Importance:** High

Good evening Clr Halstead

I have discussed the question with notice submitted by you (see below) with the General Manager.

The General Manager has advised that in its current form your QWN will not be included in the agenda for the meeting on 26 February 2020, as clause 3.15 of Council's Code of Meeting Practice (COMP) states:

**3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.**

The General Manager has formed the view that in accordance with clause 3.20 of the COMP it would be unlawful to include your QWN in the agenda for the Council meeting as your question breaches clause 3.15.

**3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.**

The General Manager has advised that she would consider including your question with notice if the following statements are removed:

"The council at that time acted outside the provisions of the law by approving the sewerage work.

It is abundantly clear to me that the rectification work was undertaken with the full knowledge of council's staff. Without the subject work, the owner Litchfield could not legally access the adjoining land to maintain her sewer service. "

Can you please advise how you would like to proceed?

Kind regards

Danielle

**Danielle Lidgard** Group Manager Corporate & Community

**Wingecarribee Shire Council**

Tender Bundle E page 148

Archive Manager

Export

---

This message was sent with High importance.

**From:** Danielle Lidgard**Sent:** Wed, 26 Feb 2020 00:51:22 GMT**To:** [REDACTED]**CC:** Ann Prendergast**Subject:** FW: Questions with Notice: Old South Road & Sewer line Edward Street , Mittagong

---

**From:** Danielle Lidgard**Sent:** Tuesday, 18 February 2020 7:09 PM**To:** Ken Halstead [REDACTED]**Subject:** FW: Questions with Notice: Old South Road & Sewer line Edward Street , Mittagong**Importance:** High

Good evening Cllr Halstead

I have discussed the question with notice submitted by you (see below) with the General Manager.

The General Manager has advised that in its current form your QWN will not be included in the agenda for the meeting on 26 February 2020, as clause 3.15 of Council's Code of Meeting Practice (COMP) states:

***3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.***

The General Manager has formed the view that in accordance with clause 3.20 of the COMP it would be unlawful to include your QWN in the agenda for the Council meeting as your question breaches clause 3.15.

***3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.***

The General Manager has advised that she would consider including your question with notice if the following statements are removed:

"The council at that time acted outside the provisions of the law by approving the sewerage work.

It is abundantly clear to me that the rectification work was undertaken with the full knowledge of council's staff. Without the subject work, the owner Litchfield could not legally access the adjoining land to maintain her sewer service. "

Can you please advise how you would like to proceed?

Kind regards

Danielle

**Danielle Lidgard** Group Manager Corporate & Community

**Wingecarribee Shire Council**

[REDACTED]

Tender Bundle E page 149

**QUESTION WITH NOTICE - Edward St, Mittagong**

**What action has been taken to refund the fees paid by plumber Len Steed regarding a rectification of a sewer line approved of by the council many years ago, that was constructed outside the owner's property?**

The council at that time acted outside the provisions of the law by approving the sewerage work.

It is abundantly clear to me that the rectification work was undertaken with the full knowledge of council's staff.

Without the subject work, the owner Litchfield could not legally access the adjoining land to maintain her sewer service. As at today (17 February) no response have been received to Mr Steed's letter, nor has any refund of charges been received.

I refer the staff to the 3rd last paragraph of Mr Len Steed's letter of 13 January 2020 for a description of the work undertaken.




## Achive Manager

## Export

**From:** Danielle Lidgard  
**To:** [REDACTED]  
**CC:** Ann Prendergast  
**Subject:** FW: NOM re EGM statement

**Sent:** Wed, 26 Feb 2020 00:48:18 GMT

Attachments may contain viruses that are harmful to your computer. Attachments may not display correctly.

 2020\_02\_17 Mayor re EGM's.pdf (224Kb)

**From:** Danielle Lidgard  
**Sent:** Tuesday, 18 February 2020 7:19 PM  
**To:** Ian Scandrett [REDACTED]  
**Cc:** Ann Prendergast [REDACTED]  
**Subject:** FW: NOM re EGM statement

Good evening Cllr Scandrett

I have discussed your Notice of Motion with the General Manager and can advise that your notice of motion will not be included on the agenda for the council meeting on 26 February 2020.

The General Manager has advised that in accordance with clause 3.20 of Council's Code of Meeting Practice (COMP) your QWN will not be included in the agenda for the meeting on 26 February 2020, i.e.

***3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.***

The General Manager has formed the view that it would be unlawful to include your QWN in the agenda as your QWN implies that the Mayor has breached various Council policies and the Local Government Act. As per clause 9.12 it is a breach of Council's Code of Conduct to allege breaches of the Code of Conduct in Council meetings:

***9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.***

As previously advised in my email to you on 5 February 2020 the General Manager also wishes to advise that the Mayor's refusal to accept a motion to suspend standing orders was procedurally correct. There is no provision in Council's COMP or the Local Government Act to suspend standing orders in Council meetings. Nor is there a provision for the community to participate in debate or decision making at Council meetings. The provision for oral submissions from the community is via Public Forum which is outlined in section 4 of the COMP, noting that this applies to Ordinary Meetings of Council and requires an application process as outlined below.

**4.2 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by close of business (4.30pm) two (2) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.**



**4.6 No more than one (1) speaker 'for' and one (1) speaker 'against' are permitted for each item of business on the agenda for the council meeting. Noting the total number of speakers for a public forum is limited to four (4).**

Kind regards

Danielle

**Danielle Lidgard** Group Manager Corporate & Community  
**Wingecarribee Shire Council**

Civic Centre, 68 Elizabeth St. Moss Vale, NSW 2577 | PO Box 141 Moss Vale NSW 2577

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

---

**From:** Ian Scandrett  
**Sent:** Monday, 17 February 2020 4:31 PM  
**To:** Leesa Stratford [REDACTED]  
**Subject:** NOM re EGM statement

Dear leesa,

please receipt.

thankyou,

Ian

# Notice of Business

## Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

### NOTICE OF MOTION

(Refer to clauses 3.10-3.13 and 18.5-18.9 of the Code of Meeting Practice, copied overleaf)

I the undersigned hereby give notice that at the Ordinary meeting of the Council to be held on  
26 / 02 / 2020 , the following motion will be moved:

#### Motion:

#### THAT

1. The Mayor explain in detail how he believes he had the power at the EGM 29/1/2020 to refuse to accept my motion to "suspend Standing Orders and allow members of the public to address Council or ask questions" and
2. The Mayor detail that power with the relevant extracts and references from **our Code of Meeting practice** and the **Local Government Act** and advise how the statement "it is not permitted" accords with policies.
3. That the Mayor advise how his ruling accords with "Our Mission, Our Vision, Our Values" statement that appears in every Agenda paper [below]
4. That the Mayor advise why his second refusal of my motion ["it is disallowed"] did not appear in the draft Minutes?

#### Signed By:

(Minimum three Councillors if the Notice of Motion has the same effect as a motion lost less than three months ago, per clause 18.6 of the Code of Meeting Practice)

Signature:


Print Name:

Clr Ian Scandrett


Dated:

17	/	02	/	2020
----	---	----	---	------

#### How to submit this form:

You may submit either:

# Notice of Business

## Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

In person, to the Executive Office

By email, to [council.reports@wsc.nsw.gov.au](mailto:council.reports@wsc.nsw.gov.au)

### NOTE:

1. The form must be signed in order to be accepted (this includes electronic signatures).
2. Signed forms are to be submitted no later than 4.30pm seven business days before the meeting is to be held. This will generally be on the Monday in the week prior to the Ordinary meeting of Council.

### CODE OF MEETING PRACTICE CLAUSES 3.10-3.13, 18.5-18.9

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted prior to the close of business at 4.30pm, seven (7) business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a response in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must be referred to Council's Finance Committee (committee of the council) for consideration.
- 18.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.
- 18.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.
- 18.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.
- 18.8 The provisions of clauses 18.5–18.7 concerning lost motions do not apply to motions of adjournment.

# Notice of Business Notice of Motion Form

Submitted in accordance with clause 3.10 of the Code of Meeting Practice

Civic Centre, Elizabeth St. Moss Vale, NSW 2577. PO Box 141, Moss Vale.  
t. (02) 4868 0719 e. council.reports@wsc.nsw.gov.au



DataWorks Reference No:  
100/4

18.9 A notice of motion submitted in accordance with clause 18.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

# FINANCIAL REPORTS

30 JUNE 2012

Civic Centre Elizabeth Street, Moss Vale  
PO Box 141, Moss Vale 2577  
DX: 4961 Bowral Ph: 02 4868 0888 Fax: 02 4869 1203  
Email: [wscmail@wsc.nsw.gov.au](mailto:wscmail@wsc.nsw.gov.au)



# Wingecarribee Shire Council

## General Purpose Financial Statements

### for the year ended 30th June 2012

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## Wingecarribee Council

### INDEPENDENT AUDIT REPORT

#### S417 (2) – Report on the general purpose financial report

#### Qualified audit opinion

In our opinion except for the effects on the financial statements of the matter referred to in the paragraph below titled Basis for qualified Auditor's Opinion,

- a) the Council's accounting records have been kept in accordance with the requirements of the Local Government Act 1993, Chapter 13 part 3 Division 2; and
- b) the financial report:
  - (i) has been presented in accordance with the requirements of this Division;
  - (ii) is consistent with the Council's accounting records;
  - (iii) presents fairly the Council's financial position, the results of its operations and its cash flows; and
  - (iv) is in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia.
- c) all information relevant to the conduct of the audit has been obtained; and
- d) there are no material deficiencies in the accounting records or financial report that have come to light during the course of the audit.

This opinion must be read in conjunction with the rest of our audit report.

#### Basis for Qualified Auditor's Opinion

Since July 2007, global financial markets have experienced a period of high volatility led by events in the US housing market, particularly sub prime loans, which have impacted the value, recoverability, liquidity, cash flows and rates of return of many financial assets including Collateralised Debt Obligations (CDOs), Equity Linked Notes (ELNs) and certain other Managed Funds.

At 30 June 2012, Wingecarribee Council's investment portfolio totalled \$69.36million and included securities totalling \$11.59 million that have been impacted by this market volatility. The impact on individual securities varies depending on their degree of exposure to affected markets.

Many of these securities do not have market values that are independently quoted and they are not widely traded. Independent market valuations are not readily available and in many cases, values are assessed based on estimates from issuers and/or evaluation models for which there is limited market evidence available to verify their reasonableness. Further, the ongoing volatility of financial markets creates greater uncertainty to the valuation process.

These circumstances have resulted in our inability to obtain sufficient appropriate audit evidence to satisfy ourselves as to the fair value and recoverability of \$11.59 million of Council's total investment portfolio.

### **Scope and summary of our role**

### **The financial report and Council's responsibility**

The financial report comprises the Balance Sheet, Income Statement, Statement of Changes in Equity, Cash Flow Statement, accompanying notes to the financial statements and the Statement by Councillors and Management in the approved form as required by Section 413 (2) of the Local Government Act 1993 for Wingecarribee Council, for the year ended 30 June 2012.

The council is responsible for the preparation and true and fair presentation of the financial reporting accordance with the Local Government Act 1993. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

### **Audit approach**

We conducted an independent audit of the financial report in order to express an opinion on them to the Council. Our audit was conducted in accordance with Australian Auditing Standards, in order to provide reasonable assurance as to whether the financial report is free of material misstatement. Our audit responsibility does not extend to the Original Budget figures included in the Income Statement, Cash Flow Statement and the Original Budget disclosures in Notes 2 (a) and 16 to the financial statements and accordingly, we express no opinion on them. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore an audit cannot guarantee that all material misstatements have been detected.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the Local Government Act 1993, Accounting Standards and other mandatory financial reporting requirements in Australia, a view which is consistent with our understanding of the Council's financial position, and its performance as represented by the results of its operations and cash flows.

We formed our audit opinion on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report, and
- assessing the appropriateness of the accounting policies and disclosures used and the reasonableness or significant accounting estimates made by the Council.

When this audit report is included in an Annual Report, our procedures include reading the other information in the Annual Report to determine whether it contains any material inconsistencies with the financial report.

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

Our audit did not involve an analysis of the prudence of business decisions made by Councillors or management.

### **Independence**

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.



**PA Webster FCA**  
**Warton Thompson & Co**

Dated: 31 October 2012

# Warton Thompson & Co

ABN 14 568 258 158

Chartered Accountants

Phillip A. Webster, FCA

1st Floor, 821-825 Pennant Hills Road,  
CARLINGFORD NSW 2118



PO Box 2754

Carlingford NSW 2118

Phone: (02) 9872 5199

Fax: (02) 9872 5634

Email: phillip@wartonthompson.com.au

31 October 2012

The Mayor and Councillors  
Wingecarribee Council  
PO Box 141  
Moss Vale NSW 2577

Ladies and Gentlemen,

## Report on the Conduct of the 2012 Audit

I report completion of the audit of the financial records of Council for the year ended 30 June 2012 and advise that I have received all information and explanations required by me.

In accordance with Section 417(3) of the Local Government Act 1993, I now comment on Council's Financial Reports and list relevant performance indicators that may assist Council in determining its Financial Position at 30 June 2012 and Operating Result for the year. Various matters of an audit nature, which were noted during the course of the audit, have been referred to Council's management for attention.

## General Purpose Financial Report

The Report includes Notes to the Accounts and Special Schedules with the Principal Statements being: -

- a) **Income Statement for the year ended 30 June 2012**
- b) **Balance Sheet as at 30 June 2012**
- c) **Statement of Changes in Equity for the year ended 30 June 2012**
- d) **Statement of Cash Flows for the year ended 30 June 2012**

## Performance Indicators

In assessing the financial strength of a Council it is necessary to examine financial data extracted from Council's financial reports that will provide information concerning the performance of Council throughout the year and its financial position at year-end.

Those performance indicators, which I believe offer assistance in the evaluation of Council's financial position and performance, are:

- **The level of Working Funds; and**
- **Funds held as Reserves for future capital expenditure; and**
- **The Debt Servicing Cost to Council; and**
- **The level of Debts due to Council.**

The above-mentioned performance indicators are now analysed in greater detail.



Working Funds

The Income Statement shows a Net Operating Result for the year (surplus) of \$6,155,738 which is the Consolidated Result and is comprised of the following Fund results: -

• General Fund	- \$ 136,105
• Water Fund	- \$2,077,681
• Sewerage Fund	+\$8,369,524
•	
	<hr/>
	+ \$6,155,738
	<hr/>

In order to make some comparison with Council's Estimates for 2012 the above result needs to be adjusted back to a "Fund Accounting" surplus or deficit. After making the appropriate adjustments for Capital movements, Grants and Section 94 Funds, the results for each Fund were as follows: -

• General Fund	+ \$686,668
• Water Fund	+ \$436,088
• Sewerage Fund	- \$347,023

Surplus	<hr/>
	+ \$775,733
	<hr/>

The level of Working Funds is an important measure of each Fund's financial position as it reflects Council's equity in the net current assets held and represents the working capital used to meet day to day commitments and to finance debtors, stores, etc. A healthy balance of Working Funds provides a buffer against unforeseen increases in expenditure and also allows Council to operate without undue reliance on bank overdraft accommodation and trade credit.

The Revenue results of each Fund and the "Working Capital" of each Fund at 1 July 2011 and at 30 June 2012 would therefore be as shown in the table below: -

	<u>Working Funds</u>	<u>Revenue Results</u>	<u>Working Funds</u>
	01.07.2011	2011/2012	30.06.2012
	Surplus (+) <u>Deficiency (-)</u>	Surplus (+) <u>Deficit (-)</u>	Surplus (+) <u>Deficiency(-)</u>
General Fund	+ 3,893,985	+686,668	+ 4,580,654
Water Fund	+ 4,183,462	+436,088	+ 4,619,550
Sewerage Fund	+ 3,811,469	- 347,023	+ 3,464,445
	<hr/>	<hr/>	<hr/>
	+ 11,888,916	+775,733	+12,664,649
	<hr/>	<hr/>	<hr/>

The Surplus for the year of \$775,733 compares with an original balanced surplus of \$300,000 for 2011/2012 year.

a) General Fund

The General Fund Surplus for the year ended 30 June 2012 was \$686,668 and compares with a Surplus for 2011 of \$855,180. The Surplus has increased Working Funds to a satisfactory balance of \$4,580,654 at year-end.

The financial strength of a Council is not determined solely by an examination of the balance of its Working Funds but by an assessment of the adequacy of the level of Working Funds and Reserves together, since Reserves are created by appropriations from working funds. Therefore, when considered in conjunction with Reserve Funds held, the balance of Working Funds at 30 June 2012 is sound as it provides a reasonable Equity in Net Current Assets held.

b) Water Fund

The result for Water Fund, a surplus of \$436,088 (surplus of \$52,160 in 2011) has increased Working Funds to a healthy balance of \$4,619,550 at 30 June 2012.

c) Sewerage Fund

Sewerage Fund recorded a Deficit for the year ended 30 June 2012 of \$347,023 (surplus of \$1,070,045 in 2011) which has reduced Working Funds at 30 June 2012 to a satisfactory \$3,464,445.

Reserve Funds

Reserves held at 30 June 2011 and 30 June 2012 for each Fund, which were funded by investments, are set out in the table below:

	<u>30/06/2011</u>	<u>30/06/2012</u>
• General Fund	\$23,163,821	\$18,538,069
• Water Fund	\$ 9,717,760	\$ 8,929,511
• Sewerage Fund	\$ 6,442,862	\$ 3,240,872

The above reserves have been set aside to meet specific future expenditures and to balance the financial burden of various projects over a period of years. The establishment and accretion of these Reserves to provide for future projects is, in my opinion, prudent and commendable.

The significant Reserves held were: -

## a) General Fund: -

Property Development	\$2,492,812
Entrepreneurial Reserve	1,357,405
Land Rental Charge	3,992,881
Work In Progress	4,507,684
Plant Reserve	1,887,996
Capital Projects	1,207,195
Employees Leave Entitlements	1,049,205
Waste Reserves	1,029,886

## b) Water Fund: -

Water Sales Fluctuation Reserve	\$2,982,035
Plant Reserve	567,108
Work In Progress	3,351,360
Water Augmentation	1,984,008
Pump Replacement	45,000

**c) Sewerage Fund: -**

Sewer Augmentation	2,330,903
Pump Replacement	50,818
Sewer Fund Plant	430,050
Work In Progress	429,100

The amount of \$8,288,144 placed to the Reserves for Works in Progress (all funds) represented works budgeted to be commenced and completed during 2011/2012, which were incomplete as at 30 June 2012. These works will now be completed in 2012/2013 and will be funded from the Reserves.

**Accrued Leave Entitlements and Reserves held**

The accrual for Employees Leave Entitlements at 30 June 2012 totalled \$5,847,149 whilst the Reserve held to meet these commitments amounted to \$1,049,205 (\$1,411,651 in 2011).

In my opinion the Employees Leave Entitlements Reserve at year-end is adequate to meet potential retirement payouts within the next three years as well as to provide for any unscheduled or unexpected employee retirements.

**Debt Servicing Commitment**

Loan Repayment Commitments in 2011 and 2012 are set out hereunder as a percentage to Operating Revenue: -

<u>Fund</u>	<u>Untied Revenue</u>	<u>Principal &amp; Interest Repaid</u>	<u>2011</u>	<u>2012</u>
General	48,431,015	602,228	2.57%	1.24%
Water	9,302,004	385,458	8.54%	4.14%
Sewerage	11,493,082	3,379,858	24.44%	29.41%

The percentage of Untied Operating Revenue in General Fund committed to loan repayments of 1.24% compares with 2.57% in 2011 and represents a 1.33% decrease in the debt servicing commitment during 2011/2012 year. The percentage of 1.24% is well below the industry benchmark of 10%.

In the case of the Water and Sewerage Funds, the debt servicing commitment is generally a higher percentage of the untied revenue principally because those Funds are very capital intensive and, where there is major capital expenditure, there is substantial long-term borrowing. The operational costs of Water and Sewerage Funds are usually the minor costs in those funds and therefore high debt servicing commitments are to be expected.

No new loans were received during year 2011/2012.

**Receivables**

Rates and Annual Charges outstanding at 30 June 2012 totalled \$1,364,840 and represented 2.98% of the Rates and Annual Charges Collectible. This percentage compares with 2.83% as at 30 June 2011, an increase during the year of 0.15%. Rates and Annual Charges collected represented a satisfactory 97.02% of the total collectible rates and annual charges of \$45,740,526 for the year. The arrears at 30 June 2012 (2.98%) are below the industry benchmark of 10%.

Water and Sewerage User Charges outstanding at 30 June 2012 totalled \$75,402 and compares with debtors at 30 June 2011 of \$14,555, an increase during year 2011/2012 of \$60,847. The User Charges outstanding at 30 June 2012 represented 1.27% of the Water and Sewerage Charges collectible for the year and compares with 0.98% at 30 June 2011, an increase during the year of 0.29%. Debts due to Council in respect of Water and Sewerage User Charges are significantly less than industry standards (10%) and Council is to be commended for reducing these debts to such a low level.

### Cash Position

At year end Council held in cash and on investment funds totalling \$69.36M of which \$41.69M is regarded as externally restricted assets, i.e., assets the use of which are restricted, wholly or partially, by regulation or other externally imposed requirements.

The total externally Restricted Investments were held for the following purposes:

Developer Contributions - Section 94	\$20.47m
Unexpended Loans	\$ 0.37m
Unexpended Grants	\$ 3.80m
Water Supply Funds	\$11.51m
Sewerage Funds	\$ 4.51m
Domestic Waste Management Services	\$ 1.03m
	<hr/>
	\$41.69m
	<hr/>

The balance of cash and investments, after financing the above external restrictions, totalled \$27.67m and was held to fund Internal Restrictions to the value of \$20.84m. The balance of \$7.51m, representing unrestricted cash and investments, was held to assist in financing Council's current commitments. The cash position at 30 June 2012 is summarised as follows:

	30 June 2011	30 June 2012
	\$m	\$m
Externally Restricted	\$46.61	\$41.69
Internally Restricted	\$25.47	\$20.84
Unrestricted	\$ 0.53	\$ 6.83
	<hr/>	<hr/>
	\$72.61	\$69.36
	<hr/>	<hr/>

Council's Cash and Investments of \$69.36m at 30 June 2012 included Collateralised Debt Obligations (CDOs) totalling \$11.59m. These CDO investments have been recorded in the Financial Report as "Held to Maturity" investments. Since July 2007 global financial markets have experienced a period of high volatility led by events in the US housing market, particularly sub-prime loans, which have impacted the value, recoverability, liquidity, cash flows and rates of return of many financial assets including Collateralised Debt Obligations (CDOs), Equity Linked Notes (ELNs) and certain Managed Funds.

The CDOs totalling \$11.59m do not have market values that are independently quoted and they are not widely traded. Independent market valuations are not readily available and in many cases are assessed based on estimates from issuers and/or evaluation models for which there is limited market evidence available to verify their reasonableness. Further, the ongoing volatility of financial markets creates uncertainty to the valuation process.

These circumstances have resulted in our inability to obtain sufficient appropriate audit evidence to satisfy ourselves as to the value and recoverability of \$11.59m of Council's total investment portfolio.

Our Audit Report required and issued in accordance with Section 417(2) of the Local Government Act 1993 contains a qualification in respect of these CDO investments.

Conclusion

The audit of Council's books and financial records for the year ended 30 June 2012 was conducted progressively throughout year 2012.

Our interim audits dealt with reviews of Council's accounting systems and internal control procedures and examinations of transactions and data, on a test basis, to ensure that records were being adequately maintained in accordance with legislation and systems instituted.

Management letters have been forwarded to your General Manager detailing internal control and audit matters that required the attention of management.

I wish to record my appreciation for the co-operation and assistance rendered to my staff and I by your General Manager and his staff during the conduct of the 2012 audit.

Yours faithfully,



PA Webster FCA  
Warton Thompson & Co



# WINGECARRIBEE SHIRE COUNCIL

## GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 June 2012

### STATEMENT BY COUNCILLORS AND MANAGEMENT MADE PURSUANT TO SECTION 413 (2)(c) OF THE LOCAL GOVERNMENT ACT 1993 (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- The Local Government Act 1993 (as amended) and the Regulations made thereunder.
- The Australian Accounting Standards and professional pronouncements.
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these Statements:

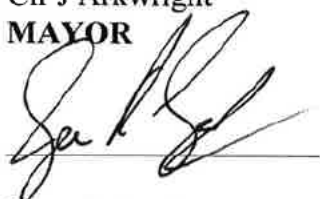
- presents fairly the Council's operating result and financial position for the year, and
- accords with Council's accounting and other records

We are not aware of any matter that would render this Report false or misleading in any way.

Signed in accordance with a resolution of Council made on 10<sup>th</sup> October 2012.



Clr J Arkwright  
**MAYOR**



Jason R Gordon  
**GENERAL MANAGER**



Clr L Whipper  
**DEPUTY MAYOR**



Robert W Brown  
**RESPONSIBLE ACCOUNTING OFFICER**

# Wingecarribee Shire Council

## Income Statement for the year ended 30th June 2012

Original Budget <sup>(1)</sup> 2012 \$'000		Notes	Actual 2012 \$'000	Actual 2011 \$'000
	<b>INCOME FROM CONTINUING OPERATIONS</b>			
	<b>Revenue:</b>			
47,243	Rates & Annual Charges	3a	<b>44,567</b>	40,675
21,006	User Charges & Fees	3b	<b>16,837</b>	14,901
1,729	Interest and Investment Revenue	3c	-	3,519
979	Other Revenues	3d	<b>2,072</b>	1,987
23,268	Grants & Contributions - provided for operating purposes	3e,f	<b>13,390</b>	12,008
20,384	Grants & Contributions - provided for capital purposes	3e,f	<b>14,949</b>	11,505
	<b>Other Income:</b>			
-	Net Gain from Disposal of Assets	5	<b>85</b>	29
<u>114,609</u>	<b>Total Income from Continuing Operations</b>		<b>91,900</b>	84,624
	<b>EXPENSES FROM CONTINUING OPERATIONS</b>			
27,961	Employee Benefits and On-costs	4a	<b>27,256</b>	23,930
2,233	Borrowing Costs	4b	<b>2,315</b>	2,331
16,163	Materials & Contracts	4c	<b>18,186</b>	17,730
19,539	Depreciation & Amortisation	4d	<b>22,607</b>	20,149
33,839	Other Expenses	4e	<b>13,909</b>	11,895
-	Interest and Investment Losses	3c	<b>1,471</b>	-
-	Net Loss from Disposal of Assets	5	-	-
-	Share of interests in Joint Ventures & Associates	19	-	-
<u>99,734</u>	<b>Total Expenses from Continuing Operations</b>		<b>85,744</b>	76,034
<u>(5,508)</u>	<b>OPERATING RESULT FROM CONTINUING OPERATIONS</b>		<b>6,156</b>	8,589
<u>(5,508)</u>	<b>NET SURPLUS(DEFICIT) FOR YEAR</b>		<b>6,156</b>	8,589
14,876	Attributable To:			
-	- Council		6,156	8,589
-	- Minority Interests		-	-
<u>(5,508)</u>	<b>NET SURPLUS(DEFICIT) ATTRIBUTABLE TO COUNCIL</b>		<b>\$ 6,156</b>	<b>\$ 8,589</b>
<u>(5,508)</u>	<b>Net operating result for the year before grants and contributions provided for capital purposes</b>		<b>(8,793)</b>	<b>(2,916)</b>

Note:

(1) Original budget as approved by Council - refer Note 16.

The above Income Statement should be read in conjunction with the accompanying notes.

# Wingecarribee Shire Council

## Statement of Comprehensive Income for the year ended 30th June 2012

	Notes	Actual 2012 \$'000	Actual 2011 \$'000
<b>Net operating result for the year - from Income statement</b>		<b>6,156</b>	<b>8,589</b>
<b>Other Comprehensive Income</b>			
Gain (loss) on revaluation of infrastructure, property, plant and equipment	20b	<b>25,453</b>	<b>9,387</b>
Gain (loss) on revaluation of available-for-sale investments	20b		
Realised available-for-sale investment gains recognised in revenue	20b		
Adjustment to correct prior period depreciation errors	20d	-	-
<b>Total Other Comprehensive Income for the year</b>		<b>25,453</b>	<b>9,387</b>
<b>Total Comprehensive Income for the year</b>		<b>\$ 31,609</b>	<b>17,976</b>
<b>Attributable to - Council</b>		<b>31,609</b>	<b>17,976</b>
<b>- Minority Interests</b>		<b>-</b>	<b>-</b>

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

# Wingecarribee Shire Council

## Balance Sheet for the year ended 30th June 2012

	Notes	Actual 2012 \$'000	Actual 2011 \$'000
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	6a	9,750	8,386
Investments	6b	49,414	47,764
Receivables	7	8,446	10,879
Inventories	8	552	518
Other	8	552	703
<b>TOTAL CURRENT ASSETS</b>		<b>68,715</b>	<b>68,252</b>
<b>NON-CURRENT ASSETS</b>			
Investments	6b	10,195	16,466
Receivables	7	17	176
Infrastructure, Property, Plant & Equipment	9	1,159,337	1,122,620
<b>TOTAL NON-CURRENT ASSETS</b>		<b>1,169,549</b>	<b>1,139,262</b>
<b>TOTAL ASSETS</b>		<b>1,238,264</b>	<b>1,207,514</b>
<b>CURRENT LIABILITIES</b>			
Payables	10	9,774	8,225
Borrowings	10	2,588	2,307
Provisions	10	5,213	5,826
<b>TOTAL CURRENT LIABILITIES</b>		<b>17,575</b>	<b>16,358</b>
<b>NON-CURRENT LIABILITIES</b>			
Borrowings	10	28,521	30,982
Provisions	10	634	249
<b>TOTAL NON CURRENT LIABILITIES</b>		<b>29,155</b>	<b>31,231</b>
<b>TOTAL LIABILITIES</b>		<b>46,730</b>	<b>47,589</b>
<b>NET ASSETS</b>		<b>\$ 1,191,534</b>	<b>1,159,925</b>
<b>EQUITY</b>			
Retained Earnings	20	534,223	528,067
Revaluation Reserve	20	657,311	631,858
<b>Council Equity Interest</b>		<b>1,191,534</b>	<b>1,159,925</b>
Minority Equity Interest	19	-	-
<b>TOTAL EQUITY</b>		<b>\$ 1,191,534</b>	<b>1,159,925</b>

The above Balance Sheet should be read in conjunction with the accompanying notes.

**Wingecarribee Shire Council**  
**STATEMENT OF CHANGES IN EQUITY**  
for the year ended 30th June 2012

	Note Ref	2012 \$'000					2011 \$'000						
		Retained Earnings	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Minority Interest	Total Equity	Retained Earnings	Asset Revaluation Reserve	Other Reserves	Council Equity Interest	Minority Interest	Total Equity
Opening Balance	20	528,068	631,858		1,159,926		1,159,926	519,478	622,471		1,141,949	-	1,141,949
Correction of Errors													
Changes in Accounting Policies													
Restated Opening Balance	20	528,068	631,858		1,159,926		1,159,926	519,478	622,471		1,141,949	-	1,141,949
Total Comprehensive Income	20	6,156	25,453		31,609	-	31,609	8,589	9,387		17,976	-	17,976
Closing Balance	20	534,223	657,311		1,191,534	-	1,191,534	528,067	631,858	-	1,159,925	-	1,159,925

The above Statement of changes in Equity should be read in conjunction with the accompanying notes.



# Wingecarribee Shire Council

## STATEMENT OF CASH FLOWS for the year ended 30th June 2012

Budget 2012 \$'000		Notes	Actual 2012 \$'000	Actual 2011 \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>				
	<u>Receipts</u>			
46,186	Rates & Annual Charges		44,305	40,987
21,008	User Charges & Fees		20,461	13,982
1,729	Interest Revenue and Interest		-	2,631
45,023	Grants & Contributions		27,950	21,720
4,566	Other operating receipts		7,013	5,052
	<u>Payments</u>			
(27,764)	Employee Benefits and On-Costs		(27,484)	(23,774)
(15,990)	Materials & Contracts		(18,799)	(16,719)
(2,233)	Borrowing costs		(1,962)	(2,330)
	Loss on Investments		(1,122)	
(33,839)	Other		(18,709)	(13,955)
38,686	<b>Net Cash provided by (or used in) Operating Activities</b>	11(b)	31,653	27,594
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>				
	<u>Receipts</u>			
1	Sale of Investments		20,622	15,544
-	Sale of Real Estate for resale	5, 8	-	-
-	Sale of Infrastructure, Property, Plant & Equipment		1,316	1,216
53	Repayments from Deferred Debtors		103	154
-	Contributions to joint ventures by minority interests	19	-	-
-	Distribution received from associated entities	19	-	-
	<u>Payments</u>			
(818)	Purchase of Investments		(16,000)	(24,500)
(39,853)	Purchase of Infrastructure, Property, Plant & Equipment		(34,148)	(20,599)
-	Purchase of Land Held for Sale	23	-	-
-	Purchase of Real Estate for resale	8	-	-
-	Loans to Deferred Debtors		-	-
-	Distributions from joint ventures to minority interests	19	-	-
-	Capital contributed to associated entities	19	-	-
(40,617)	<b>Net Cash provided by (or used in) Investing Activities</b>		(28,107)	(28,185)
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>				
	<u>Receipts</u>			
4,750	Borrowings & Advances	SS2(a)	-	-
-	Other		-	-
	<u>Payments</u>			
(2,196)	Borrowings & Advances	SS2(a)	(2,181)	(2,954)
-	Lease Liabilities		-	-
-	Other		-	-
2,554	<b>Net Cash provided by (or used in) Financing Activities</b>		(2,181)	(2,954)
623	<b>Net Increase (Decrease) in cash &amp; cash equivalents</b>		1,365	(3,545)
8,386	Cash and cash equivalents at beginning of reporting period	11(a)	8,386	11,931
9,009	<b>Cash and cash equivalents at end of reporting period</b>	11(a)	9,751	8,386

The above Statement of Cash Flow should be read in conjunction with the accompanying notes.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 1 Summary of significant accounting policies

The principal accounting policies adopted in the preparation of these consolidated financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

#### **(a) Basis of preparation**

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board, the Local Government Act (1993) and Regulation, and the Local Government Code of Accounting Practice and Financial Reporting. Wingecarribee Shire Council is a not for-profit entity for the purpose of preparing the financial statements

##### *New and amended standards adopted by Council.*

None of the new standards and amendments to standards that are mandatory for the first time for the financial year beginning 1 July 2011 affected any of the amounts recognised in the current period or any prior period and are not likely to affect future periods.

##### *Early adoption of standards.*

Wingecarribee Shire Council has not elected to apply any pronouncements before their operative date in the annual reporting period beginning 1 July 2011.

##### *Historical cost convention*

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of available-for-sale financial assets, financial assets and liabilities at fair value through profit or loss, certain classes of property, plant and equipment and investment property.

##### *Critical accounting estimates*

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the entity and that are believed to be reasonable under the circumstances.

- *Critical accounting estimates and assumptions*  
Wingecarribee Shire Council makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are set out below.
  - (i) Estimated fair values of investment properties.
  - (ii) Estimated fair values of infrastructure, property, plant and equipment.
- *Critical judgements in applying the entity's accounting policies*
  - (i) *Impairment of Receivables*  
Council has made a significant judgement about the impairment of a number of its receivables in Note 7.
  - (ii) *Projected Section 94 Commitments*  
Council has used significant judgement in determining future Section 94 income and expenditure in Note 17.

#### **(b) Revenue recognition**

Council recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the entity and specific criteria have been met for each of the Council's activities as described below. Council bases its estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

Revenue is measured at the fair value of the consideration received or receivable. Revenue is measured on major income categories as follows:

*Rates, annual charges, grants and contributions*

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

Rates, annual charges, grants and contributions (including developer contributions) are recognised as revenues when the Council obtains control over the assets comprising these receipts. Developer contributions may only be expended for the purposes for which the contributions were required but the Council may apply contributions according to the priorities established in work schedules.

Control over assets acquired from rates and annual charges 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.

Control over granted assets is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured, and is valued at their fair value at the date of transfer.

Revenue is recognised when the Council obtains control of the contribution or the right to receive the contribution, it is probable that the economic benefits comprising the contribution will flow to the Council and the amount of the contribution can be measured reliably.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were undischarged at balance date, the unused grant or contribution is disclosed in Note 3(g). The note also discloses the amount of unused grant or contribution from prior years that was expended on Council's operations during the current year.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided at balance date.

*User charges and fees*

User charges and fees (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

*Sale of plant, property, infrastructure and equipment*

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

*Interest and rents*

Interest and rents are recognised as revenue on a proportional basis when the payment is due, the value of the payment is notified, or the payment is received, whichever first occurs.

**(c) Principles of consolidation**

*(i) The Consolidated Fund*

In accordance with the provisions of Section 409(1) of the LGA 1993, all money and property received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund. The consolidated fund and other entities through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this report.

The following entities have been included as part of the Consolidated fund:

- General purpose operations
- Water service
- Sewerage service

Section 355 Committees of Council, the transactions of which are considered immaterial either by amount or nature have been excluded from these accounts.



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

The total revenue and expenditure from continuing operations and the net assets held by these Committees is as follows:

	\$
Total income from continuing operations	168,000
Total expenditure from continuing operations	150,000
Total net assets (Equity) held	231,000

*Note:*

Where actual figures are not known, best estimates have been applied.

**(ii) The Trust Fund**

In accordance with the provisions of Section 411 of the Local Government Act 1993 (as amended), a separate and distinct Trust Fund is maintained to account for all money and property received by the Council in trust which must be applied only for the purposes of or in accordance with the trusts relating to those monies. Trust monies and property subject to Council's control have been included in these reports.

Trust monies and property held by Council but not subject to the control of Council, have been excluded from these reports.

**(iii) Joint ventures**

**Jointly controlled assets**

The proportionate interests in the assets, liabilities and expenses of a joint venture activity have been incorporated in the financial statements under the appropriate headings. Details of the joint venture are set out in Note 19.

**(d) Leases**

Leases of property, plant and equipment where the Council, as lessee, has substantially all the risks and rewards of ownership are classified as finance leases. Council currently has no Finance leases.

Leases in which a significant portion of the risks and rewards of ownership are not transferred to Council as lessee are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to the income statement on a straight-line basis over the period of the lease.

Lease income from operating leases where Council is a lessor is recognised in income on a straight-line basis over the lease term.

**(e) Acquisition of assets**

The purchase method of accounting is used to account for all acquisitions of assets. Cost is measured as the fair value of the assets given, plus costs directly attributable to the acquisition.

Where settlement of any part of cash consideration is deferred, the amounts payable in the future are discounted to their present value as at the date of exchange. The discount rate used is the Council's incremental borrowing rate, being the rate at which a similar borrowing could be obtained from an independent financier under comparable terms and conditions.

**(f) Impairment of assets**

Goodwill and intangible assets that have an indefinite useful life are not subject to amortisation and are tested annually for impairment or more frequently if events or changes in circumstances indicate that they might be impaired. Other assets are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows which are largely independent of the cash flows from other assets or groups of assets (cash-generating units). Non-financial assets other than goodwill that

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

suffered an impairment are reviewed for possible reversal of the impairment at each reporting date. No impairment loss has been identified for inclusion in these accounts.

**(g) Cash and cash equivalents**

For cash flow statement presentation purposes, cash and cash equivalents includes cash on hand, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the balance sheet.

**(h) Receivables**

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Collectibility of receivables is reviewed on an ongoing basis. Debts which are known to be uncollectible are written off by reducing the carrying amount directly. An allowance account (provision for impairment of receivables) is used when there is objective evidence that Council will not be able to collect all amounts due according to the original terms of the receivables. Significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy or financial reorganisation, and default or delinquency in payments (more than 30 days overdue) are considered indicators that the receivable is impaired. The amount of the impairment allowance is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the original effective interest rate. Cash flows relating to short-term receivables are not discounted if the effect of discounting is immaterial.

The amount of the impairment loss is recognised in the income statement within other expenses. When a receivable for which an impairment allowance had been recognised becomes uncollectible in a subsequent period, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the income statement.

**(i) Inventories**

*(i) Materials and stores (apart from real estate).*

Inventories held in respect of business undertakings have been stated at the lower of cost and net realisable value. Inventories held in respect of non-business undertakings have been valued at cost subject to adjustment for loss of service potential. Costs are assigned to individual items of inventory on basis of weighted average cost. In both cases costs have been assigned to particular inventory items by the method of specific identification.

Obsolete stock of \$2,022.26 was identified at the Visitor Information Centre and written off during the period.

*(ii) Land held for resale/capitalisation of borrowing costs*

Land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development. When development is completed borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

**(j) Non-Current assets (or disposal groups) held for sale**

Non-current assets (or disposal groups) are classified as held for sale if their carrying amount will be recovered principally through a sale transaction rather than through continuing use. They are measured at lower of their carrying amount and fair value less costs to sell, except for assets such as deferred tax assets, assets arising from employee benefits, financial assets and investment property that are carried at fair value and contractual rights under insurance contracts which are specifically exempt from this requirement.

An impairment loss is recognised for any initial or subsequent write down of the asset (or disposal group) to fair value less costs to sell. A gain is recognised for any subsequent increases in fair value less costs to sell of an asset (or disposal group), but not in excess of any cumulative impairment loss previously recognised. A gain or loss not previously recognised by the date of the sale of the non-current asset (or disposal group) is recognised at the date of derecognition.

Non-current assets (including those that are part of a disposal group) are not depreciated or amortised while they are classified as held for sale. Interest and other expenses attributable to the liability of a disposal group classified as held for sale continue to be recognised.

Non-current assets classified as held for sale and the assets of a disposal group classified as held for sale are presented separately from other assets in the balance sheet. The liabilities of a disposal group classified as held for sale are presented separately from other liabilities in the balance sheet.

**(k) Investments and other financial assets**

***Classification***

Council classifies its investments in the following categories: financial assets at fair value through profit or loss, loans and receivables and held-to-maturity investments and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Council and Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

***(i) Financial assets at fair value through profit or loss***

Financial assets at fair value through profit or loss are financial assets held for trading. A financial asset is classified in this category if acquired principally for the purpose of selling in the short term. Derivatives are classified as held for trading unless they are designated as hedges. Assets in this category are classified as current assets.

***(ii) Loans and receivables***

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the reporting date which are classified as non-current assets. Loans and receivables are included in receivables (note 7) in the balance sheet.

***(iii) Held-to-maturity investments***

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that Council and its management has the positive intention and ability to hold to maturity. If Council were to sell other than an insignificant amount of held-to-maturity financial assets, the whole category would be tainted and reclassified as available-for-sale. Held-to-maturity financial assets are included in non-current assets, except for those with maturities less than 12 months from the reporting date, which are classified as current assets.

As provided for under the Local Government Code of Accounting Practice and Financial Reporting, Council has adopted an Investment Strategy which has classified its CDO's as held to Maturity financial assets.

***(iv) Available-for-sale financial assets***

Available-for-sale financial assets are non-derivatives that are either designated in this category or not classified in any of the other categories. They are included in non-current assets unless management intends to dispose of the investment within 12 months of the reporting date.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 1 Summary of significant accounting policies

Investments are designated as available-for-sale if they do not have fixed maturities and fixed or determinable payments and management intends to hold them for the medium to long term.

#### *Investment Policy*

Council has an approved investment policy complying with Section 625 of the Local Government Act and S212 of the LG (General) Regulation 2005. Investments are placed and managed in accordance with that policy and having particular regard to authorised investments prescribed under the Ministerial Local Government Investment Order. Council maintains an investment policy that complies with the Act and ensures that it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing Council funds.

Council amended its policy during the year following revisions to the Ministerial Local Government Investment Order arising from the Cole Inquiry recommendations. Certain investments the Council holds are no longer prescribed – for example managed funds, CDO's and equity linked notes – however they have been retained under grandfathering provisions of the Order. These will be disposed of when most financially advantageous to Council.

#### **Financial assets – reclassification**

Council may choose to reclassify a non-derivative trading financial asset out of the held-for-trading category if the financial asset is no longer held for the purpose of selling it in the near term. Financial assets other than loans and receivables are permitted to be reclassified out of the held-for-trading category only in rare circumstances arising from a single event that is unusual and highly unlikely to recur in the near term. In addition, Council may choose to reclassify financial assets that would meet the definition of loans and receivables out of the held-for-trading or available-for-sale categories if it has the intention and ability to hold these financial assets for the foreseeable future or until maturity at the date of reclassification.

Reclassifications are made at fair value as of the reclassification date. Fair value becomes the new cost or amortised cost as applicable, and no reversals of fair value gains or losses recorded before reclassification date are subsequently made. Effective interest rates for financial assets reclassified to loans and receivables and held-to-maturity categories are determined at the reclassification date. Further increases in estimates of cash flows adjust effective interest rates prospectively.

#### **Recognition and de-recognition**

Regular purchases and sales of financial assets are recognised on trade-date - the date on which Council commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and Council has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

#### **Subsequent measurement**

Loans and receivables and held-to-maturity investments are carried at amortised cost using the effective interest method.

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value. Gains or losses arising from changes in the fair value of the 'financial assets at fair value through profit or loss' category are presented in the income statement within other income or other expenses in the period in which they arise. Dividend income from financial assets at fair value through profit and loss is recognised in the income statement as part of revenue from continuing operations when Council's right to receive payments is established.

Changes in the fair value of monetary securities denominated in a foreign currency and classified as available-for-sale are analysed between translation differences resulting from changes in amortised cost of the security and other changes in the carrying amount of the security.

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

The translation differences related to changes in the amortised cost are recognised in profit or loss, and other changes in carrying amount are recognised in equity. Changes in the fair value of other monetary and non-monetary securities classified as available-for-sale are recognised in equity.

Details on how the fair value of financial instruments is determined are disclosed in note 1(l).

***Impairment***

Council assesses at the end of each reporting period whether there is objective evidence that a financial asset or group of financial assets is impaired. A financial asset or a group of financial assets is impaired and impairment losses are incurred only if there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated. In the case of equity investments classified as available-for-sale, a significant or prolonged decline in the fair value of the security below its cost is considered an indicator that the assets are impaired.

***(i) Assets carried at amortised cost***

For loans and receivables, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset is reduced and the amount of the loss is recognised in profit or loss. If a loan or held to-maturity investment has a variable interest rate, the discount rate for measuring any impairment loss is the current effective interest rate determined under the contract. As a practical expedient, the group may measure impairment on the basis of an instrument's fair value using an observable market price.

**(l) Fair value estimation**

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the balance sheet date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques. Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date. Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments held. Other techniques, such as estimated discounted cash flows, are used to determine fair value for the remaining financial instruments. The financial assets shown in these reports at fair value through profit and loss have been shown at values provided by Structured Credit Research & Advisory Pty Ltd.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their values. The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

**(m) Infrastructure, property, plant and equipment (IPPE)**

Council's assets have been progressively revalued to fair value in accordance with a staged implementation advised by the Department of Local Government. Valuations are carried out by a member of the Australian Property Institute. At balance date the following classes of IPPE were stated at their fair value:

Land-Operational & Community (External Valuation)

Buildings - Specialised/Non Specialised (External Valuation)

Water/Sewerage Networks (Internal Valuation)



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

Plant and equipment (as approximated by depreciated historical costs)

Road assets – roads, bridges, footpaths drainage assets (Internal Valuation)

Drainage assets (Internal Valuation)

Bulk earthworks (Internal Valuation)

Land Improvements (as approximated by depreciated historical cost)

Other structures (as approximated by depreciated historical cost)

Other assets (as approximated by depreciated historical cost)

Water and sewerage network assets are indexed annually between full revaluations in accordance with the latest indices provided in the NSW Office of Water – Rates Reference Manual. For all other assets, Council assesses at each reporting date whether there is any indication that a revalued asset's carrying amount may differ materially from that which would be determined if the asset were revalued at the reporting date. If any such indication exists, Council determines the asset's fair value and revalues the asset to that amount. Full revaluations are undertaken for all assets on a 5 year cycle.

Increases in the carrying amounts arising on revaluation are credited to the asset revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss, the increase is first recognised in profit or loss. Decreases that reverse previous increases of the same asset are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the asset; all other decreases are charged to the Income statement.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Land is not depreciated. Depreciation on other assets is calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives, as follows:

*(i) Plant and Equipment, Office Equipment, Furniture and Fittings*

Assets acquired after 1 January 1993 are recorded at cost. Assets acquired prior to that date are shown at written down cost in accordance with Section (b) of this Note.

Major depreciation periods are:

Vehicles	10-16 years
Earthmoving Equipment	10-12 years
Other Mechanical Equipment	5-33 years
Office Equipment& Furniture	5-10 years

Asset capitalisation threshold applied is \$1,000.

*(ii) Land – Council Owned and Council Controlled*

All Council owned and controlled land, other than land under roads, is classified as either operational or community in accordance with Part 2 of Chapter 6 of the Local Government Act 1993, was revalued in the reporting period ended 30 June 2008. All acquisitions made after the respective dates of valuation are recorded at cost.

No capitalisation threshold is applied to the acquisition of land or interests in land.

*(iii) Buildings, Land Improvements & Other Structures*

Buildings were valued by independent valuation, during the reporting period ended 30 June 2008. These assets are now recorded at fair value. All acquisitions made after the respective dates of valuation are recorded at cost.

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

Major depreciation periods are:

Buildings	50-80 years
Other structures	10-100 years

Asset capitalisation threshold applied is \$1,000.

*(iv) Water and Sewerage Infrastructure Assets.*

Water and Sewerage Infrastructure Assets are revalued annually by Council's Water and Sewerage Engineer using the Conquest Asset Management System and NSW Office of Water Reference rates for the valuation of existing Water Supply and Sewerage Assets.

This revaluation resulted in amounts of \$ 1,328,730.00 and \$ 7,500,598.44 being debited respectively to the Water Fund and Sewer Fund revaluation reserve accounts as follows:

Capital Revaluation Water	\$ 366,782.00	Debit
Depreciation Revaluation Water	\$ 961,948.00	Debit
Capital Revaluation Sewer	\$ 8,205,150.44	Debit
Depreciation Revaluation Sewer	\$ 704,552.00	Credit

These revaluations included a review of the remaining useful life of the assets within this class and did not include any changes to their designated useful life. No valuations of Developer donated assets have been brought to account in this reporting period

*(v) Transportation and Communication Assets*

Transportation and Communication Assets are revalued annually by Council's Roads and Traffic Asset Engineer using the Conquest Asset Management System and the Roads and Traffic Authority Road Cost Index.

This valuation resulted in an amount of \$ 14,904,250.34 being debited to the General Fund revaluation reserve account.

Capital Revaluation	\$ 19,147,909.08	Debit
Depreciation Revaluation	\$ 4,243,658.74	Credit

Major depreciation periods are:

Bulk earthworks	indefinite
Roads and bridges	60-80 years
Transport facilities	5-60 years

Assets acquired after 1 July 2004 have been recognised at cost, excepting assets acquired by donation where no reliable cost information was available. No valuations of donated assets have been brought to account in this reporting period. Where donated assets had no reliable cost information available their value was determined by Council Officers at current replacement cost. No capitalisation threshold is applied to the acquisition of transportation and communication assets.

*(vi) Drainage Assets*

Drainage Assets are revalued annually by Council's Assistant Works Engineer using the Conquest Asset Management System.

This valuation resulted in an amount of \$ 1,719,876.67 being debited to the General Fund revaluation reserve account.

Capital Revaluation	\$ 2,175,187.67	Debit
Depreciation Revaluation	\$ 455,311.00	Credit

Major depreciation periods are 80 to 100 years.



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

Assets acquired after 1 July 2004 have been recognised at cost, excepting assets acquired by donation where no reliable cost information was available.

Where donated assets had no reliable cost information available their value was determined by Council Officers at current replacement cost. There have been no Donated assets brought to account in these reports for Drainage assets. No capitalisation threshold is applied to the acquisition of drainage assets.

**(vii) All Other Assets**

Office equipment, furniture and fitting assets are recorded at fair value.

Major depreciation periods are:

Library Books	10 years
Improvements	indefinite

Asset capitalisation threshold applied to improvements is \$1,000. No capitalisation threshold is applied to library books.

Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the income statement.

**(n) Investment property**

Investment property, principally comprising freehold office buildings, is held for long-term rental yields and is not occupied by the Council. Investment property is carried at fair value, which is based on active market prices, adjusted, if necessary, for any difference in the nature, location or condition of the specific asset. If this information is not available, Council uses alternative valuation methods such as recent prices in less active markets or discounted cash flow projections. These valuations are reviewed annually by a member of the Australian Property Institute. Changes in fair values are recorded in profit or loss as part of other income. Council does not currently have any investment properties.

Investment property includes properties that are under construction for future use as investment properties. These are also carried at fair value unless the fair value cannot yet be reliably determined. Where that is the case, the property will be accounted for at cost until either the fair value becomes reliably determinable or construction is complete.

Council has determined that it has no investment Properties.

**(o) Payables**

These amounts represent liabilities for goods and services provided to the Council prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

**(p) Borrowings**

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest method. Fees paid on the establishment of loan facilities will be drawn down. In this case, the fee is deferred until the draw down occurs. To the extent there is no evidence that it is probable that some or all of the facility will be drawn down, the fee is capitalised as a prepayment for liquidity services and amortised over the period of the facility to which it relates.

Borrowings are removed from the balance sheet when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or finance cost.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 1 Summary of significant accounting policies

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

#### (q) Borrowing costs

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed.

#### (r) Provisions

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Periodically amounts are set aside for future long-term purposes. The amounts set aside as at 30 June 2012 are as follows:

<b><u>General Fund</u></b>		
Employee Leave Entitlement	1,049,205.67	
Property Development	2,492,811.91	
Domestic Waste Management	1,029,885.65	
Environment Levy	486,639.00	
Work in Progress	4,507,684.00	
Plant Reserve	1,887,996.62	
Land Rental Charge	3,992,881.51	
Family Day Care	148,309.95	
Effluent Disposal Facility	65,700.26	
Cemeteries	58,921.00	
Capital Projects	1,207,194.67	
Computer Reserve	180,637.82	
Tourism	49,795.72	
Emergency Assistance Fund	23,000.00	
Entrepreneurial Reserve	1,357,405.27	\$ 18,538,069.05
 <b><u>Water Fund</u></b>		
Water Fund Plant	567,108.21	
Water Fund Pump Replacement	45,000.00	
Water Fund Works in Progress	3,351,360.00	
Water Fund Augmentation	1,984,008.31	
Water Sales Fluctuation Reserve	2,982,034.87	\$ 8,929,511.39
 <b><u>Sewer Fund</u></b>		
Sewer Fund Pump Replacement	50,818.00	
Sewer Fund Plant	430,050.48	
Sewer Fund Augmentation	2,330,903.06	
Sewer Fund Works in Progress	429,100.00	\$ 3,240,871.54
 Total		 <u>\$ 30,708,451.98</u>

These amounts also appear on Note 6 to these Accounts.

#### (s) Employee benefits

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

*(i) Short-term obligations*

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulating sick leave expected to be settled within 12 months after the end of the period in which the employees render the related service are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

*(ii) Other long-term employee benefit obligations*

The liability for long service leave and annual leave which is not expected to be settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

The obligations are presented as current liabilities in the balance sheet if the entity does not have an unconditional right to defer settlement for at least twelve months after the reporting date, regardless if when the actual settlement is expected to occur.

*(iii) Retirement benefit obligations*

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to a defined benefit plan on behalf of its employees.

A liability or asset in respect of defined benefit superannuation plans would ordinarily be recognised in the balance sheet, and measured as the present value of the defined benefit obligation at the reporting date plus unrecognised actuarial gains (less unrecognised actuarial losses) less the fair value of the superannuation fund's assets at that date and any unrecognised past service cost. The present value of the defined benefit obligation is based on expected future payments which arise from membership of the fund to the reporting date, calculated annually by independent actuaries using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. However, when this information is not reliably available, Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans (see below).

The Local Government Superannuation Scheme has advised member councils that, as a result of the global financial crisis, it has significant deficiency of assets over liabilities. As a result, they have asked for significant increases in contributions to recover that deficiency. Council's share of that deficiency cannot be accurately calculated as the Scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils. For this reason, no liability for the deficiency has been recognised in Council's accounts. Council has, however, disclosed a contingent liability in note 18 to reflect the possible obligation that may arise should the Scheme require immediate payment to correct the deficiency.

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

**(t) Rounding of amounts**

Unless otherwise indicated, amounts in the financial statements have been rounded off to the nearest thousand dollars.

**(u) Land under roads**

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051. Any land under roads that was recognised before 1 July 2008 was derecognised at 1 July 2008 against opening balance of retained earnings.



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

Land under roads acquired after 1 July 2008 is recognised in accordance with AASB 116 – Property, Plant and Equipment.

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

**(v) Provisions for restoration and environmental clean up costs – Tips and quarries**

**(i) Restoration**

Close down and restoration costs include the dismantling and demolition of infrastructure and the removal of residual materials and remediation of disturbed areas. Estimated close down and restoration costs are normally provided for in the accounting period when the obligation arising from the related disturbance occurs, whether this occurs during the development or during the operation phase, based on the net present value of estimated future costs. Provisions for close down and restoration costs do not include any additional obligations which are expected to arise from future disturbance. The costs are estimated on the basis of a closure plan. The cost estimates are calculated annually during the life of the operation to reflect known developments, eg updated cost estimates and revisions to the estimated lives of operations, and are subject to formal review at regular intervals.

Close down and restoration costs are a normal consequence of tip and quarry operations, and the majority of close down and restoration expenditure is incurred at the end of the life of the operations. Although the ultimate cost to be incurred is uncertain, Council estimates the respective costs based on feasibility and engineering estimates to be approximately \$2,000,000. As the useful life of the tip has already expired, a *Contingent Liability* for the estimated restoration costs has been included in Note 18 of these accounts.

**(w) Allocation between current and non-current assets and liabilities**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months.

**(x) New accounting standards and interpretations**

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2012 reporting periods. NSW Council's assessment of the impact of these new standards and interpretations is set out below.

**(i) AASB 9 *Financial Instruments*, AASB 2009 11 *Amendments to Australian Accounting Standards arising from AASB 9 and AASB 2010-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010)* (effective from 1 January 2013) \***

AASB 9 *Financial Instruments* addresses the classification, measurement and derecognition of financial assets and financial liabilities. The standard is not applicable until 1 January 2013 but is available for early adoption. When adopted, the standard will affect in particular the Council's accounting for its available-for-sale financial assets, since AASB 9 only permits the recognition of fair value gains and losses in other comprehensive income if they relate to equity investments that are not held for trading. Fair value gains and losses on available-for-sale debt investments, for example, will therefore have to be recognised directly in profit or loss.

There will be no impact on Council's accounting for financial liabilities, as the new requirements only affect the accounting for financial liabilities that are designated at fair value through profit or loss and the Council does not have any such liabilities. The derecognition rules have been transferred from AASB 139 *Financial Instruments: Recognition and Measurement* and have not been changed.

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

- (ii) *AASB 10 Consolidated Financial Statements, AASB 11 Joint Arrangements, AASB 12 Disclosure of Interests in Other Entities, revised AASB 127 Separate Financial Statements and AASB 128 Investments in Associates and Joint Ventures and AASB 2011-7 Amendments to Australian Accounting Standards arising from the Consolidation and Joint Arrangements Standards (effective 1 January 2013)*

In August 2011, the AASB issued a suite of five new and amended standards which address the accounting for joint arrangements, consolidated financial statements and associated disclosures. AASB 10 replaces all of the guidance on control and consolidation in AASB 127 *Consolidated and Separate Financial Statements*, and Interpretation 12 *Consolidation – Special Purpose Entities*. The core principle that a consolidated entity presents a parent and its subsidiaries as if they are a single economic entity remains unchanged, as do the mechanics of consolidation. However, the standard introduces a single definition of control that applies to all entities. It focuses on the need to have both power and rights or exposure to variable returns. Power is the current ability to direct the activities that significantly influence returns. Returns must vary and can be positive, negative or both. Control exists when the investor can use its power to affect the amount of its returns. There is also new guidance on participating and protective rights and on agent/principal relationships. Council does not expect the new standard to have a significant impact on its composition.

AASB 11 introduces a principles based approach to accounting for joint arrangements. The focus is no longer on the legal structure of joint arrangements, but rather on how rights and obligations are shared by the parties to the joint arrangement. Based on the assessment of rights and obligations, a joint arrangement will be classified as either a joint operation or a joint venture. Joint ventures are accounted for using the equity method, and the choice to proportionately consolidate will no longer be permitted. Parties to a joint operation will account their share of revenues, expenses, assets and liabilities in much the same way as under the previous standard. AASB 11 also provides guidance for parties that participate in joint arrangements but do not share joint control.

Council's investment in the joint venture partnership will be classified as a joint venture under the new rules. As Council already applies the equity method in accounting for this investment, AASB 11 will not have any impact on the amounts recognised in its financial statements.

AASB 12 sets out the required disclosures for entities reporting under the two new standards, AASB 10 and AASB 11, and replaces the disclosure requirements currently found in AASB 127 and AASB 128. Application of this standard by Council will not affect any of the amounts recognised in the financial statements, but will impact the type of information disclosed in relation to Council's investments.

Amendments to AASB 128 provide clarification that an entity continues to apply the equity method and does not remeasure its retained interest as part of ownership changes where a joint venture becomes an associate, and vice versa. The amendments also introduce a "partial disposal" concept. Council is still assessing the impact of these amendments.

Council does not expect to adopt the new standards before their operative date. They would therefore be first applied in the financial statements for the annual reporting period ending 30 June 2014.

- (iii) *AASB 13 Fair Value Measurement and AASB 2011-8 Amendments to Australian Accounting Standards arising from AASB 13 (effective 1 January 2013)*

AASB 13 was released in September 2011. It explains how to measure fair value and aims to enhance fair value disclosures. Council has yet to determine which, if any, of its current measurement techniques will have to change as a result of the new guidance. It is therefore not possible to state the impact, if any, of the new rules on any of the amounts recognised in the financial statements. However, application of the new standard will impact the type of information disclosed in the notes to the financial statements. Council does not intend to adopt the new standard before its operative date, which means that it would be first applied in the annual reporting period ending 30 June 2014.



**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

- (iv) Revised AASB 119 *Employee Benefits*, AASB 2011-10 *Amendments to Australian Accounting Standards arising from AASB 119 (September 2011)* and AASB 2011-11 *Amendments to AASB 119 (September 2011) arising from Reduced Disclosure Requirements* (effective 1 January 2013)

In September 2011, the AASB released a revised standard on accounting for employee benefits. It requires the recognition of all re-measurements of defined benefit liabilities/assets immediately in other comprehensive income (removal of the so-called 'corridor' method) and the calculation of a net interest expense or income by applying the discount rate to the net defined benefit liability or asset. This replaces the expected return on plan assets that is currently included in profit or loss. The standard also introduces a number of additional disclosures for defined benefit liabilities/assets and could affect the timing of the recognition of termination benefits. The amendments will have to be implemented retrospectively. Council does not recognise defined benefit assets and liabilities for the reasons set out in note 1 (s)(iii) and so these changes will not have an impact on its reported results.

There are no other standards that are not yet effective and that are expected to have a material impact on the entity in the current or future reporting periods and on foreseeable future transactions.

**(y) Self insurance**

Council does not self-insure.

**(z) Intangible assets**

*IT development and software*

Costs incurred in developing products or systems and costs incurred in acquiring software and licenses that will contribute to future period financial benefits through revenue generation and/or cost reduction are capitalised to software and systems. Costs capitalised include external direct costs of materials and service, direct payroll and payroll related costs of employees' time spent on the project. Amortisation is calculated on a straight line bases over periods generally ranging from 3 to 5 years.

IT development costs include only those costs directly attributable to the development phase and are only recognised following completion of technical feasibility and where Council has an intention and ability to use the asset.

**(aa) Crown Reserves**

Crown Reserves under Council's care and control are recognised as assets of the Council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purpose to which the reserves are dedicated.

Improvements on Crown Reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating the reserves are recognized within Council's Income Statement.

Representatives from both State and Local Government are being sought to develop a consistent accounting treatment for Crown Reserves across both tiers of government.

**(bb) Rural Fire Service assets**

Under section 119 of the Rural Fire Services Act 1997, "all fire fighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or constructed". Until such time as discussions on this matter have been concluded and the legislation changed, councils will recognise rural fire service assets including land, buildings, plant and vehicles.

**Wingecarribee Shire Council**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

**Note 1 Summary of significant accounting policies**

**(cc) Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the balance sheet.

Cash flows are presented on a gross basis. The GST component of cash flows arising from investing or financing activities which are recoverable from, or payable to the taxation authority, are presented as operating cash flows.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 2(a) - FUNCTIONS

INCOME, EXPENSES AND ASSETS HAVE BEEN DIRECTLY ATTRIBUTED TO THE FOLLOWING FUNCTIONS & ACTIVITIES												
Income from Continuing Operations			Expenses from Continuing Operations			Operating Result from continuing Operations			GRANTS INCLUDED IN INCOME		TOTAL ASSETS HELD (CURRENT & NON-CURRENT)	
ORIGINAL BUDGET 2012 \$'000	ACTUAL 2012 \$'000	ACTUAL 2011 \$'000	ORIGINAL BUDGET 2012 \$'000	ACTUAL 2012 \$'000	ACTUAL 2011 \$'000	ORIGINAL BUDGET 2012 \$'000	ACTUAL 2012 \$'000	ACTUAL 2011 \$'000	2012 \$'000	2011 \$'000	2012 \$'000	2011 \$'000
1	-	-	1,932	1,383	1,362	(8,614)	(15,069)	(11,285)	50	39	41,085	47,215
GOVERNANCE	1,762	1,696	17,638	15,449	11,619	(1,240)	(998)	(514)	1,116	1,445	9,009	8,737
ADMINISTRATION	1,374	1,724	2,403	2,372	2,238	(963)	(599)	(672)	50	44	34	26
PUBLIC ORDER & SAFETY	64	62	1,049	663	733							
HEALTH												
COMMUNITY SERVICES & EDUCATION	689	686	1,837	1,257	1,262	(1,112)	(568)	(576)	518	493	7,966	8,023
HOUSING & COMMUNITY AMENITIES	-	-	-	-	-	-	-	-	-	-	-	-
WATER SUPPLIES	14,105	13,726	16,710	17,106	16,068	(1,119)	(3,001)	(2,342)	681	1,227	56,344	54,006
SEWERAGE SERVICES	9,276	8,188	11,305	9,662	8,585	186	(386)	(397)	412	543	195,567	196,466
RECREATION & CULTURE	20,809	14,267	12,189	11,093	9,721	14,595	9,716	4,546	9,330	4,007	239,206	225,775
FUEL & ENERGY	1,489	1,087	7,098	7,200	6,735	(6,154)	(5,711)	(5,648)	287	290	98,552	96,998
MINING, MANUFACTURING & CONSTRUCTION	-	-	-	-	-	-	-	-	-	-	-	-
TRANSPORT & COMMUNICATION	1,915	1,925	3,997	1,815	1,780	(2,284)	100	145	-	-	738	730
ECONOMIC AFFAIRS	6,023	5,777	21,580	15,795	14,100	(11,858)	(9,773)	(8,323)	3,291	4,476	573,960	554,195
TOTALS - FUNCTIONS	1,530	3,471	1,996	1,949	1,831	(653)	(419)	1,640	54	2,094	15,803	15,343
GENERAL PURPOSE	59,036	52,609	99,734	85,744	76,034	(19,216)	(26,708)	(23,426)	15,789	14,658	1,238,264	1,207,514
INCOME	32,864	32,015	-	-	-	34,092	32,864	32,015	5,666	3,364	-	-
TOTALS	91,900	84,624	99,734	85,744	76,034	14,876	6,156	8,589	21,455	18,022	1,238,264	1,207,514

The above functions conform to those used by the Australian Bureau of Statistics and provide a basis for comparison with other Councils.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 2 (b) - COMPONENTS OF FUNCTIONS

The activities relating to Council functions are as follows:

#### **Governance**

Costs relating to Council's role as a component of democratic government, including elections, meetings and associated activities, area representation, and public disclosure and compliance, together with related administration costs.

#### **Administration**

Costs not otherwise attributed to functions.

#### **Public Order & Safety**

Fire protection, animal control, enforcement of local government regulations, emergency services, other.

#### **Health**

Administration and inspection, immunisations, food control, insect & vermin control, noxious plants, health centres, other.

#### **Community Services & Education**

Administration, family day care, child-care, youth services, other services to families and children, aged and disabled, migrant services, Aboriginal services, other community services, education.

#### **Housing & Community Amenities**

Housing, town planning, domestic waste management services, other waste management services, street cleaning, other sanitation and garbage, urban stormwater drainage, environmental protection, public cemeteries, public conveniences, other community amenities, street lighting.

#### **Water Supplies**

#### **Sewerage Services**

#### **Recreation & Culture**

Public libraries, community centres, public halls, other cultural services, swimming pools, sporting grounds, parks and gardens, lakes, other sport and recreation.

#### **Mining, Manufacturing & Construction**

Building control, quarries and pits, other.

#### **Transport & Communication**

Roads and streets, bridges, footpaths, parking areas, bus shelters and services, works undertaken for Roads & Transport Authority, other.

#### **Economic Affairs**

Camping areas, caravan parks, tourism and area promotion, industrial development promotion, saleyards and markets, real estate development, private works, other business undertakings.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 3 - INCOME FROM CONTINUING OPERATIONS

<b>(A) RATES &amp; ANNUAL CHARGES</b>	<b>2012 \$'000</b>	<b>2011 \$'000</b>
<u>Ordinary Rates</u>		
Residential	19,786	17,916
Farmland	3,417	3,078
Mining	-	-
Business	4,180	3,888
	<u>27,383</u>	<u>24,882</u>
<u>Special Rates</u>		
Special Environmental Levy	1,008	894
	<u>1,008</u>	<u>894</u>
<u>Annual Charges</u>		
Domestic Waste Management	4,928	4,580
Water Supply	1,725	1,440
Sewerage Services	9,036	8,394
Drainage Services	-	-
Stormwater management services	487	485
Waste Management (not domestic)	-	-
Other	-	-
	<u>16,176</u>	<u>14,899</u>
<b>Total Rates &amp; Annual Charges</b>	<b><u>44,567</u></b>	<b><u>40,675</u></b>
Council has used 2009 valuations provided by the NSW Valuer General in calculating its rates.		
<b>(B) USER CHARGES &amp; FEES</b>		
<u>User Charges</u>		
Domestic Waste Management	-	-
Water Supply	5,480	5,016
Sewerage Services	443	362
Drainage Services	-	-
Waste Management (not domestic)	50	-
Other	-	-
	<u>5,973</u>	<u>5,378</u>
<u>Fees</u>		
<u>Regulatory/Statutory</u>		
Administration	101	99
Public Order & Safety	213	208
Noxious Plants	3	4
Housing & Community	4	4
Water Supplies	43	37
Sewer Supplies	6	5
Building Control	729	689
Economic Affairs	5	-
<b>Sub-total Regulatory/Statutory Fees</b>	<b><u>1,099</u></b>	<b><u>1,046</u></b>
<u>Discretionary Fees</u>		
Administration	178	163
Public Order & Safety	35	39
Health	-	1
Noxious Plants	-	3
Community Services & Education	149	149
Town Planning	-	4
Domestic Waste Management	48	49
Other Waste Management	5,630	4,891
Other Housing & Community	386	460
Cemeteries	188	186
Water	351	329
Sewerage	556	334
Swimming Centres	183	213
Recreational & Cultural	418	113
Mining, Manufacturing & Construction	1,072	1,048
Transport & Communications	8	62
Saleyards	528	402
Economic Affairs	35	31
Other	-	-
<b>Sub-total Discretionary Fees</b>	<b><u>9,764</u></b>	<b><u>8,476</u></b>
<b>Total User Charges &amp; Fees</b>	<b><u>16,837</u></b>	<b><u>14,901</u></b>



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 3 - INCOME FROM CONTINUING OPERATIONS (cont)

	2012 \$'000	2011 \$'000
<b>(C) INTEREST &amp; INVESTMENT REVENUE(losses)<sup>1</sup></b>		
Interest on overdue rates & charges	87	80
Cash, cash equivalents and Investments:	-	-
Externally restricted:	-	-
Section 94 Contributions	490	498
Section 64 Contributions	539	466
Water Supplies	422	355
Sewerage Services	206	225
Interest on Overdue Water/Sewerage Charges	-	30
Internally restricted	1,425	1,611
Unrestricted	413	519
- Interest Free Loans from State Government	-	841
- Interest Free Loans to Sporting Bodies	2	3
Other Investment Revenues	(5,056)	(1,108)
<b>Gross Interest Received</b>	<b>(1,471)</b>	<b>3,519</b>
Less: Interest deducted from capitalised borrowing costs	-	-
<b>Total Interest and investment revenue(losses)<sup>1</sup></b>	<b>(1,471)</b>	<b>3,519</b>
 <b>(D) OTHER OPERATING REVENUES</b>		
Administration	50	49
Fire Protection	5	15
Public Order & Safety	2	-
Health	1	-
Noxious Plants	10	10
Community Services & education	1	10
Town Planning	28	13
Waste/Sanitary Management	10	78
Environmental Protection	3	167
Other Recreation & Culture	35	31
Swimming Pools	101	124
Building Control	117	170
Transport & Communication	416	11
Tourism	479	606
Saleyards	121	97
Water Supplies	163	67
Sewerage Supplies	38	43
Lease Rental	310	267
Legal Fees Recovery (Rates)	180	227
<b>Total Other Operating Revenues</b>	<b>2,072</b>	<b>1,987</b>

Note:(1) Where interest and investment revenue nets to an overall loss, this is carried to the interest and investment losses line on the Income statement.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 3 - INCOME FROM CONTINUING OPERATIONS (cont)

	OPERATING		CAPITAL	
	2012	2011	2012	2011
	\$'000	\$'000	\$'000	\$'000
<b>(E) GRANTS</b>				
General Purpose (Untied)				
Financial Assistance				
- Equalisation Component	3,893	2,977	-	-
- Local Roads Component	1,373	1,098	-	-
Pensioner Rates Subsidies (General)	401	387	-	-
<b>Sub-total General Purpose Grants</b>	<b>5,667</b>	<b>4,462</b>	<b>-</b>	<b>-</b>
Specific Purpose				
Pensioner Rates Subsidies				
Water Supplies	170	162	-	-
Sewerage Services	146	139	-	-
Domestic Waste Management	124	123	-	-
Water Supplies	242	381	-	-
Sewerage Services	-	-	9,185	3,868
Domestic Waste	11	102	-	-
Administration	51	40	-	-
NSW Rural Fire Service	477	410	639	1,035
Noxious Plants	50	44	-	-
Childrens Services	432	433	-	-
Housing & Community	417	327	-	-
Environmental Protection	130	676	-	-
Recreation & Culture	287	278	-	12
Transport & Communication	1,637	1,089	1,654	2,289
Tourism	54	4	-	-
Saleyards	-	-	-	2,090
Aged & Disabled	34	33	-	-
Youth Services	2	1	-	-
Heritage & Cultural Services	50	26	-	-
<b>Sub-total Specific Purpose Grants</b>	<b>4,313</b>	<b>4,266</b>	<b>-</b>	<b>-</b>
<b>Total Grants &amp; Subsidies</b>	<b>9,978</b>	<b>8,728</b>	<b>11,477</b>	<b>9,294</b>
Comprising				
- Commonwealth	4,586	3,814	459	3,076
- State	5,333	4,878	11,018	6,218
- Other	59	36	-	-
	<b>9,978</b>	<b>8,728</b>	<b>11,477</b>	<b>9,294</b>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 3 - INCOME FROM CONTINUING OPERATIONS (cont)

	OPERATING		CAPITAL	
	2012	2011	2012	2011
(F) CONTRIBUTIONS & DONATIONS	\$'000	\$'000	\$'000	\$'000
Developer Contributions				
Roadworks	-	-	71	119
Drainage	-	-	118	95
Parking	-	-	107	14
Open Space	-	-	181	220
Administration	-	-	21	62
Community Facilities	-	-	19	31
Water Supplies	-	-	1,089	651
Sewerage Services	-	-	1,366	791
Other -(includes VPA)	-	-	500	228
Water Supplies	14	60	-	-
Sewerage Services	34	35	-	-
Administration	1,142	1,254	-	-
Fire Protection	2	17	-	-
Community Services & education	2	3	-	-
Town Planning	17	5	-	-
Other Waste Management	1,365	1,446	-	-
Environmental Protection	107	2	-	-
Swimming Pools	1	-	-	-
Parks & Gardens	265	54	-	-
Roadworks	402	340	-	-
Library	15	19	-	-
Quarries & Pits	-	17	-	-
Tourism	14	4	-	-
Other	31	26	-	-
<b>Total Contributions &amp; Donations</b>	<b>3,412</b>	<b>3,282</b>	<b>3,472</b>	<b>2,211</b>
<b>TOTAL GRANTS &amp; CONTRIBUTIONS</b>	<b>13,390</b>	<b>12,008</b>	<b>14,949</b>	<b>11,505</b>
<b>Profit on Sale of Assets</b>	<b>85</b>	<b>29</b>		
<b>NOTE 3 TOTAL INCOME</b>	<b>90,429</b>	<b>84,624</b>		

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 3 - INCOME FROM CONTINUING OPERATIONS (cont)

2012	2011
\$'000	\$'000

### (G) RESTRICTIONS RELATING TO GRANTS AND CONTRIBUTIONS

Certain grants and contributions are obtained by Council  
on the condition they be spent in a specified manner:

Grants and contributions recognised in the current period which have not been spent	8,222	7,557
Less:		
Grants and contributions recognised in previous periods which have been spent in the current reporting period	7,586	5,490
<b>Net increase/(decrease) in restricted grants and contributions</b>	<b>636</b>	<b>2,067</b>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 4 - EXPENSES FROM CONTINUING OPERATIONS

	2012 \$'000	2011 \$'000
<b>(A) EMPLOYEE BENEFITS AND ON COSTS</b>		
Salaries and Wages	21,202	18,922
Travelling	52	81
Employee Leave Entitlements	2,932	2,005
Superannuation	2,256	2,295
Workers' Compensation Insurance	1,273	1,107
FBT	37	32
Payroll Tax	195	184
Training Costs (excluding Salaries)	568	279
Other	34	25
Less: Capitalised and distributed costs	(1,293)	(1,000)
<b>Total Operating Employee Costs</b>	<b>27,256</b>	<b>23,930</b>
<b>Number of FTE Employees</b>	<b>352</b>	<b>340</b>
<b>(B) BORROWING COSTS</b>		
Interest on Overdraft	-	-
Interest on Loans	2,187	2,193
-Interest free loan received	128	138
-Other	-	-
<b>Gross Borrowing Costs Expensed</b>	<b>2,315</b>	<b>2,331</b>
Less: Capitalised Costs	-	-
<b>Total Borrowing Costs Expensed</b>	<b>2,315</b>	<b>2,331</b>
<b>(C) MATERIALS AND CONTRACTS</b>		
Raw Materials and Consumables	1,796	1,811
Contractor and Consultancy Costs	8,647	9,091
Audit Fees:	-	-
-Audit Services	45	42
-Other Services	66	36
Legal Fees:	-	-
-Planning and Development	197	203
-Other	367	406
Operating Leases:	299	144
Other	6,769	5,997
<b>Total Materials and Contracts</b>	<b>18,186</b>	<b>17,730</b>
(1) Audit services		
During the year the following fees were paid or payable for services provided by the Council's auditor – Warton Thompson &Co		
(i) Audit and other assurance services		
Audit and review of financial statements		
Other assurance services:		
- Audit of regulatory returns	45	42
<b>Total remuneration of Warton Thompson &amp;Co</b>	<b>45</b>	<b>42</b>
(2) Internal Audit Services		
During the year the following fees were paid or payable for services provided by the Council's internal auditor – KPMG		
iii) Other services		
- Internal Audit Services	66	36
<b>Total remuneration of KPMG</b>	<b>66</b>	<b>36</b>
<b>Total Audit remuneration</b>	<b>111</b>	<b>78</b>



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

	Depn/Amor 2012 \$'000	Depn/Amor 2011 \$'000	Imp 2012 \$'000	Imp 2011 \$'000
<b>(D) DEPRECIATION, AMORTISATION AND IMPAIRMENT</b>				
Plant and Equipment	1,696	1,639		
Office Equipment	304	323		
Furniture & Fittings	49	49		
Land Improvements	102	104		
Buildings-Non specialised	12	12		
-Specialised	985	964		
Other Structures	672	560		
Infrastructure		-		
- roads, bridges & footpaths	9,354	8,018		
- stormwater drainage	739	710		
- water supply network not elsewhere included	4,326	3,976		
- sewerage network not elsewhere included	3,947	3,391		
Other assets		-		
- heritage collections	-	-		
- library books	421	403		
- other	-	-		
- Tip asset	-	-		
Less: Capitalised costs/impairment reversals/ impairments offset against asset revaluation reserves	-	-		
<b>Total Depreciation &amp; Amortisation</b>	<b>22,607</b>	<b>20,149</b>		

### Furniture & Fittings

	2012 \$'000	2011 \$'000
<b>(E) OTHER EXPENSES</b>		
Advertising	366	300
Bad and Doubtful Debts	22	1
Bank Charges	222	203
Chemicals	643	529
Cleaning	2	-
Computer Hardware Maintenance	38	28
Computer Software Maintenance	447	368
Clothing	96	73
Donations & Contributions	658	602
Electricity	1,667	1,485
EPA Licence	30	27
Equipment & Fittings M & R	147	123
Freight	14	6
Gas Heating	106	83
Insurances	957	954
Licences - Other	6	298
Mayoral Allowance	34	35
Members' Fees & Allowances	153	147
Memberships	65	57
Postage	158	159
Printing & Stationery	309	266
Promotions	87	34
Rent	11	11
Security Services	37	49
Payments to other levels of Government	1,246	568
Street Lighting	421	415
Subscriptions & Publications	120	117
Telephone & Communications	297	296
Valuation Services	126	123
Water Purchases	937	770
Waste Disposal Costs	3,516	3,011
Planning Levy	69	99
Waste Levy	647	459
Emergency Services Levy	55	54
Other	199	144
<b>Total Other Expenses</b>	<b>13,909</b>	<b>11,895</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>84,273</b>	<b>76,034</b>
<b>Loss on Sale of Assets</b>	<b>-</b>	<b>-</b>
<b>TOTAL AS PER S/SCHED 1</b>	<b>84,273</b>	<b>76,034</b>

## Wingecarribee Shire Council

### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

#### Note 5 - GAIN OR LOSS FROM THE DISPOSAL OF ASSETS

	2012 \$'000	2011 \$'000
<b>GAIN (or loss) ON DISPOSAL OF PROPERTY</b>		
Proceeds from disposal	10	-
Less: Carrying amount of assets sold	1	-
<b>Gain (Loss) on disposal</b>	<u>9</u>	<u>-</u>
<b>GAIN (or loss) ON DISPOSAL OF INFRASTRUCTURE, PLANT &amp; EQUIPMENT</b>		
Proceeds from disposal	1,306	1,216
Less: Carrying amount of assets sold	1,229	1,186
<b>Gain (Loss) on disposal</b>	<u>76</u>	<u>29</u>
<b>GAIN (or loss) ON DISPOSAL OF REAL ESTATE ASSETS HELD FOR SALE</b>		
Proceeds from disposal	-	-
Less: Carrying amount of assets sold	-	-
<b>Gain (Loss) on disposal</b>	<u>-</u>	<u>-</u>
<b>GAIN (or loss) ON DISPOSAL OF INVESTMENT PROPERTY</b>		
Proceeds from disposal		
Less: Carrying amount of assets sold		
<b>Gain (Loss) on disposal</b>	<u>-</u>	<u>-</u>
<b>GAIN (or loss) ON DISPOSAL OF FINANCIAL ASSETS</b>		
Proceeds from disposal	15,600	14,500
Less: Carrying amount of assets sold	15,600	14,500
<b>Gain (Loss) on disposal</b>	<u>-</u>	<u>-</u>
<b>TOTAL GAIN (LOSS) ON DISPOSAL OF ASSETS</b>	<u>85</u>	<u>29</u>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 6 - CASH ASSETS & INVESTMENT SECURITIES

	2012		2011	
	Current \$'000	Non-Current \$'000	Current \$'000	Non-Current \$'000
<b>6 (a) CASH &amp; CASH EQUIVALENTS</b>				
Cash on Hand and at Bank	1,000		886	
Deposits at Call	8,750		7,500	-
<b>Total</b>	<b>9,750</b>	<b>-</b>	<b>8,386</b>	<b>-</b>
<b>6 (b) INVESTMENTS</b>				
Financial assets at fair value through Profit and Loss - Held for Trading <sup>(1)</sup>	-	-	-	-
Held to maturity investments	47,894	10,195	37,600	16,466
Available for sale financial assets	-	-	-	-
<b>Total</b>	<b>47,894</b>	<b>10,195</b>	<b>37,600</b>	<b>16,466</b>
<b>Financial assets at fair value through Profit and Loss - Held for Trading</b>				
At beginning of year	10,164	-	22,141	-
Revaluation to Income Statement	(144)	-	524	-
Additions	-	-	-	-
Disposals	(8,500)	-	(12,500)	-
At end of year	<b>1,520</b>	<b>-</b>	<b>10,164</b>	<b>-</b>
<b>Comprising of:</b>				
- Managed funds	-	-	-	-
- FRN's	1,520	-	10,164	-
- Listed equity securities	-	-	-	-
- CDO's	-	-	-	-
	<b>1,520</b>	<b>-</b>	<b>10,164</b>	<b>-</b>
<b>Held to maturity investments:</b>				
At beginning of year	37,600	16,466	8,000	25,135
Amortisation of Discounts and premiums	-	-	-	-
Additions	16,000	-	24,500	-
Disposals	(7,100)	(4,877)	(2,000)	(1,569)
Transfer to Current	1,394	(1,394)	7,100	(7,100)
At end of year	<b>47,894</b>	<b>10,195</b>	<b>37,600</b>	<b>16,466</b>
<b>Comprising of:</b>				
- Government Bonds	-	-	-	-
- Term Deposits	46,500	-	30,500	-
- CDOs	1,394	10,195	7,100	16,466
<b>Total</b>	<b>47,894</b>	<b>10,195</b>	<b>37,600</b>	<b>16,466</b>
<b>Available for Sale Financial Assets</b>				
At beginning of year	-	-	-	-
Additions	-	-	-	-
Disposals	-	-	-	-
Revaluation to equity	-	-	-	-
At end of year	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Comprising of:</b>				
- Equity Linked Notes	-	-	-	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

Note: (1) Fair Value for all investments in this Category are determined by quoted prices in active markets for identical investments.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 6(c) RESTRICTED CASH, CASH EQUIVALENTS AND INVESTMENTS

Ref	2012		2011	
	Current \$'000	Non-Current \$'000	Current \$'000	Non-Current \$'000
<b>Total cash, cash equivalents and investments</b>	<b>59,164</b>	<b>10,195</b>	<b>56,151</b>	<b>16,466</b>
External restrictions	32,844	8,845	32,605	14,010
Internal restrictions	19,492	1,350	23,011	2,457
Unrestricted	6,829	-	535	-
	<b>59,165</b>	<b>10,195</b>	<b>56,151</b>	<b>16,467</b>
	Opening Balance	Transfers to Restrictions	Transfers from Restrictions	Closing Balance
<b>External Restrictions</b>				
<i>Included in liabilities</i>				
Specific purpose unexpended loans (A)	450	-	77	373
RTA Advances (B)				
Self Insurance Claims (C)				
Other				
	<b>450</b>	<b>-</b>	<b>77</b>	<b>373</b>
<b>Other</b>				
Developer Contributions (D)	-	-	-	-
RTA Contributions (E)	19,235	4,501	3,268	20,468
Specific purpose unexpended Grants (F)	1,498	819	246	2,071
Water Supply funds (G)	-	-	-	-
Sewerage funds (H)	2,897	2,902	4,072	1,727
Domestic Waste Management (I)	12,228	-	717	11,511
Stormwater management	9,654	-	5,146	4,508
Other	653	445	68	1,030
	<b>46,165</b>	<b>8,667</b>	<b>13,517</b>	<b>41,315</b>
<b>Total External Restrictions</b>	<b>46,615</b>	<b>8,667</b>	<b>13,594</b>	<b>41,688</b>
<b>Internal Restrictions</b>				
Employee Leave Entitlements	1,411	29	392	1,048
Property Operations - PDR	2,832	-	339	2,493
Works In Progress	6,684	4,508	6,684	4,508
Capital Projects	1,246	-	39	1,207
Cemeteries	59	-	-	59
Plant	2,227	1,091	1,430	1,888
Performance Appraisal	-	-	-	-
Computer	285	-	105	180
Land Rental Charge	3,824	690	521	3,993
Other Waste	115	-	115	-
Family Day Care	151	3	5	149
Depreciation	-	-	-	-
Saleyards	-	487	-	487
Effluent Disposal	66	-	-	66
Emergency Assistance Fund	20	5	2	23
Entrepreneurial Fund	3,704	-	2,347	1,357
Tourism	86	-	36	50
Former Trust recognised as revenue	2,010	1,010	500	2,520
Former Trust recognised as creditors	747	67	-	814
<b>Total Internal Restrictions</b>	<b>25,467</b>	<b>7,890</b>	<b>12,515</b>	<b>20,842</b>
<b>Total restrictions</b>	<b>72,082</b>	<b>16,557</b>	<b>26,109</b>	<b>62,530</b>

- A Loan moneys which must be applied for the purposes for which the loans were raised.
- B Advances by the Roads and Traffic Authority for works on the State's classified roads.
- C Self Insurance liability resulting from reported claims or incurred claims not yet reported.
- D Development contributions which are not yet expended for the provision of services and amenities in accordance with contributions plans.
- E RTA Contributions which are not yet expended for the provision of services and amenities in accordance with those contributions.
- F Grants which are not yet expended for the purposes for which the grants were obtained. (See Note1.)
- G-I Water, Sewerage and Domestic Waste Management (DWM) funds are externally restricted assets which must be applied for the purposes for which they were raised.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 7 - RECEIVABLES

	2012 \$'000		2011 \$'000	
	Current	Non-Current	Current	Non-Current
Rates & Annual Charges	1,085	-	824	-
Interest & Extra Charges	-	-	-	-
User Charges & Fees	15	-	15	-
Domestic Waste Management	264	-	248	-
Accrued Revenues	4,749	-	5,097	-
Deferred Debtors	-	-	-	-
Other levels of Government	806	-	1,371	-
Loans to Sporting Clubs	109	17	53	176
Other	1,430	-	3,279	-
<b>Total</b>	<b>8,458</b>	<b>17</b>	<b>10,886</b>	<b>176</b>
Less: Provision for Impairment				
Rates & Annual Charges				
Interest & Extra Charges				
User Charges & Fees				
Other	13		6	
<b>Total Receivables</b>	<b>8,445</b>	<b>17</b>	<b>10,880</b>	<b>176</b>

#### Rates and Annual Charges

Overdue rates and annual charges (being amounts not paid on or before the due date determined in accordance with the Local Government Act) are secured over the relevant land and are subject to simple interest at a rate of 9.00%. Although Council is not materially exposed to any individual ratepayer, credit risk exposure is concentrated within the Council boundaries in the State of New South Wales.

#### Deferred Debtors

Loans made to ratepayers under the assisted housing scheme and to local organisations bear interest at rates varying between NIL and 7.35%. Council is not materially exposed to any individual debtor, and credit risk exposure is concentrated within the Council boundaries in the State of New South Wales.

#### Other Levels of Government

Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of grant approval, and do not bear interest. All amounts are due by Departments and Agencies of the Government of New South Wales and the Government of Australia.

#### Other Receivables

Amounts due (other than User Charges which are secured over the relevant land) are unsecured and do not bear interest. Although Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State of New South Wales.

### RESTRICTED RECEIVABLES

Water Supply	1,910	-	2,027	-
Sewerage Services	2,596	-	2,500	-
Domestic Waste Management	264	-	248	-
Other	-	-	-	-
<b>Total Restrictions</b>	<b>4,770</b>	<b>-</b>	<b>4,776</b>	<b>-</b>
Unrestricted Receivables	3,676	17	6,104	176
<b>Total Receivables</b>	<b>8,446</b>	<b>17</b>	<b>10,880</b>	<b>176</b>



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 8 - INVENTORIES & OTHER ASSETS

	2012 \$'000		2011 \$'000	
	Current	Non-Current	Current	Non-Current
<b>INVENTORIES</b>				
Real Estate (refer below)	-	-	-	-
Stores & Materials	523	-	482	-
Trading Stock	30	-	36	-
Other	-	-	-	-
<b>Total Inventories</b>	<b>552</b>	<b>-</b>	<b>518</b>	<b>-</b>

Inventories not expected to be realised  
within the next 12 months

Aggregate write-downs and other losses have been recognised as an expense in the respective year.  
Refer to Note 1 in these reports for details of any material adjustment.

#### OTHER ASSETS

Prepayments	552	-	703	-
Other	-	-	-	-
<b>Total Other Assets</b>	<b>552</b>	<b>-</b>	<b>703</b>	<b>-</b>

#### Real Estate Developments

(Valued at the lower of cost and net realisable value)

Residential	-	-	-	-
Industrial & Commercial	-	-	-	-
Other Properties	-	-	-	-
<b>Total Real Estate held for sale</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

#### Represented by:

Acquisition Costs	-	-	-	-
Development Costs	-	-	-	-
Borrowing Costs	-	-	-	-
Other Holding Costs	-	-	-	-
Other Properties - Book Value	-	-	-	-

Less: Provision for Under-Recovery

<b>Total Real Estate for Resale</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
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#### Externally Restricted Inventories and Other Assets:

##### Water

Stores and materials	82	-	72	-
Trading Stock	141	-	-	-
Other	-	-	-	-

##### Sewer

Stores and materials	4	-	8	-
Trading Stock	143	-	-	-
Other	-	-	-	-

##### Other

Stores and materials	-	-	-	-
Trading Stock	-	-	-	-
Other	-	-	-	-
	<b>370</b>	<b>-</b>	<b>80</b>	<b>-</b>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 9(a) - INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT

	2011						2012						
	\$'000						\$'000						
	Cost/ Deemed Cost	Fair Value	Accum Dep and Impairment	WDV	Additions	WDV of disposals	Depn and Impairment	Transfers/ Adjustments	Revaluation Increments/ (decrements)	Cost/ Deemed Cost	Fair Value	Accum Dep and Impairment	WDV
Plant & Equipment	-	21,221	9,142	12,079	3,503	(1,230)	(1,696)	-	(1)	-	23,495	10,841	12,654
Office Equipment	-	7,445	6,507	938	198	-	(304)	-	-	-	7,643	6,810	833
Furniture & Fittings	-	1,251	1,025	226	-	-	(49)	-	-	-	1,251	1,074	177
Leased Plant & Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-
Land	-	-	-	-	-	-	-	-	-	-	-	-	-
- Operational Land	-	46,791	-	46,791	48	(1)	-	-	-	-	46,838	-	46,838
- Community Land	-	77,330	-	77,330	560	-	-	-	-	-	77,889	-	77,889
- non deprec land improv'ts	-	-	-	-	-	-	-	-	-	-	-	-	-
- land under roads	-	-	-	-	-	-	-	-	-	-	-	-	-
Land Improvements - depreciab	-	-	-	-	-	-	-	-	-	-	-	-	-
Buildings <sup>(2)</sup> -Non specialised	-	5,343	1,560	3,783	106	-	(102)	-	-	-	5,449	1,662	3,787
-Specialised	-	986	483	503	1	-	(12)	-	-	-	987	495	492
Other Structures	-	68,207	10,777	57,430	1,228	-	(985)	-	-	-	69,435	11,762	57,673
Infrastructure <sup>(2)</sup>	-	10,731	3,263	7,468	1,375	-	(672)	-	-	-	12,106	3,935	8,171
- Roads, bridges, footpaths	-	514,948	194,532	320,416	11,043	-	(9,354)	-	14,904	-	545,139	208,129	337,010
- Bulk earthworks (non-deprec	-	189,682	-	189,682	-	-	-	-	-	-	189,682	-	189,682
- Stormwater drainage	-	61,459	22,528	38,931	328	-	(739)	-	1,720	-	63,961	23,721	40,240
- Water Supply Network	-	294,278	124,935	169,343	2,142	-	(4,326)	-	1,329	-	296,787	128,299	168,488
- Sewerage Network	-	264,616	67,511	197,105	14,395	-	(3,947)	-	7,501	-	287,216	72,162	215,054
Other Assets	-	-	-	-	-	-	-	-	-	-	-	-	-
- Heritage Collections	-	-	-	-	-	-	-	-	-	-	-	-	-
- Library Books	-	4,033	3,438	595	174	-	(421)	-	-	-	4,207	3,859	348
- Other	-	3	3	-	-	-	-	-	-	-	3	3	-
Totals	-	1,568,324	445,704	1,122,620	35,101	(1,231)	(22,607)	-	25,453	-	1,632,089	472,752	1,159,337

Notes:

(1) Exclude investment properties and non-current assets held for sale.

(2) Additions to Buildings and Infrastructure are made up of Asset Renewals (\$5,634) and New Assets (\$11,437). Renewals are defined as replacements of existing assets as opposed to the acquisition of new assets.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 9 (b) - RESTRICTED INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT

	2012 \$'000				2011 \$'000			
	COST	FAIR VALUE	ACCUM DEP/ IMPAIRMENT	WDV	COST	FAIR VALUE	ACCUM DEP/ IMPAIRMENT	WDV
<b>Water Supply</b>								
Plant & Equipment	-	1,352	520	832	-	-	401	796
Office Equipment	-	149	120	29	-	138	106	32
Furniture & Fittings	-	-	-	-	-	-	-	-
Leased Plant & Equipment	-	-	-	-	-	-	-	-
Land	-	-	-	-	-	-	-	-
- Operational Land	-	6,219	-	6,219	-	5,018	-	5,018
- Community Land	-	-	-	-	-	1,153	-	1,153
- non depreciable land improv'	-	-	-	-	-	-	-	-
Land Improvements - depreciab	-	-	-	-	-	-	-	-
Buildings	-	804	192	612	-	804	176	628
Other Structures	-	-	-	-	-	-	-	-
Water Supply Infrastructure	-	296,787	128,299	168,488	-	294,278	124,935	169,343
- Other	-	-	-	-	-	-	-	-
<b>Total Water Supply</b>	-	<b>305,311</b>	<b>129,131</b>	<b>176,180</b>	-	<b>302,588</b>	<b>125,618</b>	<b>176,970</b>
<b>Sewerage Services</b>								
Plant & Equipment	-	1,510	655	855	-	1,425	519	906
Office Equipment	-	48	43	5	-	44	42	2
Furniture & Fittings	-	-	-	-	-	-	-	-
Leased Plant & Equipment	-	-	-	-	-	-	-	-
Land	-	11,543	-	11,543	-	-	-	-
- Operational Land	-	-	-	-	-	9,571	-	9,571
- Community Land	-	-	-	-	-	1,447	-	1,447
- non depreciable land improv'	-	-	-	-	-	-	-	-
Land Improvements - depreciab	-	-	-	-	-	-	-	-
Buildings	-	363	86	277	-	363	78	285
Other Structures	-	-	-	-	-	-	-	-
Sewerage Infrastructure	-	287,216	72,162	215,054	-	264,616	67,511	197,105
- Roads, bridges, footpaths	-	-	-	-	-	-	-	-
- Other	-	-	-	-	-	-	-	-
<b>Total Sewerage Services</b>	-	<b>300,680</b>	<b>72,946</b>	<b>227,734</b>	-	<b>277,466</b>	<b>68,150</b>	<b>209,316</b>
<b>Domestic Waste Management</b>								
Plant & Equipment	-	2,208	999	1,209	-	2,225	858	1,367
Office Equipment	-	20	18	2	-	20	15	5
Furniture & Fittings	-	-	-	-	-	-	-	-
Leased Plant & Equipment	-	-	-	-	-	-	-	-
Land	-	-	-	-	-	-	-	-
- Operational Land	-	1,160	-	1,160	-	1,160	-	1,160
- Community Land	-	-	-	-	-	-	-	-
- non depreciable land improv'	-	-	-	-	-	-	-	-
Land Improvements - depreciab	-	-	-	-	-	-	-	-
Buildings	-	1,831	218	1,613	-	1,786	183	1,603
Other Structures	-	196	40	156	-	196	30	166
- Other	-	-	-	-	-	-	-	-
<b>Total Domestic Waste</b>	-	<b>5,415</b>	<b>1,275</b>	<b>4,140</b>	-	<b>5,387</b>	<b>1,086</b>	<b>4,301</b>
<b>Other (specify)</b>								
Plant & Equipment	-	-	-	-	-	-	-	-
Office Equipment	-	-	-	-	-	-	-	-
Furniture & Fittings	-	-	-	-	-	-	-	-
Leased Plant & Equipment	-	-	-	-	-	-	-	-
Land	-	-	-	-	-	-	-	-
- Operational Land	-	-	-	-	-	-	-	-
- Community Land	-	-	-	-	-	-	-	-
- non depreciable land improv'	-	-	-	-	-	-	-	-
Land Improvements - depreciab	-	-	-	-	-	-	-	-
Buildings	-	-	-	-	-	-	-	-
Other Structures	-	-	-	-	-	-	-	-
Infrastructure	-	-	-	-	-	-	-	-
- Regional Roads	-	91,592	24,280	67,312	-	89,544	22,929	66,615
- Regional Bridges	-	2,711	1,070	1,641	-	2,640	1,016	1,624
Other Assets	-	-	-	-	-	-	-	-
- Heritage Collections	-	-	-	-	-	-	-	-
- Library Books	-	-	-	-	-	-	-	-
- Other	-	-	-	-	-	-	-	-
<b>Total</b>	-	<b>94,303</b>	<b>25,350</b>	<b>68,953</b>	-	<b>92,184</b>	<b>23,945</b>	<b>68,239</b>
<b>TOTAL RESTRICTIONS</b>	-	<b>705,709</b>	<b>228,702</b>	<b>477,007</b>	-	<b>677,625</b>	<b>218,799</b>	<b>458,826</b>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 10(a) - PAYABLES, BORROWINGS AND PROVISIONS

	2012 \$'000		2011 \$'000	
	<u>Current</u>	<u>Non-Current</u>	<u>Current</u>	<u>Non-Current</u>
<b>PAYABLES</b>				
Goods & Services	6,860	-	5,770	-
Accrued wages and salaries				
Accrued Expenses - Other	592	-	239	-
Payments received in advance	2,322	-	2,215	-
Deposits & Retentions	-	-	-	-
Other Payables (specify if material)	-	-	-	-
<b>Total Payables</b>	<b>9,774</b>	<b>-</b>	<b>8,224</b>	<b>-</b>
Current payables not expected to be settled within the next 12 months				
<b>Borrowings</b>				
Bank Overdraft	-	-	-	-
Loans	2,588	28,521	2,307	30,982
Government Advances	-	-	-	-
Ratepayer Advances	-	-	-	-
Finance Lease Liability	-	-	-	-
Deferred Payment Liabilities	-	-	-	-
Other (Specify if material)	-	-	-	-
<b>Total Interest Bearing Liabilities</b>	<b>2,588</b>	<b>28,521</b>	<b>2,307</b>	<b>30,982</b>
<b>PROVISIONS</b>				
Annual Leave	1,887	-	1,784	-
Sick Leave	-	-	-	-
Long Service Leave	3,326	634	4,042	249
Gratuities	-	-	-	-
Tip Remediation (Note 24)	-	-	-	-
Other	-	-	-	-
<b>Total Provisions</b>	<b>5,213</b>	<b>634</b>	<b>5,826</b>	<b>249</b>
Current provisions not expected to be settled within the next 12 months				
<b>LIABILITIES relating to RESTRICTED ASSETS</b>				
<u>Domestic Waste Management</u>				
Payables	-	-	-	-
Borrowings	332	2,929	304	3,260
Provisions	-	-	-	-
Subtotal	<b>332</b>	<b>2,929</b>	<b>304</b>	<b>3,260</b>
<u>Water Supplies</u>				
Payables	94	-	54	-
Borrowings	211	3,220	200	3,431
Provisions	344	40	372	16
Subtotal	<b>649</b>	<b>3,260</b>	<b>626</b>	<b>3,447</b>
<u>Sewerage Services</u>				
Payables	346	-	1,238	-
Borrowings	1,870	21,527	1,628	23,356
Provisions	472	55	470	20
Subtotal	<b>2,688</b>	<b>21,582</b>	<b>3,336</b>	<b>23,376</b>
<u>Other</u>				
Payables	-	-	-	-
Borrowings	-	-	-	-
Provisions	-	-	-	-
Subtotal	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL</b>	<b>3,669</b>	<b>27,771</b>	<b>4,266</b>	<b>30,083</b>

Notes:

(1) Loans are secured over all income of Council.

## Wingecarribee Shire Council

### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

#### Note 10(b) - DESCRIPTION OF AND MOVEMENTS IN PROVISIONS

CLASS OF PROVISION	<u>Opening Balance</u> \$'000	<u>Increase in</u> <u>Provision</u> \$'000	<u>Payments</u> \$'000	<u>Re-</u> <u>measurement</u> \$'000	<u>Closing Balance</u> \$'000
Annual leave	1,784	1,665	1,563	-	1,886
Sick Leave	-	-	-	-	-
Long Service Leave	4,291	789	1,119	-	3,961
Gratuities	-	-	-	-	-
Self-insurance	-	-	-	-	-
Asset Remediation	-	-	-	-	-
Other	-	-	-	-	-
<b>Total Payables</b>	<u>6,075</u>	<u>2,454</u>	<u>2,682</u>		<u>5,847</u>



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 11 - RECONCILIATION OF OPERATING RESULT TO NET CASH MOVEMENT FROM OPERATING ACTIVITIES

#### (a) Reconciliation of Cash

Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

	2012 \$'000	2011 \$'000
Total Cash and cash equivalent (Note 6a)	9,750	8,386
Less: Bank Overdraft (Note 10)	-	-
Balances as per Cash Flow Statement	<u>9,750</u>	<u>8,386</u>

#### (b) Reconciliation of Net Operating Result to Cash Provided from Operating Activities

Net Operating Result from Income Statement	6,156	8,589
Add: Depreciation and Impairment	22,607	20,149
Increase in provision for doubtful debts	6	-
Increase in employee leave entitlements	-	156
Increase in other provisions	-	-
Decrease in receivables	2,484	-
Decrease in inventories	-	-
Decrease in other current assets	151	-
Increase in payables	1,197	2,773
Increase in accrued interest payable	352	-
Increase in other liabilities	-	-
Decrements from Revaluations	-	-
Loss on Sale of Assets	-	-
	<u>32,953</u>	<u>31,667</u>
Less: Decrease in provision for doubtful debts	-	-
Decrease in employee leave entitlements	228	-
Decrease in other provisions	-	-
Increase in receivables	-	2,970
Increase in inventories	35	6
Increase in other current assets	-	33
Decrease in payables	-	-
Decrease in accrued interest payable	-	-
Decrease in other current liabilities	-	-
Reversal of previous Revaluation Decrements	-	-
Non-cash Capital Grants and Contributions	953	1,035
Gain on Sale of Assets	85	29
	<u>953</u>	<u>1,035</u>
Net Cash provided by (or used in) operating activities from Cash Flow Statement	<u>31,652</u>	<u>27,594</u>

## Wingecarribee Shire Council

### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

#### Note 11 - RECONCILIATION OF OPERATING RESULT TO NET CASH MOVEMENT FROM OPERATING ACTIVITIES (continued)

	2012 \$'000	2011 \$'000
<b>(c) Non-Cash Financing and Investing Activities</b>		
Acquisition of assets by means of:		
- PWD Construction	-	-
- Bushfire Grants	639	1,035
- S94 Contributions received in kind	-	-
- Non-cash issues of Shares in Other Companies	-	-
- Other (Donated Assets)	314	-
	<u>953</u>	<u>1,035</u>
- Finance Leases	-	-
- Land taken over for non-payment of Rates	-	-
	<u>953</u>	<u>1,035</u>

#### **(d) Financing Arrangements**

Unrestricted access was available at balance date to the following lines of credit:

Bank Overdraft Total Facilities	300	300
Corporate Credit Cards	150	150

*The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice. Interest rates on overdrafts are variable while the rates for loans are fixed for the period of the loan.*

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 12 - COMMITMENTS FOR EXPENDITURE

	2012 \$'000	2011 \$'000
<b>(a) Capital Commitments (exclusive of GST)</b>		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Land		
Subsidised Schemes	3,138	22,915
Sewer Infrastructure	2,318	1,078
Water Infrastructure	5,714	6,104
Buildings	5,070	70
Drainage	664	174
Roads	8,957	10,610
Other Structures	10,928	203
Plant & Equipment	2,799	1,662
	<b>39,587</b>	<b>42,817</b>
These expenditures are payable:		
Not later than one year	39,587	40,249
Later than one year and not later than five years	-	2,568
Later than five years	-	-
	<b>39,587</b>	<b>42,817</b>
<b>(b) Service Commitments (exclusive of GST)</b>		
Other non-capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities include:		
Audit Services	46	91
Waste Management Services	13,409	12,365
Courier Services	65	65
Street Sweeping	-	-
Litter Bin Cleaning	-	-
Effluent & Sludge Collection	-	-
Other	-	-
	<b>13,520</b>	<b>12,521</b>
These expenditures are payable:		
Not later than one year	3,675	5,629
Later than one year and not later than five years	5,448	6,893
Later than five years	4,398	-
	<b>13,520</b>	<b>12,521</b>
<b>(c) Finance Lease Commitments</b>		
Commitments under finance leases at the reporting date are as follows:		
Not later than one year	-	-
Later than one year and not later than five years	-	-
Later than five years	-	-
Minimum lease payments	-	-
Less: future finance charges	-	-
Net Lease Liability	-	-
Representing lease liabilities:		
Current	-	-
Non-Current	-	-

## Wingecarribee Shire Council

### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

#### Note 12 (CONT) - COMMITMENTS FOR EXPENDITURE

	2012 \$'000	2011 \$'000
<b>(d) Operating Lease Commitments</b>		
Commitments under non-cancellable operating leases at the reporting date but not recognised in the financial statements are payable as follows:		
Not later than one year	431	430
Later than one year and not later than five years	982	1,413
Later than five years	-	-
	<u>1,413</u>	<u>1,843</u>

Council has entered into non-cancellable operating leases for various items of computer and other plant and equipment.

(i) Contingent rental payments have been determined on the change over and or upgrade of PC's and ancillary computer equipment during the term of the lease with adjustments to the lease reflecting such upgrades.

(ii) No lease imposes any additional restrictions on Council in relation to additional debt or further leasing.

(iii) The lease agreement includes the option of renewing the lease for a period of up to 12 months. Council must provide 30 days notice in writing if the lease is not to be extended.

#### **(e) Repairs and Maintenance: Investment Properties**

Contractual obligations for future repairs and maintenance

<u>-</u>	<u>-</u>
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#### **(f) Remuneration Commitments**

Commitments for the payment of salaries and other remuneration under long-term employment contracts in existence at the reporting date but not recognised as liabilities, payable:

Within one year	697	703
Later than one year and not later than five years	2,086	1,658
Later than five years	-	-
	<u>2,782</u>	<u>2,360</u>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 13(a) - STATEMENT OF PERFORMANCE MEASURES -Consolidated Results

	<u>Amounts</u> \$'000	<u>Indicators</u> 2012	2011	2010
<b>Unrestricted Current Ratio</b>				
Current Assets less External Restrictions (1)	<b>\$30,732</b>	<b>2.21</b>	2.55	1.54
Current Liabilities less Specific Purpose Liabilities (2)	<b>\$13,906</b>			
<b>Debt Service Ratio</b>				
Net Debt Service Cost	<b>\$4,368</b>	<b>0.06</b>	0.08	0.05
Income from Continuing Operations	<b>\$69,226</b>			
* as defined in the Code				
<b>Rate &amp; Annual Charges Coverage Ratio</b>				
Rates & Annual Charges Revenues	<b>\$44,567</b>	<b>0.48</b>	0.49	0.48
Income from Continuing Operations	<b>\$91,900</b>			
<b>Rates &amp; Annual Charges Outstanding Percentage</b>				
Rates & Annual Charges Outstanding (4)	<b>\$1,085</b>	<b>2.39%</b>	1.96%	2.77%
Rates & Annual Charges Collectible (4)	<b>\$45,478</b>			
<b>Building &amp; Infrastructure Renewals Ratio</b>				
Asset Renewals(building & infrastructure) (3)	<b>\$10,147</b>	<b>0.52</b>	0.33	0.28
Depreciation, Amortisation, and Impairment	<b>\$19,363</b>			

Notes:

(1) Refer to Notes 6-8 inclusive

(2) Refer to Note 10(a)

(3) Refer Note9a- Notes:(2)

(4) \$3,889 Water & Sewer Charges Accruals not included.



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 13(b) - STATEMENT OF PERFORMANCE MEASURES By Fund

	<u>Current Year Indicators</u>		
	General <sup>(1)</sup>	Water	Sewer
<b>Unrestricted Current Ratio</b>			
<u>Current Assets less External Restrictions (1)</u>	<b>2.28</b>	N/A (3)	N/A (3)
Current Liabilities less Specific Purpose Liabilities (2)			
<b>Debt Service Ratio</b>			
<u>Net Debt Service Cost</u>	<b>0.04</b>	<b>0.04</b>	<b>0.17</b>
Income from Continuing Operations			
* as defined in the Code			
<b>Rate &amp; Annual Charges Coverage Ratio</b>			
<u>Rates &amp; Annual Charges Revenues</u>	<b>0.59</b>	<b>0.16</b>	<b>0.41</b>
Income from Continuing Operations			
<b>Rates &amp; Annual Charges Outstanding Percentage</b>			
<u>Rates &amp; Annual Charges Outstanding</u>	<b>2.34%</b>	<b>4.41%</b>	<b>2.04%</b>
Rates & Annual Charges Collectible			
<b>Building &amp; Infrastructure Renewals Ratio</b>			
<u>Asset Renewals(building &amp; infrastructure)</u>	<b>0.27</b>	<b>0.00</b>	<b>0.39</b>
Depreciation, Amortisation, and Impairment			

Notes:

(1) General Fund refers to all Council Activities except Water and Sewer

(2) Note 13(b) is mandatory for 2010/11.

(3) Water and Sewer Assets & Liabilities are all Restricted.

## **Wingecarribee Shire Council**

### **NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012**

#### **Note 14 - INVESTMENT PROPERTIES**

**Council does not hold any Investment Properties**

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 15 Financial risk management

#### Risk management

Council's activities expose it to a variety of financial risks including price risk, credit risk, liquidity risk and interest rate risk. The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by the Finance Section under policies approved by the Council.

Council held the following financial instruments at balance date:

	Carrying value		Fair value	
	2012 \$'000	2011 \$'000	2012 \$'000	2011 \$'000
<b>Financial assets</b>				
Cash and cash equivalents	9,750	8,386	9,750	8,386
Receivables	8,475	11,062	8,475	11,062
Financial assets at fair value through profit or loss - Held for trading	1,520	10,165	1,520	10,165
Available-for-sale financial assets	-	-	-	-
Held-to-maturity investments	58,089	54,066	58,089	54,066
	<u>77,834</u>	<u>83,679</u>	<u>77,834</u>	<u>83,679</u>
<b>Financial liabilities</b>				
Payables	9,774	8,224	9,774	8,224
Borrowings	34,684	33,993	34,684	33,993
	<u>44,458</u>	<u>42,217</u>	<u>44,458</u>	<u>42,217</u>

Fair value is determined as follows:

- \* Cash and Cash Equivalents, Receivables, Payables – estimated to be the carrying value which approximates net market value.
- \* Borrowings, Held-to-Maturity Investments – estimated future cash flows discounted by the current market interest rates applicable to assets and liabilities with similar risk profiles.
- \* Financial Assets at Fair Value through profit and loss, Available for Sale Financial Assets – based on quoted market prices in active markets for identical investments.

#### (a) Cash and cash equivalents

#### Financial assets at fair value through profit and loss

#### Available-for-sale financial assets

#### Held-to-maturity investments

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital. The Finance Section now manages the cash and investments portfolio with the liquidity and preserving capital. The Finance Section now manages the cash and investments portfolio following the cancellation of the agreement with independent investment advisers Lehman Brothers. Council has an investment policy which complies with the Local Government Act and Minister's Order. The policy is regularly reviewed by Council and an Investment Report is provided to Council monthly setting out the make-up and performance of the portfolio.

The major risk associated with investments is price risk – the risk that the capital value of investments may fluctuate due to changes in market prices or conditions, whether these changes are caused by factors specific to individual financial instruments or their issuers or factors affecting similar instruments traded in a market.

Cash and investments are also subject to interest rate risk – the risk that movements in interest rates could affect returns.

Another risk associated with cash and investments is credit risk – the risk that a contracting entity will not complete its obligations under a financial instrument resulting in a financial loss to Council.

Council's investment advisor managed these risks by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees. Council no longer seeks advice from its independent adviser and is now placing its cash and investments with the aim of protecting the capital while ensuring a reasonable return of its investments.

	30.6.2012 \$'000	30.6.2011 \$'000
(b) Impact of a 10%(1) movement in price of investments:		
- Equity	5,961	6,423
- Income statement	5,961	6,423
Impact of a 1%(1) movement in interest rates on cash and investments:		
- Equity	694	726
- Income statement	694	726

#### Notes:

(1) Sensitivity percentages based on management's expectation of future possible market movements. (Price movements calculated on cash, cash equivalents, managed funds, and FRNs.) Recent market volatility has seen larger market movements for certain types

(2) Maximum impact.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 15 Financial risk management (continued)

#### (b) Receivables

Council's major receivables comprise rates and annual charges and user charges and fees. The major risk associated with these receivables is credit risk – the risk that the debts may not be repaid. Council manages this risk by monitoring outstanding debt and employing stringent debt recovery policies including installation of flow restrictors for outstanding water charges and engagement of an external debt recovery agency for other debts. It also encourages ratepayers to pay rates and charges by the due date.

Credit risk on rates and annual and usage charges is minimised by the ability of Council to recover these debts as a secured charge over the land – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages payment. This rate is currently 10%.

The level of outstanding receivables is reviewed monthly and benchmarks are set and monitored for acceptable collection performance.

Council makes suitable provision for those debts which are deemed unrecoverable.

There are no material receivables that have been subject to a re-negotiation of repayment terms.

The profile of the Council's credit risk at balance date was:

	30.6.2012	30.6.2011
<b>(b) Percentage of Rates and Annual charges:</b>		
- Current	0.00%	0.00%
- Overdue	2.38%	1.97%
<b>Percentage of Other Receivables:</b>		
- Current	0.00%	0.00%
- Overdue	0.00%	0.00%

#### (c) Payables Borrowings

Payables and borrowings are both subject to liquidity risk – that is the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due. Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer. Payment terms can be extended and overdraft facilities drawn upon in extenuating circumstances.

The contractual undiscounted cash flows of Council's Payables and Borrowings are set out in the Liquidity Sensitivity Table below:

2012 \$'000	Due within 1 year	Due between 1 and 5 years	Due after 5 years	Total Contractual Cash flows	Carrying values
Payables	9,774	-	-	9,774	9,774
Borrowings	2,587	11,570	20,527	34,684	34,684
	12,361	11,570	20,527	44,458	44,458
2011 \$'000	Due within 1 year	Due between 1 and 5 years	Due after 5 years	Total Contractual Cash flows	Carrying values
Payables	8,224	-	-	8,224	8,224
Borrowings	2,299	10,425	21,269	33,993	33,993
	10,523	10,425	21,269	42,217	42,217

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs. Council manages this risk by borrowing long term and fixing the interest rate on a 4 year renewal basis. The Finance Section regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The following interest rates were applicable to Council's borrowings at balance date:

	30.6.2012		30.6.2011	
	Weighted average interest rate %	Balance \$'000	Weighted average interest rate %	Balance \$'000
Overdraft				
Bank Loans – Fixed	6.398%	34,684	6.398%	33,993
– Variable(1)	0.000%	-	0.000%	-
		34,684		33,993

Note:

(1) The interest rate risk applicable to Variable Rate Bank Loans is not considered significant.

# WINGECARRIBEE SHIRE COUNCIL

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 16 - SIGNIFICANT VARIATIONS FROM ORIGINAL BUDGET

Council's original budget comprised part of the Management Plan adopted by Council on 22 June 2011. The original projections on which the budget was based have been affected by decisions made by Council throughout the course of the financial year, new grant programs initiated by the State Government, Developer Contributions received under Section 94 of the Environmental and Planning Assessment Act, Infrastructure Assets provided by Developers and by the weather.

This Note sets out details of material variations between the original Budget and Actual results for the Statement of Financial Performance and the Operating Result column of Note 2 included in these reports. Material favourable (F) and unfavourable (U) variances represent amounts of 10% or more of the budgeted amount

#### 1 STATEMENT OF FINANCIAL PERFORMANCE

##### 1.1 User Charges & Fees

Actual User Charges & Fees were \$4,170 (U), less than the original budget due to the elimination of Plant Hire income of \$1,620 for General Fund, \$350k for Water Fund, and \$234k for Sewer Fund. Water Fund's Usage Charge Income was \$752k less than the original budget due to the wet summer period. Also Saleyard Fees were \$76k less than the original budget.

##### 1.2 Interest & Investment Revenue

Interest received has been greater than originally estimated by \$413k (F). Offsetting this Write Downs of CDO'S of \$4,877k (U) were made during the 2011/12 Year.

##### 1.3 Grants & Contributions - Operating

The variation in this instance is the elimination of internal overheads totalling \$11,185k (U).

##### 1.4 Grants & Contributions - Capital

Actual Capital Grants & Contributions varied from the amounts budgeted for by \$5,435(U). This relates to less money being brought to account for S94, in Water Fund \$720k (U), and Sewer Fund \$1,634k (U). Also the grant claimed for Robertson Sewerage Scheme was \$2,717k less than the budget due to less than anticipated work being done on the new scheme.

##### 1.5 Other Revenues

Actual other Revenue received varied from the amounts budgeted for by \$1,093k (F). This was essentially due to increased income for Lease Rentals \$110k, Legal Fees Recovery Rates \$180k, Transport & Communication \$413k, and Tulip Time Income \$180k (F) not in the original budget.



## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 16 - Significant Variations from Original Budget (cont)

#### 1.6 Materials & Contracts

Actual Materials & Contracts varied from the original amounts budgeted for by \$2,024k (U). This was essentially due to a number of projects which were commenced during the course of the year which were not part of Council's original budget. This was made up of S94 Projects \$322k (U), Clarence Street Car Park \$156k (U), Mt Broughton Rd \$462k (U), Robertson Pathway \$262k (U), Railway Rd Bus Turning Area \$204k (U), Mt Emyard Pedestrian Refuge \$107k (U), and the Regional Local Community Infrastructure Program and associated projects \$359k (U).

#### 1.7 Depreciation & Amortisation

Actual Depreciation & Amortisation varied from the amounts budgeted for by \$3,068 (U). In General Fund this amounted to \$2,008k comprising \$1,886k for Roads, Transport, and Plant & Equipment, and \$76k for Office Equipment & Furniture & Fittings. Depreciation in Water Fund increased by \$434k, and by \$625k in Sewer Fund.

#### 1.8 Other Expenses

Actual Other Expenses varied from the amounts budgeted for by \$19,929 (F). In General Fund this was due to the elimination of internal overheads & contributions \$11,508k (F), Internal Plant Hire \$1,185k (F), Pensioner Rebates \$918k (F), and Rates Water & Sewer Charges \$806k (F). Also Waste Disposal costs \$628k (F), and Waste License Fees \$733k (F) were less than the original budget. In Sewer Fund this was due to the elimination of internal overheads \$677k (F), Infrastructure Charge \$532k (F), Internal Plant Hire \$296k (F), Pensioner Rebates \$265k (F), and Rates Water & Sewer Charges \$70k (F). In Water Fund this was due to the elimination of internal overheads \$784k (F), Infrastructure Charge \$458k (F), Internal Plant Hire \$221k (F), Pensioner Rebates \$309k (F), and Rates Water & Sewerage Charges \$94k (F).

## 2 NOTE 2 (b) – FUNCTIONS

### 2.1 Administration & Governance

The actual revenue for this function was \$9,193 (U) less than original budget due to the elimination of Internal overheads totaling \$9,081k. Expenditure was less than the original budget \$2,739 (F) due to the elimination of Internal overheads \$3,090k (F). Also there was additional expenditure for staff costs in Infrastructure Services and Corporate Services \$260k (U).

### 2.2 Public Order & Safety

The actuals for this function varied from the amounts budgeted as a result of an increase in the amount of Bush Fire Equipment Issues brought to account \$200k (F). Also additional Grant Income of \$42k (F) was received.

### 2.3 Health

The actuals for this function varied from the amounts budgeted as a result of internal overheads of \$265K (F) being eliminated. Also there were savings in Noxious Weeds \$54k (F), and Environment & Health Management \$49k (F).

### 2.4 Community Services & Education

The actuals for this function varied from the amounts budgeted as a result of internal overheads of \$358K (F) being eliminated. There were also savings in Land & Buildings \$24k (F), and Senior Citizens \$11k (F).

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### Note 16 - Significant Variations from Original Budget (cont)

#### 2.5 Housing & Community Amenities

The actuals for this function varied from the amounts budgeted as a result of internal overheads of \$1,405K (U) being eliminated. Also additional costs were incurred from the original budget for staff costs in Environment and Planning \$130k (U), and Clean Up Notice for Welby Tip \$382k (U).

#### 2.6 Water Services

The actuals for this function varied from the amounts budgeted as a result of less income from Water Usage Charges \$751k (U), less S94 Income being brought to account \$720k (U), and the elimination of Plant Hire income \$307k (U). As well there was less than anticipated expenditure on Private Works \$129k (F), Water meters M & R \$126k (F), Administration Expenses \$203k (F), Water Services & Meters \$203k (F), Capital Works \$636k (F), and Treatment Plants \$162k (F).

#### 2.7 Sewerage Services

The actuals for this function varied from the original amounts budgeted due to decreased income of \$5,717 (U) being brought to account for the Robertson Sewerage Scheme. As well there was less than anticipated expenditure on Berrima Sewerage Scheme \$34k (F), Moss Vale Sewerage Scheme \$188k (F), Bowral Sewerage Scheme \$151k (F), Bundanoon Sewerage Scheme \$36k (F), Administration Expenses \$323k (F), and Private Works \$36k (F).

#### 2.8 Mining, Manufacturing & Construction

The actuals for this Function varied from the amounts budgeted as a result of the elimination of internal overheads \$1,909K (F). Also there was additional income in Environmental Assessment of \$191k (F).

#### 2.9 Transport & Communication

The actuals for this Function varied from the amounts budgeted as a result of less than anticipated expenditure being incurred for IRS Bridges \$780k (F), IRS Seal of Approval \$178k (F), IRS Street Signage \$100k (F), Bus Shelters \$30k (F), and IRS Asphalt Resheeting \$36k (F). Also internal overheads of \$1,324k (F) were eliminated. Internal income for Plant Hire \$1,620k (U), Workshop \$352k (U), and Vehicles \$824k (U), was also eliminated.

#### 2.10 Economic Affairs

The actuals for this function varied from the original amounts budgeted for as a result of Tulip Time income of \$180k (F) being brought to account.

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 17 - STATEMENT OF DEVELOPER CONTRIBUTIONS

SUMMARY OF DEVELOPER CONTRIBUTIONS \$'000

PURPOSE	OPENING BALANCE	ADJUSTMENTS	CONTRIBUTIONS RECEIVED DURING YEAR (1)		INTEREST EARNED DURING YEAR	EXPENDED DURING YEAR	(4) INTERNAL BORROWINGS (TO)/FROM	HELD AS RESTRICTED ASSET (2)	(3) PROJECTED FUTURE CONTRIBUTIONS	(3) COST OF WORKS STILL OUTSTANDING	(3) PROJECTED OVER/(UNDER) FUNDING	(5) CUMULATIVE BALANCE OF INTERNAL BORROWINGS
			CASH	NON-CASH								
Drainage	2,606	-	118	-	134	101	-	2,757	23,927	-	26,684	-
Roads	2,252	-	71	-	113	126	-	2,310	56,000	56,000	2,310	-
Traffic Facilities	-	-	-	-	-	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-	-	-	-	-	-
Open Space	3,297	-	181	-	169	139	-	3,508	2,708	1,992	4,224	-
Community facilities	245	-	19	-	12	17	-	259	-	-	259	-
Administration	-	-	21	-	-	21	-	-	2,772	2,772	-	-
Other	20	-	144	-	4	9	-	159	2,000	2,000	159	-
Subtotal S94 under plans	8,420	-	554	-	432	413	-	8,993	87,407	62,764	33,636	-
Sec 94 not under plans	1,136	-	107	-	58	93	-	1,210	-	-	1,210	-
Sec 94 not under plans(VF)	337	-	356	-	-	265	-	428	-	-	-	-
Planning agreements	-	-	-	-	-	-	-	-	-	-	-	-
Sec 64 Contributions	-	-	1,089	-	292	797	-	5,743	-	-	5,743	-
Water	5,159	-	1,366	-	248	1,701	-	4,094	-	-	4,094	-
Sewer	4,181	-	-	-	-	-	-	-	-	-	-	-
<b>Total Contributions</b>	<b>19,235</b>	<b>-</b>	<b>3,472</b>	<b>-</b>	<b>1,030</b>	<b>3,269</b>	<b>-</b>	<b>20,468</b>	<b>87,407</b>	<b>62,764</b>	<b>44,683</b>	<b>-</b>

#### Notes:

The above summary of contribution plans represents the total of Council's individual contribution plans. Individual plan details are shown below.

- (1) Reconciliable with Note 3.
- (2) Reconciliable with Note 6. (Restricted assets excludes 'amounts expended in advance').
- (3) Provision of projections is mandatory. Note that these are not applicable to S.94A levies, Planning agreements and Section 64. Projections are based on undiscounted numbers.
- (4) Borrowing within and between plans during current period only. Note: General Fund Expenditure in Advance of Contributions is **not** to be shown here.
- (5) Cumulative balance of borrowing within and between plans. Council does not borrow between plans.

#### CONTRIBUTION PLAN - 1

PURPOSE	OPENING BALANCE	ADJUSTMENTS	CONTRIBUTIONS RECEIVED DURING YEAR		INTEREST EARNED DURING YEAR	EXPENDED DURING YEAR	INTERNAL BORROWINGS (TO)/FROM	HELD AS RESTRICTED ASSET	PROJECTED FUTURE CONTRIBUTIONS	COST OF WORKS STILL OUTSTANDING	PROJECTED OVER/(UNDER) FUNDING	CUMULATIVE BALANCE OF INTERNAL BORROWINGS
			CASH	NON-CASH								
Drainage	2,606	-	118	-	134	101	-	2,757	23,927	-	26,684	-
Roads	2,252	-	71	-	113	126	-	2,310	56,000	56,000	2,310	-
Traffic Facilities	-	-	-	-	-	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-	-	-	-	-	-
Open Space	3,297	-	181	-	169	139	-	3,508	2,708	1,992	4,224	-
Community facilities	245	-	19	-	12	17	-	259	-	-	259	-
Administration	-	-	21	-	-	21	-	-	2,772	2,772	-	-
Other	20	-	144	-	4	9	-	159	2,000	2,000	159	-
<b>Total</b>	<b>8,420</b>	<b>-</b>	<b>554</b>	<b>-</b>	<b>432</b>	<b>413</b>	<b>-</b>	<b>8,993</b>	<b>87,407</b>	<b>62,764</b>	<b>33,636</b>	<b>-</b>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 17 - STATEMENT OF DEVELOPER CONTRIBUTIONS (continued)

#### CONTRIBUTIONS NOT UNDER PLANS (1)

PURPOSE	OPENING BALANCE	ADJUSTMENTS	CONTRIBUTIONS RECEIVED DURING YEAR		INTEREST EARNED DURING YEAR	EXPENDED DURING YEAR	INTERNAL BORROWINGS (TO)/FROM	HELD AS RESTRICTED ASSET	PROJECTED FUTURE CONTRIBUTIONS	COST OF WORKS STILL OUTSTANDING	PROJECTED OVER/(UNDER) FUNDING	CUMULATIVE BALANCE OF INTERNAL BORROWINGS
			CASH	NON-CASH								
Drainage	43	-	-	-	1	43	-	-	-	-	-	1
Roads	-	-	-	-	-	-	-	-	-	-	-	-
Traffic Facilities	-	-	-	-	-	-	-	-	-	-	-	-
Parking	-	-	-	-	-	-	-	-	-	-	-	-
Open Space	8	-	-	-	-	8	-	-	-	-	-	-
Community facilities	39	-	-	-	2	39	-	-	-	-	-	2
Water	-	-	-	-	-	-	-	-	-	-	-	-
Sewer	-	-	-	-	-	-	-	-	-	-	-	-
Waste	-	-	-	-	-	-	-	-	-	-	-	-
Bushfire	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>90</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>90</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>3</b>

#### CONTRIBUTIONS NOT UNDER PLANS (2)

PURPOSE	OPENING BALANCE	ADJUSTMENTS	CONTRIBUTIONS RECEIVED DURING YEAR		INTEREST EARNED DURING YEAR	EXPENDED DURING YEAR	INTERNAL BORROWINGS (TO)/FROM	HELD AS RESTRICTED ASSET	PROJECTED FUTURE CONTRIBUTIONS	COST OF WORKS STILL OUTSTANDING	PROJECTED OVER/(UNDER) FUNDING	CUMULATIVE BALANCE OF INTERNAL BORROWINGS
			CASH	NON-CASH								
Drainage	-	-	-	-	-	-	-	-	-	-	-	-
Roads	-	-	-	-	-	-	-	-	-	-	-	-
Traffic Facilities	-	-	-	-	-	-	-	-	-	-	-	-
Parking - Bowral	1,048	-	107	-	55	3	-	1,207	-	-	1,207	-
Open Space	-	-	-	-	-	-	-	-	-	-	-	-
Community facilities	-	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total</b>	<b>1,048</b>	<b>-</b>	<b>107</b>	<b>-</b>	<b>55</b>	<b>3</b>	<b>-</b>	<b>1,207</b>	<b>-</b>	<b>-</b>	<b>1,207</b>	<b>-</b>

#### CONTRIBUTIONS NOT UNDER PLANS (VPA)

PURPOSE	OPENING BALANCE	ADJUSTMENTS	CONTRIBUTIONS RECEIVED DURING YEAR		INTEREST EARNED DURING YEAR	EXPENDED DURING YEAR	EXPENDED IN ADVANCE	HELD AS RESTRICTED ASSET	PROJECTED FUTURE CONTRIBUTIONS	COST OF WORKS STILL OUTSTANDING	PROJECTED OVER/(UNDER) FUNDING	CUMULATIVE BALANCE OF INTERNAL BORROWINGS
			CASH	NON-CASH								
Roads	223	-	254	-	-	175	-	301	-	-	-	-
Sewer	114	-	102	-	-	90	-	126	-	-	-	-
<b>Total</b>	<b>337</b>	<b>-</b>	<b>356</b>	<b>-</b>	<b>-</b>	<b>265</b>	<b>-</b>	<b>427</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>



# **Wingecarribee Shire Council**

## **NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012**

### **Note 18 - CONTINGENCIES**

#### **Contingent Liabilities**

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position but knowledge of those items is considered relevant to user of the financial report in making and evaluating decisions about the allocation of scarce resources.

#### **Landfill Remediation**

The former landfill site at Welby requires remediation. While total costs for the project are yet to be determined it is estimated that the cost will be approximately \$2,000K. It is anticipated that funding will be from the Domestic Waste Management reserve and SCA grant funds. The rehabilitation plan for the site proposes to restore the site to a form that meets the relevant environmental standards and is capable of being adapted to a range of future open space uses. The timing of the rehabilitation works has not been scheduled at this point in time.

#### **Investments**

During the reporting period Council instigated legal proceedings against its former investment advisor. During the reporting period Council incurred costs of 21K in regards to this matter. While it is anticipated that this action will continue for some time, it is estimated that Council is not anticipating incurring any further significant costs in this matter.

#### **Local Government Superannuation Scheme**

Council contributes to the Local Government Superannuation Scheme which has a closed section where a portion of member entitlements are defined as a multiple of salary. Member councils bear the responsibility of ensuring there are sufficient monies available to pay out benefits as these members cease employment. The Scheme has a deficit of assets over liabilities and its administrators have advised Council that it will need to make significantly higher contributions to help reverse this deficit. However, they may call upon Council to make an immediate payment sufficient to offset this deficit at any time. As the Scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils, the proportion of total liability attributed to Council as at 30 June 2012 is \$2,122K.



# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 19 - INTEREST IN JOINT VENTURES AND ASSOCIATES

Council is involved in a Joint Venture with the South Western Sydney Area Health Service for the purpose of constructing a Central Library and Community Health Centre. This development is located on Council owned land. The joint venture agreement provides for a 45 year rent free lease by Council to the Area Health Service in exchange for a capital contribution of \$2.025M.

2012	2011
\$'000	\$'000

The net contributions of joint venture activities to Council's operating results are summarised as follows:

Share of joint venture revenues in operating revenues	0	0
Share of joint venture costs in operating expenses	0	0
<b>Net Contribution</b>	<b>0</b>	<b>0</b>

The Council's share of assets and liabilities committed to the joint venture are included in the Balance Sheet under the following classifications:

#### Current Assets

Cash & cash equivalents	0	0
Receivables	0	0
Inventories	0	0
	<b>0</b>	<b>0</b>

#### Non-Current Assets

Receivables	0	0
Investments	0	0
Property, Plant & Equipment	6,326	6,413
	<b>6,326</b>	<b>6,413</b>
<b>Share of Assets employed in Joint Venture</b>	<b>6,326</b>	<b>6,413</b>

#### Current Liabilities

Payables	0.00	0.00
Borrowings	0.00	0.00
Provisions	0.00	0.00
	<b>0.00</b>	<b>0.00</b>

#### Non-Current Liabilities

Payables	0.00	0.00
Borrowings	0.00	0.00
Provisions	0.00	0.00
	<b>0.00</b>	<b>0.00</b>
<b>Share of Liabilities incurred in Joint Venture</b>	<b>0.00</b>	<b>0.00</b>

<b>NET INTEREST IN JOINT VENTURE</b>	<b>6,326</b>	<b>6,413</b>
--------------------------------------	--------------	--------------

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 20 - REVALUATION RESERVE AND RETAINED EARNINGS

	2012 \$'000	2011 \$'000
<b>(a) Retained Earnings</b>		
Movements in retained earnings were as follows:		
At Beginning of Year	528,068	519,478
Adjustment to correct prior period errors(Note 20(d))	-	-
Net Operating Result for Year	6,156	8,589
At End of Year	<u>534,224</u>	<u>528,067</u>
<b>(b) Revaluation Reserves</b>		
reserve	657,311	631,857
Available for sale investments revaluation reserve	<u>657,311</u>	<u>631,857</u>
Movements:		
Property, plant and equipment revaluation reserve		
At beginning of year	631,858	622,471
Revaluations (Note 9)	25,453	9,387
Transfers		
At end of year	<u>657,311</u>	<u>631,858</u>
Available-for-sale investments revaluation reserve		
At beginning of year	-	-
Revaluation - gross	-	-
Transfer to net profit - gross		
<b>Balance at end of reporting period</b>	<u>657,311</u>	<u>631,858</u>
<b>(c) Nature and purpose of reserves</b>		
(i) <i>Infrastructure, property, plant and equipment revaluation reserve</i>		
The infrastructure, property, plant and equipment revaluation reserve is used to record increments and decrements on the revaluation of non-current assets.		
(ii) <i>Available-for-sale investments revaluation reserve</i>		
Changes in fair value are taken to the available-for-sale investments revaluation reserve, as described in Note 1(k). Amounts are recognised in profit and loss when the associated assets are sold or impaired.		
<b>(d) Correction of error in previous years</b>		
Council had not previously recognised a parcel of community land due to an error in the property records. An adjustment has been made to the opening balances of prior year IPPE and Retained Earnings to correct the error.		
Community Land	-	0
Buildings-Non Specialised	-	0
-Specialised	-	0
Other Structures	-	0
	<u>-</u>	<u>0</u>
<b>(e) Voluntary change in accounting policies</b>		
No voluntary changes in accounting policies.		
<b>(f) Land under roads recognised (derecognosed) for periods before 1 July 2008</b>		
	<u></u>	<u></u>

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 21 - Results by Funds

Income Statement by Fund <sup>(2)</sup>	Actual 2012 \$'000 General <sup>(1)</sup>	Actual 2012 \$'000 Water	Actual 2012 \$'000 Sewer
<b>INCOME FROM CONTINUING OPERATIONS</b>			
<b>Revenue:</b>			
Rates & Annual Charges	32,174	2,503	9,889
User Charges & Fees	10,208	6,079	550
Interest and Investment Revenue	2,368	745	473
Other Revenues	1,455	-	617
Grants & Contributions - Operating	12,833	412	146
Grants & Contributions - Capital	3,309	1,089	10,551
<b>Other Income:</b>			
Net gain from the disposal of assets	98	-	-
Share of interests in joint ventures	-	-	-
<b>Total Income from Continuing Operations</b>	<b>62,445</b>	<b>10,828</b>	<b>22,226</b>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>			
Employee Benefits and on-costs	21,670	2,705	2,881
Borrowing Costs	318	185	1,811
Materials & Contracts	14,855	1,443	1,889
Depreciation & Amortisation	14,041	4,475	4,091
Impairment	-	-	-
Other Expenses	8,716	2,583	2,610
Interest and Investment losses	2,981	1,504	572
Net Loss from Disposal of Assets	-	11	2
Share of interests in joint ventures	-	-	-
<b>Total Expenses from Continuing Operations</b>	<b>62,581</b>	<b>12,906</b>	<b>13,856</b>
<b>OPERATING RESULT FROM CONTINUING OPERATIONS</b>	<b>(136)</b>	<b>(2,078)</b>	<b>8,370</b>
Operating Result from Discontinued Operations			
<b>NET OPERATING RESULT FOR YEAR</b>	<b>(136)</b>	<b>(2,078)</b>	<b>8,370</b>
Attributable to:			
- Council	(136)	(2,078)	8,370
- Minority Interests			
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>(3,445)</b>	<b>(3,167)</b>	<b>(2,181)</b>

Note:

(1) General Fund refers to all Council activities except Water and Sewer.

(2) Note 21 is mandatory for 2010/11.

(3) The relevant operating result used for Water and Sewer is the 'Operating Result less Grants for Acquisition of Assets' as reported in Special Schedule 3 & 5. This result is

	\$'000
Water	(2,078)
Sewer	(815)

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 21 - Results by Funds (continued)

Balance Sheet by Fund <sup>(2)</sup>	Actual 2012 \$'000 General <sup>(1)</sup>	Actual 2012 \$'000 Water	Actual 2012 \$'000 Sewer
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	2,632	1,331	5,787
Investments	36,566	14,242	841
Receivables	3,940	1,910	2,596
Inventories	466	82	4
Other	269	141	143
Non-current Assets Classified as Held for Sale	-	-	-
<b>TOTAL CURRENT ASSETS</b>	<b>43,873</b>	<b>17,706</b>	<b>9,371</b>
<b>NON-CURRENT ASSETS</b>			
Investments	5,063	1,681	2,101
Receivables	17	-	-
Infrastructure, Property, Plant & Equipment	755,423	176,180	227,733
Investments accounted for using the equity method	-	-	-
Investment Property	-	-	-
Intangible assets	-	-	-
Other	-	-	-
<b>TOTAL NON-CURRENT ASSETS</b>	<b>760,503</b>	<b>177,861</b>	<b>229,834</b>
<b>TOTAL ASSETS</b>	<b>804,376</b>	<b>195,567</b>	<b>239,205</b>
<b>CURRENT LIABILITIES</b>			
Payables	9,334	94	346
Borrowings	763	211	1,870
Provisions	4,397	344	472
<b>TOTAL CURRENT LIABILITIES</b>	<b>14,494</b>	<b>649</b>	<b>2,688</b>
<b>NON-CURRENT LIABILITIES</b>			
Payables	-	-	-
Borrowings	4,402	3,220	21,527
Provisions	539	40	55
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>4,941</b>	<b>3,260</b>	<b>21,582</b>
<b>TOTAL LIABILITIES</b>	<b>19,435</b>	<b>3,909</b>	<b>24,270</b>
<b>NET ASSETS</b>	<b>784,941</b>	<b>191,658</b>	<b>214,935</b>
<b>EQUITY</b>			
Retained Earnings	385,834	53,143	95,246
Revaluation Reserves	399,107	138,515	119,689
<b>Council Equity Interest</b>	<b>784,941</b>	<b>191,658</b>	<b>214,935</b>
Minority Equity Interest	-	-	-
<b>TOTAL EQUITY</b>	<b>784,941</b>	<b>191,658</b>	<b>214,935</b>

Note:

(1) General Fund refers to all Council activities except Water and Sewer.

(2) Note is mandatory for 2010/11.

# **Wingecarribee Shire Council**

## **NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS for the year ended 30th June 2012**

### **Note 22 - REINSTATEMENT, REHABILITATION AND RESTORATION LIABILITIES**

#### **Asset Remediation**

Council has one tip site at Welby that is no longer operational. Some remediation works have been undertaken at the site, and it is likely that additional works may be required in the near future. However, the scope of works has not been determined and the associated costs can not be reliably measured. Accordingly Council has recognised a contingent liability at Note 18.



**Wingecarribee Shire Council**  
**Special Purpose Financial Statements**  
**for the year ended 30th June 2012**

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**WINGECARRIBEE SHIRE COUNCIL**  
**SPECIAL PURPOSE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2012**

**STATEMENT BY COUNCILLORS AND MANAGEMENT**  
**MADE PURSUANT TO THE LOCAL GOVERNMENT CODE OF ACCOUNTING**  
**PRACTICE AND FINANCIAL REPORTING**

The attached Special Purpose Financial Statements have been prepared in accordance with:


- NSW Government Policy Statement "*Application of National Competition Policy to Local Government*"
- Division of Local Government Guidelines "*Pricing & Costing for Council Businesses: A Guide to Competitive Neutrality*"
- The Local Government Code of Accounting Practice and Financial Reporting.
- The NSW Office of Water, Department of Environment, Climate Change and Water Guidelines.

To the best of our knowledge and belief, these Reports

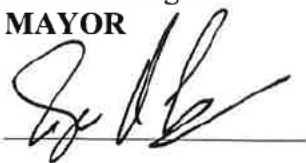
- Present fairly the operating result and financial position for each of Council's declared Business Activities for the year, and
- Accord with the Council's accounting and other records.

We are not aware of any matter that would render these reports false or misleading in any way.

Signed in accordance with a resolution of Council made on 10<sup>th</sup> October 2012.



Clr J Arkwright  
**MAYOR**



Jason R Gordon  
**GENERAL MANAGER**



Clr L Whipper  
**DEPUTY MAYOR**



Robert W Brown  
**RESPONSIBLE ACCOUNTING OFFICER**

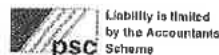
# Warton Thompson & Co

ABN 14 568 258 158

Chartered Accountants

Phillip A. Webster, FCA

1st Floor, 821-825 Pennant Hills Road,  
CARLINGFORD NSW 2118



PO Box 2754

Carlingford NSW 2118

Phone: (02) 9872 5199

Fax: (02) 9872 5634

Email: [phillip@wartonthompson.com.au](mailto:phillip@wartonthompson.com.au)

## *Wingecarribee Council*

### *Special Purpose Financial Reports*

#### *Independent Audit Report*

#### Scope

*I have audited the special purpose financial reports of Wingecarribee Council for the year ended 30 June 2012, comprising the Statement by Council, Operating Statement of Business Activities, Statement of Financial Position by Business Activities, and the accompanying Notes to the Accounts. The financial statements include the accounts of the business activities of the Council and the entities it controlled at the year's end or from time to time during the year. The Council is responsible for the preparation and presentation of the financial statements and the information contained therein. I have conducted an independent audit of the financial statements in order to express an opinion on them to Council.*

*The special purpose financial reports have been prepared for distribution to the Council and the Department of Local Government for the purpose of fulfilling the requirements of National Competition Policy reporting. I disclaim any assumption of responsibility for any reliance on this report or on the financial statements to which it relates to any person other than the Council or the Department of Local Government or for any purpose other than for which the report was prepared.*

*My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial report is presented fairly in accordance with those Australian Accounting Standards adopted and the Local Government Code of Accounting Practice and Financial Reporting so as to present a view which is consistent with our understanding of the Council's business activities and their financial position and, the results of their operations.*

*The audit opinion expressed in this report has been formed on the above basis.*

#### Audit Opinion

*In my opinion, the Special Purpose Financial Reports of Wingecarribee Council are presented fairly in accordance with the requirements of those applicable Accounting Standards detailed in Note 1 and the Local Government Code of Accounting Practice and Financial Reporting.*

**PA Webster**

**Warton Thompson & Co**

*Dated at Sydney this 31st day of October 2012*

## Wingecarribee Shire Council

**Income Statement**  
**WATER SUPPLY BUSINESS ACTIVITY**  
for the year ended 30th June 2012

2010 \$'000	2011 \$'000		Notes	2012 \$000
<b>INCOME FROM CONTINUING OPERATIONS</b>				
2,729	2,191	Access Charges	A4	2,503
7,267	5,016	User Charges	A4	5,480
576	581	Fees	A4	599
511	628	Interest	A4	745
177	543	Grants & Contributions - Operating	A4	412
	15	Profit from sale of Assets	A5	
		Other income	A4	
<u>11,260</u>	<u>8,974</u>	<b>TOTAL</b>		<u>9,739</u>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>				
2,415	2,342	Employee Benefits & on-costs	A3	2,705
205	196	Borrowing Costs	A3	185
1,661	1,640	Materials & Contracts	A3	1,443
4,181	4,119	Depreciation & Impairment	A3	4,475
803	765	Water Purchase Charges		937
24		Loss on Disposal of Assets	A5	11
168	169	Calculated Taxation Equivalents	1	170
		Debt Guarantee Fee		
				1,504
<u>2,380</u>	<u>1,746</u>	Other Expenses	A3	<u>1,647</u>
<u>11,838</u>	<u>10,976</u>	<b>TOTAL</b>		<u>13,076</u>
(578)	(2,001)	<b>ORDINARY ACTIVITIES RESULT BEFORE CAPITAL AMOUNTS</b>		(3,337)
112	651	Grants & Contributions - Capital	A4	1,089
(466)	(1,350)	<b>RESULT FROM ORDINARY ACTIVITIES</b>		(2,248)
		Correction of Fundamental Error		
		Extraordinary Items		
(466)	(1,350)	<b>SURPLUS (DEFICIT) BEFORE TAX</b>		(2,248)
		Corporate Taxation Equivalent	1	
(466)	(1,350)	<b>SURPLUS (DEFICIT) FOR YEAR</b>		(2,248)
178,026	189,014	Add: Accumulated Profits brought forward		192,393
11,286	4,560	Adjustments for amounts unpaid		1,342
168	169	Taxation Equivalent Payments	1	170
		Debt Guarantee Fees	1	
		Corporate Taxation Equivalent	1	
		Less: Dividends Paid	1	
<u>189,014</u>	<u>192,393</u>	<b>ACCUMULATED SURPLUS</b>		<u>191,658</u>
0.00%	0.00%	RETURN ON CAPITAL %	1	NIL
N/A	N/A	SUBSIDY FROM COUNCIL	1	N/A
		Calculation of Dividend Payable during next financial year		
(466)	(1,350)	Surplus after tax		(2,248)
		Less: Capital grants & contribs from LWUs		
	0	Surplus for dividend calculation purposes		0
0	0	Dividend calculated from surplus		0

This Statement is to be read in conjunction with the attached Notes.

# Wingecarribee Shire Council

## Balance Sheet WATER SUPPLY BUSINESS ACTIVITY for the year ended 30th June 2012

2011 \$'000		Notes	2012 \$'000
	<b>CURRENT ASSETS</b>		
1,705	Cash and cash equivalents	A6	1,331
12,053	Investments	A6	14,242
2,027	Receivables	A7	1,909
72	Inventories	A8	82
-	Other	A8	141
<u>15,857</u>	<b>TOTAL CURRENT ASSETS</b>		<u>17,705</u>
	<b>NON-CURRENT ASSETS</b>		
3,630	Investments	A6	1,681
-	Receivables	A7	0
-	Inventories	A8	-
176,979	Infrastructure, Property, Plant & Equipment	A9	176,181
-	Other	A8	-
<u>180,609</u>	<b>TOTAL NON-CURRENT ASSETS</b>		<u>177,862</u>
<u>196,466</u>	<b>TOTAL ASSETS</b>		<u>195,567</u>
	<b>CURRENT LIABILITIES</b>		
54	Payables	A10	94
200	Interest bearing liabilities	A10	211
372	Provisions	A10	344
<u>626</u>	<b>TOTAL CURRENT LIABILITIES</b>		<u>649</u>
	<b>NON-CURRENT LIABILITIES</b>		
-	Payables	A10	-
3,431	Interest bearing liabilities	A10	3,220
16	Provisions	A10	40
<u>3,447</u>	<b>TOTAL NON CURRENT LIABILITIES</b>		<u>3,260</u>
<u>4,073</u>	<b>TOTAL LIABILITIES</b>		<u>3,909</u>
<u>192,393</u>	<b>NET ASSETS</b>		<u>\$ 191,658</u>
	<b>EQUITY</b>		
55,221	Accumulated Surplus		53,143
137,172	Asset Revaluation Reserve		138,515
<u>192,393</u>	<b>TOTAL EQUITY</b>		<u>\$ 191,658</u>

This Statement is to be read in conjunction with the attached Notes



## Wingecarribee Shire Council

**Income Statement**  
**SEWERAGE BUSINESS ACTIVITY**  
for the year ended 30th June 2012

2010 \$'000	2011 \$'000		Notes	2012 \$,000
<b>INCOME FROM CONTINUING OPERATIONS</b>				
9,349	9,162	Access Charges	A4	9,890
368	362	User Charges	A4	443
24	90	Liquid Trade Waste Charges	A4	107
		Fees	A4	
341	448	Interest	A4	473
425	139	Grants & Contributions - Operating	A4	146
		Profit from sale of Assets	A5	
343	717	Other income	A4	617
<u>10,850</u>	<u>10,917</u>	<b>TOTAL</b>		<u>11,675</u>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>				
2,805	2,739	Employee Benefits & on-costs	A3	2,881
1,179	1,784	Borrowing Costs	A3	1,811
1,824	1,670	Materials & Contracts	A3	1,889
3,585	3,532	Depreciation & Impairment	A3	4,091
5	9	Loss on Disposal of Assets	A5	2
345	343	Calculated Taxation Equivalents	1	362
		Debt Guarantee Fee		
		Loss on Investments		572
2,032	1,917	Other Expenses	A3	2,610
<u>11,774</u>	<u>11,994</u>	<b>TOTAL</b>		<u>14,218</u>
(924)	(1,077)	<b>SURPLUS (DEFICIT) FROM CONTINUING OPERATIONS BEFORE CAPITAL AMOUNTS</b>		<b>(2,543)</b>
<u>3,426</u>	<u>4,659</u>	Grants & Contributions - Capital	A4	<u>10,551</u>
2,501	3,582	<b>SURPLUS (DEFICIT) FROM CONTINUING OPERATIONS AFTER CAPITAL AMOUNTS</b>		<b>8,007</b>
		Correction of Fundamental Error		
		Extraordinary Items		
<u>2,501</u>	<u>3,582</u>	<b>SURPLUS (DEFICIT) BEFORE TAX</b>		<u><b>8,007</b></u>
		Corporate Taxation Equivalent	1	
<u>2,501</u>	<u>3,582</u>	<b>SURPLUS (DEFICIT) FOR YEAR</b>		<u><b>8,007</b></u>
178,783	193,862	Add: Accumulated Profits brought forward		<b>199,064</b>
12,233	1,277	Adjustments for amounts unpaid		<b>7,502</b>
345	343	Taxation Equivalent payments	1	<b>362</b>
		Debt Guarantee Fee		
		Corporate Tax Equivalent		
		Less: Dividends Paid	1	
<u>193,862</u>	<u>199,064</u>	<b>ACCUMULATED SURPLUS</b>		<u><b>214,935</b></u>
0.12%	0.34%	<b>RETURN ON CAPITAL %</b>	1	<b>NIL</b>
N/A	N/A	<b>SUBSIDY FROM COUNCIL</b>	1	<b>N/A</b>
<i>Calculation of Dividend Payable during next financial year</i>				
2,501	3,582	Surplus after tax		<b>8,007</b>
<u>3,133</u>	<u>3,868</u>	Less: Capital grants & contribs from LWUs		<u><b>9,185</b></u>
		Surplus for dividend calculation purposes		
		<i>Dividend calculated from surplus</i>		<b>0</b>

This Statement is to be read in conjunction with the attached Notes.

# Wingecarribee Shire Council

## Balance Sheet SEWERAGE BUSINESS ACTIVITY for the year ended 30th June 2012

2011 \$"000		Notes	2012 \$"000
	<b>CURRENT ASSETS</b>		
4,557	Cash and cash equivalents	A6	5,787
8,351	Investments	A6	841
2,501	Receivables	A7	2,595
8	Inventories	A8	4
-	Other	A8	143
<u>15,417</u>	<b>TOTAL CURRENT ASSETS</b>		<u>9,370</u>
	<b>NON-CURRENT ASSETS</b>		
1,041	Investments	A6	2,101
-	Receivables	A7	-
-	Inventories	A8	-
209,318	Infrastructure, Property, Plant & Equipment	A9	227,734
-	Other	A8	-
<u>210,359</u>	<b>TOTAL NON-CURRENT ASSETS</b>		<u>229,835</u>
<u>225,776</u>	<b>TOTAL ASSETS</b>		<u>239,205</u>
	<b>CURRENT LIABILITIES</b>		
1,238	Payables	A10	346
1,628	Interest bearing liabilities	A10	1,870
470	Provisions	A10	472
<u>3,336</u>	<b>TOTAL CURRENT LIABILITIES</b>		<u>2,688</u>
	<b>NON-CURRENT LIABILITIES</b>		
-	Payables	A10	-
23,356	Interest bearing liabilities	A10	21,527
20	Provisions	A10	55
<u>23,376</u>	<b>TOTAL NON CURRENT LIABILITIES</b>		<u>21,582</u>
<u>26,712</u>	<b>TOTAL LIABILITIES</b>		<u>24,270</u>
<u>199,064</u>	<b>NET ASSETS</b>		<u>\$ 214,935</u>
	<b>EQUITY</b>		
86,877	Accumulated Surplus		95,246
112,187	Asset Revaluation Reserve		119,689
<u>199,064</u>	<b>TOTAL EQUITY</b>		<u>\$ 214,935</u>

This Statement is to be read in conjunction with the attached Notes

# Wingecarribee Shire Council

## Notes to and forming part of the Special Purpose Financial Reports

### Note 1 Significant accounting policies

A statement summarising the supplemental accounting policies adopted in the preparation of the SPFR for National Competition Policy reporting purposes follows.

These financial statements are a Special Purpose Financial Statements (SPFS) prepared for use by the Council and Department of Local Government. For the purposes of these statements, the Council is not a reporting entity.

The figures presented in these special purpose financial statements have been prepared in accordance with the recognition criteria of applicable Australian Accounting Standards, other authoritative pronouncements of the AASB and Australian Accounting Interpretation. The disclosures in these special purpose financial statements have been prepared in accordance with the Local Government Act and Regulation and the Local Government Code of Accounting Practice and Financial Reporting.

The statements are also prepared on an accruals basis. They are based on historic costs and do not take into account changing money values or, except where specifically stated, current values of non-current assets. Certain taxes and other costs, appropriately described, have been imputed for the purposes of the National Competition Policy.

#### National competition policy

Council has adopted the principle of 'competitive neutrality' to its business activities as part of the national competition policy which is being applied throughout Australia at all levels of government. The framework for its application is set out in the June 1996 Government Policy statement on the 'Application of National Competition Policy to Local Government'. The 'Pricing & Costing for Council Businesses A Guide to Competitive Neutrality' issued by the Division of Local Government in July 1997 has also been adopted.

The pricing & costing guidelines outline the process for identifying and allocating costs to activities and provide a standard of disclosure requirements. These disclosures are reflected in Council's pricing and/or financial reporting systems and include taxation equivalents; Council subsidies; return on investments (rate of return); and dividends paid.

#### Declared business activities

In accordance with *Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality*, Council has declared that the following are to be considered as business activities:

#### Category 1

Name	Activity Description
<b>WATER FUND</b>	<b>Water Supply</b>
<b>SEWER FUND</b>	<b>Sewerage Supply</b>

#### Monetary amounts

Amounts shown in the financial statements are in Australian currency and rounded to the nearest one thousand dollars, with the exception of Note 2 (Water Supply Best Practice Management Disclosures A513) and Note 3 (Sewerage Best Practice Management Disclosures A514). As required by the NSW Office of Water, Department of Environment, Climate Change and Water, the amounts shown in Notes 2 and Note 3 are shown in whole dollars.

# Wingecarribee Shire Council

## Notes to and forming part of the Special Purpose Financial Reports

### Note 1 Significant accounting policies (continued)

#### (i) Taxation equivalent charges

Council is liable to pay various taxes and financial duties. Where this is the case, they are disclosed as a cost of operations (General Purpose Financial Statements) just like all other costs. However, where Council does not pay some taxes which are generally paid by private sector businesses, such as income tax, these equivalent tax payments have been applied to all Council nominated business activities and are reflected in the SPFS. For the purposes of disclosing comparative information relevant to the private sector equivalent the following taxation equivalents have been applied to all Council nominated business activities (this does not include Council's non-business activities):

Tax	Notional Rate Applied %
Corporate Tax Rate	30%
Land Tax	\$100.00 + 1.6% of the excess over \$387,000 then 2% over \$2,366,000
Payroll Tax	Applies
Fringe Benefits Tax	Applies
Financial Institutions Duty	Ceased
Debits Tax	Ceased

In accordance with the guidelines for Best Practice Management of Water Supply and Sewerage, a payment for the amount calculated as the annual tax equivalent charges (excluding income tax) must be paid from Water Supply and Sewerage Business activities. The payment of taxation equivalent charges, referred in the Best Practice Management of Water Supply and Sewerage Guides to as a "Dividend for Taxation equivalent", may be applied for any purpose allowed under the Local Government Act, 1993. Achievement of substantial compliance against the guidelines for Best Practice Management of Water Supply and Sewerage is not a prerequisite for the payment of the tax equivalent charges; however the payment must not exceed \$3 per assessment.

#### Income tax

An income tax equivalent has been applied on the profits of the business. Whilst income tax is not a specific cost for the purpose of pricing a good or service, it needs to be taken into account of in terms of assessing the rate of return required on capital invested. Accordingly, the return on capital invested is set at a pre-tax level (gain/(loss) from ordinary activities before capital amounts) as would be applied by a private sector competitor – that is, it should include a provision equivalent to the corporate income tax rate, currently 30%.

Income Tax is only applied where a positive gain/(loss) from ordinary activities before capital amounts has been achieved. Since the taxation equivalent is notional, that is, it is payable to the "Council" as the owner of business operations, it represents an internal payment and has no effect on the operations of the Council.

Accordingly, there is no need for disclosure of internal charges in the GPFR. The rate applied of 30% is the equivalent company tax rate prevalent as at balance date. No adjustments have been made for variations that have occurred during the year.

# Wingecarribee Shire Council

## Notes to and forming part of the Special Purpose Financial Reports

### **Local Government rates and charges**

A calculation of the equivalent rates and charges for all Category 1 businesses has been applied to all assets owned or exclusively used by the business activity.

### **Note 1 Significant accounting policies (continued)**

#### ***Loan and debt guarantee fees***

The debt guarantee fee is designed to ensure that Council business activities face "true" commercial borrowing costs in line with private sector competitors. In order to calculate a debt guarantee fee, Council has determined what the differential borrowing rate would have been between the commercial rate and the council's borrowing rate for its business activities

#### ***(ii) Subsidies***

Government policy requires that subsidies provided to customers and the funding of those subsidies must be explicitly disclosed. Subsidies occur where Council provides services on a less than cost recovery basis. This option is exercised on a range of services in order for Council to meet its community service obligations. The overall effect of subsidies is contained within the Income statement of Business Activities.

#### ***(iii) Return on investments (rate of return)***

The Policy statement requires that Councils with Category 1 businesses "would be expected to generate a return on capital funds employed that is comparable to rates of return for private businesses operating in a similar field". Funds are subsequently available for meeting commitments or financing future investment strategies. The rate of return is disclosed for each of Council's business activities on the Income statement.

#### ***(iv) Dividends***

Council is not required to pay dividends to either itself as owner of a range of businesses or to any external entities.

Local Government Water Supply and Sewerage Businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus. The dividend, calculated and approved in accordance with the Best Practice Management Guidelines, must not exceed 50% of this surplus in any one year, or the number of water supply or sewerage assessments at 30 June 2012 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

In accordance with the guidelines for Best Practice Management of Water Supply and Sewerage, a Dividend Payment form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are submitted to the NSW Office of Water.



**Wingecarribee Shire Council**

**NOTES TO AND FORMING PART OF THE SPECIAL PURPOSE FINANCIAL STATEMENTS**

**NOTE 1 Table - NATIONAL COMPETITION POLICY NOTIONAL PAYMENTS  
for the year ended 30th June 2012**

BUSINESS ACTIVITIES				
Water		Sewer		
2012	2011	2012	2011	
<b>Category</b>				
	1	1	1	1
<b>TAXATION EQUIVALENT PAYMENTS</b>	<b>Rate</b>	<b>Rate</b>	<b>Rate</b>	<b>Rate</b>
Land Tax	1.6%	1.6%	1.6%	1.6%
Stamp Duty	N/A	N/A	N/A	N/A
Payroll Tax	Applies	Applies	Applies	Applies
Fringe Benefits Tax	Applies	Applies	Applies	Applies
<b>COUNCIL RATES, CHARGES &amp; FEES</b>	See Note 1, Item 3.2			
<b>LOAN &amp; DEBT GUARANTEE FEES</b>				
<b>CORPORATE TAXATION EQUIVALENT</b>	30%	30%	30%	30%
<b>DIVIDENDS PAID</b>	N/A	N/A	0.00%	0.00%
<b>RATE OF RETURN ON CAPITAL</b>				
Required Rate of Return				
Actual Rate of Return	NIL	0.00%	NIL	0.34%

# Wingecarribee Shire Council

## NOTES TO AND FORMING PART OF THE SPECIAL PURPOSE FINANCIAL STATEMENTS for the year ended 30th June 2012

### Note 2 - BEST PRACTICE MANAGEMENT DISCLOSURES - WATER SUPPLY

	2012 \$'000
<b>1. Calculation and Payment of Tax-Equivalents</b>	
(i) Calculated Tax Equivalents	170
(ii) No of assessments multiplied by \$3/assessment	60
(iii) Amounts payable for Tax Equivalents (lesser of (i) and (ii) )	60
(iv) Tax Equivalents paid	0
<b>2. Dividend from Surplus</b>	
(i) 50% of Surplus before Dividends <i>(Calculated in accordance with Best Practice Management for Water Supply and Sewerage guidelines.)</i>	0
(ii) No of assessments multiplied by \$30/assessment, less tax equivalent charges/assessment	543
(iii) Cumulative Surplus before Dividends for 3 years to 30 June 2012, less cumulative dividends paid for 2 years to 30 June 2011	
(iv) Maximum Dividend from Surplus (least of (i), (ii) and (iii) )	
(v) Dividend paid from Surplus	0
<b>3. Required Outcomes for 6 Criteria</b>	
(i) Completion of Strategic Business Plan (including Financial Plan)	Y
(ii) Pricing with full cost-recovery, without significant cross subsidies (Item 2(a) in Table 1 on page 22 of Best practice guidelines)	Y
Complying charges (Item 2(b) in Table 1)	Y
DSP with Commercial Developer Charges (Item 2(e) in Table 1)	Y
(iii) Sound Water Conservation & Demand Management implemented	Y
(iv) Sound Drought Management implemented	Y
(v) Complete Performance Reporting Form (by 15 September each year)	Y
(vi) a. Complete Integrated Water Cycle Management Evaluation	Y
Complete & implement Integrated Water Cycle Management Strategy	N
<b>National Water Initiative (NWI) Financial Performance Indicators</b>	
NWI F1 Total Revenue (Water)	10,115
NWI F4 Residential Revenue from Usage Charges (Water)	65.15%
NWI F9 Written Down Replacement Cost of Fixed Assets (Water)	168,488
NWI F11 Operating Cost (OMA) (Water)	5,983
NWI F14 Capital Expenditure (Water)	2,493
NWI F17 Economic Real Rate of Return (Water)	-0.20%
NWI F26 Capital Works Grants (Water)	0

Notes: 1 References to these indicators are obtained from the Special Schedules Nos' 3 and 4 in Council's Annual Financial Statements.

2 The NWI performance indicators are based on the National Performance Framework handbook for Urban Performance Reporting Indicators & Definitions

## Wingecarribee Shire Council

### NOTES TO AND FORMING PART OF THE SPECIAL PURPOSE FINANCIAL STATEMENTS for the year ended 30th June 2012

#### Note 3 - BEST PRACTICE MANAGEMENT DISCLOSURES - SEWERAGE

	2012 \$'000
<b>1. Calculation and Payment of Tax-Equivalents</b>	
(i) Calculated Tax Equivalents	362
(ii) No of assessments multiplied by \$3/assessment	51
(iii) Amounts payable for Tax Equivalents (lesser of (i) and (ii) )	51
(iv) Tax Equivalents paid	0
<b>2. Dividend from Surplus</b>	
(i) 50% of Surplus before Dividends <i>(Calculated in accordance with Best Practice Management for Water Supply and Sewerage guidelines.)</i>	0
(ii) No of assessments multiplied by \$30/assessment, less tax equivalent charges/assessment	463
(iii) Cumulative Surplus before Dividends for 3 years to 30 June 2012, less cumulative dividends paid for 2 years to 30 June 2011	
(iv) Maximum Dividend from Surplus (least of (i), (ii) and (iii) )	
(v) Dividend paid from Surplus	0
<b>3. Required Outcomes for 4 Criteria</b>	
(i) Completion of Strategic Business Plan (including Financial Plan)	Y
(ii) Pricing with full cost-recovery, without significant cross subsidies <i>(Item 2(a) in Table 1 on page 22 of Best practice guidelines)</i>	Y
Complying charges (a) Residential (Item 2(c) in Table 1)	Y
(b) Non-Residential (Item 2(c) in Table 1)	Y
(C) Trade Wastel (Item 2(d) in Table 1)	Y
DSP with Commercial Developer Charges (Item 2(e) in Table 1)	Y
Liquid Trade Waste Approvals & Policy (Item 2(f) in Table 1)	Y
(iii) Complete Performance Reporting Form by 15 September each year	Y
(vi) a. Complete Integrated Water Cycle Management Evaluation	Y
b. Complete & implement Integrated Water Cycle Management Strateg	N
<b>National Water Initiative (NWI) Financial Performance Indicators</b>	
NWI F2 Total Revenue (Sewerage)	12,587
NWI F10 Written Down Replacement Cost of Fixed Assets (Sewerage)	215,054
NWI F12 Operating Cost (Sewerage)	6,056
NWI F15 Capital Expenditure (Sewerage)	15,043
NWI F18 Economic Real Rate of Return (Sewerage)	1.13%
NWI F27 Capital Works Grants (Sewerage)	9,185
NWI F3 Total Income (Water & Sewerage)	22,688
NWI F8 Revenue from Community Service Obligations (Water & Sewerage)	1.39%
NWI F16 Capital Expenditure (Water & Sewerage)	17,536
NWI F19 Economic Real Rate of Return (Water & Sewerage)	0.56%
NWI F20 Dividend (Water & Sewerage)	0
NWI F21 Dividend Payout Ratio (Water & Sewerage)	0.0%
NWI F22 Net Debt to Equity (Water & Sewerage)	-0.70%
NWI F23 Interest Cover (Water & Sewerage)	>100
NWI F24 Net Profit After Tax (Water & Sewerage)	0
NWI F25 Community Service Obligations (Water & Sewerage)	316

Notes: 1 References to these indicators are obtained from the Special Schedules Nos' 5 and 6 in Council's Annual Financial Statements.

2 The NWI performance indicators are based on the National Performance Framework handbook for Urban Performance Reporting Indicators & Definitions

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 1 NET COST OF SERVICES for the year ended 30th June 2012

Function or Activity	OPERATING EXPENSES	OPERATING REVENUES		NET COST OF SERVICES
	Expenses	Revenues - Ord. Activities	Capital Rev. Ord. Activities	Net Cost
	\$'000	\$'000	\$'000	\$'000
<b>ADMINISTRATION</b>	16,831	1,607	155	15,069
<b>PUBLIC ORDER &amp; SAFETY</b>				
Fire Service Levy, Fire Protection, Emergency Services	1,479	485	639	355
Beach Control	-	-	-	-
Enforcement of Regulations	509	216	-	293
Animal Control	385	35	-	350
Other	-	-	-	-
<b>TOTAL PUBLIC ORDER &amp; SAFETY</b>	2,373	736	639	998
<b>HEALTH</b>	320	1	-	319
<b>ENVIRONMENT</b>				
Noxious Plants & Insect Vermin Control	342	63	-	279
Other Environmental Protection	1,071	243	-	828
Solid Waste Management	12,153	12,928	7	(782)
Street Cleaning	841	-	-	841
Drainage	791	46	118	627
Storm Water Management	110	527	-	(417)
<b>TOTAL ENVIROMENT</b>	15,308	13,807	125	1,376
<b>COMMUNITY SERVICES &amp; EDUCATION</b>				
Administration & Education	3	50	-	(47)
Social protection (welfare)	190	-	-	190
Aged Persons & Disabled	73	34	-	39
Childrens Services	990	585	19	386
<b>TOTAL COMMUNITY SERVICES &amp; EDUCATION</b>	1,256	669	19	568
<b>HOUSING &amp; COMMUNITY AMENITIES</b>				
Public Cemeteries	147	190	-	(43)
Public Conveniences	395	-	-	395
Street Lighting	565	13	-	552
Town Planning	1,553	45	-	1,508
Other Community Amenities	45	-	-	45
<b>TOTAL HOUSING &amp; COMMUNITY AMENITIES</b>	2,705	248	-	2,457
<b>WATER SUPPLIES</b>	9,662	8,187	1,089	386
<b>SEWERAGE SERVICES</b>	11,093	10,258	10,551	(9,716)

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 1 - NET COST OF SERVICES (cont)

Function or Activity	OPERATING EXPENSES	OPERATING REVENUES		NET COST OF SERVICES
	Expenses \$'000	Revenues - Ord. Activities \$'000	Capital Rev. Ord. Activities \$'000	Net Cost \$'000
<b>RECREATION &amp; CULTURE</b>				
Public Libraries	1,694	182	-	1,512
Museums	11	-	-	11
Art Galleries	15	-	-	15
Community Centres and Halls	911	40	-	871
Performing Arts Venues	-	-	-	-
Other Performing Arts	-	-	-	-
Other Cultural Services	203	82	-	121
Sporting Grounds and Venues	516	103	-	413
Swimming Pools	1,500	616	-	884
Parks & Gardens (Lakes)	2,295	283	183	1,829
Other Sport & Recreation	55	-	-	55
<b>TOTAL RECREATION &amp; CULTURE</b>	<b>7,200</b>	<b>1,306</b>	<b>183</b>	<b>5,711</b>
<b>FUEL &amp; ENERGY</b>				-
<b>AGRICULTURE</b>				-
<b>MINING, MANUFACTURING &amp; CONSTRUCTION</b>				
Building Control	1,702	1,761	-	(59)
Other Mining, Manufacturing & Construction	113	154	-	(41)
<b>TOTAL MINING, MANUFACTURING &amp; CONSTRUCTION</b>	<b>1,815</b>	<b>1,915</b>	<b>-</b>	<b>(100)</b>
<b>TRANSPORT &amp; COMMUNICATION</b>				
Urban Roads (UR) : Local	8,618	2,484	1,216	4,918
Urban Roads: Regional	1,816	1,027	406	383
Sealed Rural Roads (SRR) : Local	-	-	25	(25)
Sealed Rural Roads (SRR): Regional	717	-	-	717
Unsealed Rural Roads (URR): Local	146	-	-	146
Unsealed Rural Roads (URR): Regional	1,341	-	274	1,067
Bridges on UR: Local	-	-	-	-
Bridges on SRR: Local	206	-	-	206
Bridges on URR: Local	-	-	-	-
Bridges on Regional Roads	-	-	-	-
Parking Areas	116	-	107	9
Footpaths	446	23	160	263
Aerodromes	-	-	-	-
Other Transport & Communication	1,825	288	-	1,537
<b>TOTAL TRANSPORT &amp; COMMUNICATION</b>	<b>15,231</b>	<b>3,822</b>	<b>2,188</b>	<b>9,221</b>
<b>ECONOMIC AFFAIRS</b>				
Camping Areas and Caravan Parks	10	-	-	10
Other Economic Affairs	1,939	1,530	-	409
<b>TOTAL ECONOMIC AFFAIRS</b>	<b>1,949</b>	<b>1,530</b>	<b>-</b>	<b>419</b>
<b>Totals - Functions</b>	<b>85,743</b>	<b>44,086</b>	<b>14,949</b>	<b>26,708</b>
<b>General Purpose Revenues</b>				<b>32,864</b>

Share of interest in joint ventures and associates using the equity method <sup>(1)</sup>

-

**Net operating result for the year <sup>(1)</sup>**

**6,156**

Note: (1) As reported on the Income statement



# WINGECARRIBEE SHIRE COUNCIL

**SPECIAL SCHEDULE NO 1C**  
**NET COST OF SERVICES**  
for the year ended 30th June 2012  
**DISSECTION OF OPERATING REVENUES WITH ELIMINATIONS**  
**\$'000**

ROW	Function or Activity	Capital Grants	Capital Contribution	Other Specific Grants	Special Rates	User/Ann Charges	Reg Fees & Fines	Disc Fees & Fines	Oper. Cont & Donations	Other	Totals	Group Totals
039	ADMINISTRATION											
005	Corporate Support			51			101	73	1,083	44	1,351	
	Less Infrastructure charge											
	Sub Total			51			101	73	1,083	44	1,351	
010	Engineering & Works							104	60	7	171	
028	Other Support Services											1,522
099	PUBLIC ORDER & SAFETY	639		477					2	5	1,124	
050	Fire Protection									2	35	
060	Animal Control						213	33		2	216	
065	Enforcement Protection							2				1,374
070	Emergency Services											
159	HEALTH											
115	Immunisations							1			1	
120	Noxious Plants			50			3			10	63	
130	Other											54
249	COMMUNITY SERVICES & EDUCATION											
170	Administration			50							50	
175	Family Day Care			364				75	2	1	441	
180	Child Care			68				74			142	
182	Aged & Disabled			34							34	
185	Youth Services			2							2	669
349	HOUSING & COMMUNITY AMENITIES											
265	Town Planning			134					17	28	45	
270	Domestic Waste Management			280		4,928		48	16	10	5,137	
275	Other Waste Management					50		5,630	1,349	45	7,364	
280	Street Cleaning			41				386			427	
298	Other Sanitation & Garbage			46							46	
300	Drainage			40		487					527	
305	Storm Water Management			130			4		107	3	243	
310	Environmental Protection							188	1		190	13,979
315	Public Cemeteries											
379	WATER SUPPLIES											
360	Operations			412		7,793	43	351	14	163	8,715	
361	Water Eliminated					(528)					(528)	
	SUB TOTAL			412		7,204	43	351	14	163	8,187	8,187
409	SEWERAGE SERVICES											
390	Operations	9,185		146		10,176	6	556	34	38	20,140	
391	Sewer Eliminated					(687)					(687)	
	SUB TOTAL	9,185		146		9,479	6	556	34	38	19,443	19,443

# WINGECARRIBEE SHIRE COUNCIL

## SPECIAL SCHEDULE NO 1C DISSECTION OF OPERATING REVENUES WITH ELIMINATIONS (continued) \$'000

ROW	Function or Activity	Capital Grants	Capital Contribution	Other Specific Grants	Special Rates	User Charges	Reg Fees & Fines	Disc Fees & Fines	Oper. Cont & Donations	Other	Totals
499	RECREATION & CULTURAL										
420	Public Libraries			142				24	15	1	182
430	Community Centres							40			40
440	Public Halls										
445	Art Galleries			75					2	4	82
450	Other Cultural Services							183		101	284
465	Swimming Pools							397	77	24	498
470	Sporting Grounds								188	6	253
475	Parks & Gardens (Lakes)			70							1,348
529	FUEL & ENERGY										
510	Gas Supplies										
579	MINING, MANUFACTURING & CONSTRUCTION										
540	Building Control						725		960	76	1,761
550	Quarries & Pits							112		41	154
659	TRANSPORT & COMMUNICATIONS										
590	Urban Roads - Local	769		711				(35)	413	415	2,293
592	Sealed Rural Roads - Local	25									25
594	Sealed Rural Roads - Regional	406		626							1,031
600	Unsealed Rural Roads - Local										
605	Unsealed Rural Roads - Regional	274									274
610	Footpaths	160							23		183
620	Parking Areas										196
625	Bus Shelters & Services			196							
635	RTA Works - State Roads										
640	Street Lighting			13							13
645	Other			92							92
729	ECONOMIC AFFAIRS										
680	Tourism & Area Promotion			54							552
685	Industrial Development Promotion										
690	Saleyards & Markets							528	29	121	676
695	Real Estate Development										
718	Other Business Undertakings					265		35			300
800	GENERAL PURPOSE REVENUES				1,008					29,162	
805	Net Rates & Extra Charges									(728)	
806	Rates Eliminated - General Fund										
807	Rates Eliminated - Water Fund										
810	Rates Eliminated - Sewer Fund										
812	Sub Total				1,008					29,433	29,441
815	Financial Assistance Grants									3,893	3,893
820	Pensioner Rates Subsidy									401	401
825	Interest On Investments									(1,558)	(1,558)
830	CAPITAL CONTRIBUTIONS										
820	Developer Contributions - General Fund		963								963
821	Developer Contributions - Water Fund		1,089								1,089
822	Developer Contributions - Sewer Fund		1,366								1,366
830	Sub Total		3,438								3,438
831	Other Capital Contributions - General Fund										
832	Other Capital Contributions - Water Fund										
832	Other Capital Contributions - Sewer Fund										
832	Sub Total										3,438
TOTAL	OPERATING REVENUES	11,477	3,438	4,313	1,008	22,414	1,099	9,765	3,446	32,794	89,754
		11,477	3,438	4,313	1,008	22,414	1,099	9,765	3,446	1,625	89,754

**SPECIAL SCHEDULE NO 2 (a)**  
**STATEMENT OF LONG TERM DEBT (ALL PURPOSE)**  
**for the year ended 30th June 2012**  
**\$'000**

**Exclude: Internal Loans and refinancing of loans except for any additional borrowings.**

## Wingecarribee Shire Council

### SPECIAL SCHEDULE NO 2 (b) STATEMENT OF INTERNAL LOANS for the year ended 30th June 2012 \$'000

#### SUMMARY OF INTERNAL LOANS

Borrower (by purpose)	Amount Originally Raised	Total Repaid During Year Principal & Interest	Principal Outstanding at End of Year
General			
Water			
Sewerage			
Domestic Waste Management			
Gas			
Other	2,236	235	884
<b>Totals</b>	<b>2,236</b>	<b>235</b>	<b>884</b>

The above summary of internal loans represents the total of Council's internal loans categorised according to the purpose of the borrower. Details of individual internal loans are set out below.

Borrower (by purpose)	Lender (by purpose)	Date of Minister's Approval	Date Raised	Term (years)	Maturity Date	Rate of Interest	Amount Originally Raised	Paid During Year - Princ and Interest	Principal Outstanding End of Year
General - Central Library	General PDR Reserve		30.06.98	9.00	30.06.07	7.50	725	17	100
General - Welby Hockey Field	General PDR Reserve		30.06.04	5.00	30.06.09	5.00	464	94	98
General - Waste Reviva Centre	General PDR Reserve		30.06.04	5.00	30.06.09	5.00	98		
General - Saleyards	General PDR Reserve		30.06.06	5.00	30.06.11	7.00	542	115	655
General - Bundanoon Bowling Club	General PDR Reserve		30.06.06	10.00	30.06.16	0.00	90	9	32
<b>Totals</b>							<b>1,919</b>	<b>235</b>	<b>884</b>

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 3 WATER SUPPLY INCOME STATEMENT (Gross including Internal Transactions) for the year ended 30th June 2012

A. OPERATING TRANSACTIONS	2012	2011
<u>EXPENSES</u>	<u>\$'000</u>	<u>\$'000</u>
1 Management expenses		
a. - Administration	1,784	1,689
b. - Engineering & Supervision	848	671
2 Operation and Maintenance		
a. - Dams & Weirs - Operation Expenses	-	-
b. - Maintenance Expenses	38	47
c. - Mains - Operation Expenses	-	-
d. - Maintenance Expenses	698	522
e. - Reservoirs - Operation Expenses	129	107
f. - Maintenance Expenses	135	89
g. - Pumping Stations - Operation Expenses	14	13
h. - Energy Costs	496	514
i. - Maintenance Expenses	16	47
j. - Treatment - Operation Expenses	346	293
k. - Chemical Costs	222	201
l. - Maintenance Expenses	280	297
m. - Other - Operation Expenses	40	7
n. - Maintenance Expenses	-	-
o. - Purchase of Water	937	766
3 Depreciation		
a. - System assets	4,342	3,992
b. - Plant & Equipment	132	127
4 Miscellaneous		
a. - Interest expenses	185	196
b. - Revaluation decrements	-	-
c. - Other expenses	2,253	1,229
5 <b>Total Expenses</b>	<b>12,895</b>	<b>10,807</b>
<b>INCOME</b>		
6 Residential Charges		
a. - Access (including rates)	2,119	1,899
b. - Usage Charges	3,960	3,748
7 Non-Residential Charges		
a. - Access (including rates)	384	292
b. - Usage Charges	1,520	1,269
8 Extra Charges	31	18
9 Interest Income	713	610
10 Other Income	599	581
11 Grants		
a. - Acquisition of assets	-	-
b. - Pensioner Rebates	170	162
c. - Other	242	381
12 Contributions		
a. - Developer charges	1,089	651
b. - Developer Provided Assets	-	-
c. - Other Contributions	-	-
13 <b>Total Income</b>	<b>10,828</b>	<b>9,611</b>
14 Gain (Loss) on Disposal of Assets	(11)	15
15 <b>OPERATING RESULT</b>	<b>(2,078)</b>	<b>(1,181)</b>
15a. Operating Result less Grants for Acquisition of Assets	<b>(2,078)</b>	<b>(1,181)</b>



# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 3 - WATER SUPPLY INCOME STATMENT (cont)

	2012 \$'000	2011 \$'000
<b>B. CAPITAL TRANSACTIONS</b>		
<b>Non - Operating Expenditure</b>		
16 Acquisition of Fixed Assets		
a. - New assets for Improved Standards	-	-
b. - New Assets for Growth	2,361	1,748
c. - Renewals	-	324
d. - Plant & Equipment	132	325
17 Repayment of Debt		
a. - Loans	200	189
b. - Advances	-	-
c. - Finance Leases	-	-
18 Transfers to Sinking Funds	-	-
19 <b>Totals</b>	<b>2,693</b>	<b>2,586</b>
<b>Non-Operating Funds Employed</b>		
20 Proceeds from Disposal of Assets	135	149
21 Borrowings Utilised		
a. - Loans	-	-
b. - Advances	-	-
c. - Finance Leases	-	-
22 Transfers from Sinking Funds	-	-
23 <b>Totals</b>	<b>135</b>	<b>149</b>
<b>C. RATES &amp; CHARGES</b>		
24 Number of Assessments		
a. - Residential (occupied)	17,353	16,747
b. - Residential (unoccupied ie vacant land)	805	774
c. - Non-Residential (occupied)	1,434	1,460
d. - Non -Residential (unoccupied ie vacant land)	535	236
25 Number of ETs for which Developer Charges were received	- ET	
26 Total Amount of Pensioner Rebates	643	294
<b>D. BEST PRACTICE ANNUAL CHARGES &amp; DEVELOPER CHARGES</b>		
27 <b>Annual Charges</b>		
a Does Council have best-practice water supply annual charges and usage charges? <input checked="" type="checkbox"/>		
If Yes, go to 28a.		
If No, has Council removed <b>land value</b> from access charges (i.e. rates) <input type="checkbox"/>		
b Cross subsidy <b>from</b> residential customers using less than allowance		0.00
c Cross subsidy <b>to</b> non-residential customers		0.00
d Cross subsidy <b>to</b> large connections in unmetered supplies		0.00
28 <b>Developer Charges</b>		
a Has Council completed a water supply Development Servicing Plan? <input checked="" type="checkbox"/>		
b Total cross-subsidy in water supply developer charges for 2011/12		0.00
29 <b>TOTAL OF CROSS SUBSIDIES</b>		<b>0.00</b>

Councils which have not yet implemented best practice water supply pricing should disclose cross subsidies in items 27b, 27c and 27d above. However, disclosure of cross-subsidies is not required where a Council has implemented best practice pricing and is phasing in such pricing over a period of 3 years.

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 4 WATER SUPPLY - BALANCE SHEET (Gross including Internal Transactions) for the year ended 30th June 2012

	<u>Current</u> \$'000	<u>Non-Current</u> \$'000	<u>Total</u> \$'000
<b>ASSETS</b>			
30 Cash and Investments			
a. - Developer Charges	4,062	1,681	5,743
b. - Specific Purpose Grants	-	-	-
c. - Accrued Leave	-	-	-
d. - Unexpended Loans	-	-	-
e. - Sinking Funds	-	-	-
f. - Other	11,511	-	11,511
31 Receivables			
a. - Specific Purpose Grants	114	-	114
b. - Rates & Availability Charges	1,796	-	1,796
c. - Other	-	-	-
32 Inventories	82	-	82
33 Property, Plant & Equipment			
a. - System Assets		175,319	175,319
b. - Plant & Equipment		862	862
34 Other assets	141	-	141
35 <b>Total Assets</b>	<u>17,705</u>	<u>177,862</u>	<u>195,567</u>
<b>LIABILITIES</b>			
36 Bank Overdraft	-	-	-
37 Creditors	94	-	94
38 Borrowings			
a. - Loans	211	3,220	3,431
b. - Advances	-	-	-
c. - Finance Leases	-	-	-
39 Provisions			
a. - Tax Equivalents	-	-	-
b. - Dividend	-	-	-
c. - Other	344	40	384
40 <b>Total Liabilities</b>	<u>649</u>	<u>3,260</u>	<u>3,909</u>
41 <b>NET ASSETS COMMITTED</b>	<u>17,056</u>	<u>174,602</u>	<u>191,658</u>
<b>EQUITY</b>			
42 Accumulated Surplus			53,143
43 Asset Revaluation Reserve			138,515
44 <b>Total Equity</b>			<u>191,658</u>
Note to system assets:			
45 Current Replacement Cost of System Assets			296,787
46 Accumulated Current Cost Depreciation of System Assets			128,300
47 Written Down Current Cost of System Assets			<u>168,487</u>

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 5 SEWERAGE INCOME STATEMENT (Gross including Internal Transactions) for the year ended 30th June 2012

<b>A. OPERATING TRANSACTIONS</b>		<b>2012</b>	<b>2011</b>
<b>EXPENSES</b>		<b>\$'000</b>	<b>\$'000</b>
1	Management expenses		
a.	- Administration	1,919	1,767
b.	- Engineering & Supervision	302	259
2	Operations & Maintenance Expenses		
a.	-Mains - Operation Expenses	-	-
b.	-Maintenance Expenses	954	692
c.	- Pumping Stations - Operation Expenses	461	328
d.	- Energy Costs	218	165
e.	- Maintenance Expenses	180	169
f.	- Treatment - Operation Expenses	821	806
g.	- Chemical Costs	262	247
h.	- Energy Costs	395	337
i.	- Effluent Management	59	56
j.	- Biosolids Management	199	102
k.	- Maintenance Expenses	287	277
l.	- Other - Operation Expenses		
m.	- Maintenance Expenses	-	-
3	Depreciation		
a.	- System assets	3,954	3,398
b.	- Plant & Equipment	137	134
4	Miscellaneous		
a.	- Interest expenses	1,793	1,784
b.	- Revaluation decrements	-	-
c.	- Other expenses	1,914	1,120
5	<b>Total Expenses</b>	<b>13,854</b>	<b>11,642</b>
<b>INCOME</b>			
6	Residential Charges (including rates)	8,973	8,368
7	Non-Residential Charges		
a.	Access (including rates)	889	771
b.	Usage Charges	443	361
8	Trade Waste Charges		
a.	Annual fees	27	22
b.	Usage fees	107	90
c.	Excess Mass Charges	-	-
d.	Re-inspection Fees		
9	Extra Charges	19	12
10	Interest Income	454	436
11	Other Income	617	717
12	Grants		
a.	- Acquisition of Assets	9,185	3,868
b.	- Pensioner Rebates	146	139
c.	- Other	-	-
13	Contributions		
a.	- Developer charges	1,366	791
b.	- Developer Provided Assets	-	-
c.	- Other Contributions	-	-
14	<b>Total Income</b>	<b>22,226</b>	<b>15,576</b>
15	Gain (Loss) on Disposal of Assets	(2)	(9)
16	<b>OPERATING RESULT</b>	<b>8,370</b>	<b>3,925</b>
16.a.	Operating Result before Grants for Acquisition of Assets	(815)	57

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 5 - SEWERAGE INCOME STATEMENT (cont)

		2012 \$'000	2011 \$'000
	<b><u>B. CAPITAL TRANSACTIONS</u></b>		
	<b><u>Non - Operating Expenditure</u></b>		
17	Acquisition of Fixed Assets		
a.	- New assets for Improved Standards	-	-
b.	- New Assets for Growth	13,372	1,949
c.	- Renewals	1,548	2,361
d.	- Plant & Equipment	123	75
18	Repayment of Debt		
a.	- Loans	1,630	1,593
b.	- Advances	-	-
c.	- Finance Leases	-	-
19	Transfers to Sinking Funds	-	-
20	<b>Totals</b>	<b>16,673</b>	<b>5,978</b>
	<b><u>Non-Operating Funds Employed</u></b>		
21	Proceeds of Disposal of Assets	35	51
22	Borrowings Utilised		
a.	- Loans	-	-
b.	- Advances	-	-
c.	- Finance Leases	-	-
23	Transfers from Sinking Funds	-	-
24	<b>Totals</b>	<b>35</b>	<b>51</b>
	<b><u>C. RATES AND CHARGES</u></b>		
25	Number of Assessments		
a.	- Residential (occupied)	14,429	13,793
b.	- Residential (unoccupied ie vacant land)	1,839	550
c.	- Non-Residential (occupied)	867	824
d.	- Non-Residential (unoccupied ie vacant land)	16	103
26	Number of ETs for which Developer Charges were received	-	ET
27	Total Amount of Pensioner Rebates	44	252
	<b><u>D. BEST PRACTICE ANNUAL CHARGES &amp; DEVELOPER CHARGES</u></b>		
28	<b>Annual Charges</b>		
a	Does Council have best-practice sewerage annual charges, usage charges and trade waste fees and charges?	<input type="text" value="Y"/>	
	If Yes, go to 29a.		
	If No, has Council removed <u>land value</u> from access charges (i.e. rates)	<input type="text"/>	
b	Cross subsidy <u>to</u> non-residential customers		0.00
c	Cross subsidy <u>to</u> trade waste dischargers		0.00
29	<b>Developer Charges</b>		
a	Has Council completed a sewerage Development Servicing Plan?	<input type="text" value="Y"/>	
b	Total cross-subsidy in sewerage developer charges for 2011/12		0.00
30	<b>TOTAL OF CROSS SUBSIDIES</b>		<b>0.00</b>

Councils which have not yet implemented best practice sewerage pricing and trade waste pricing should disclose cross subsidies in items 28b and 28c above. However, disclosure of cross-subsidies is not required where a Council has implemented best practice sewerage and liquid trade waste pricing and is phasing in such pricing over a period of 3 years.

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 6 SEWERAGE SERVICES - BALANCE SHEET (Gross including Internal Transactions) for the year ended 30th June 2012

	<u>Current</u> \$'000	<u>Non-Current</u> \$'000	<u>Total</u> \$'000
<b>ASSETS</b>			
31 Cash and Investments			
a. - Developer Charges	2,319	1,901	4,220
b. - Specific Purpose Grants	-	-	-
c. - Accrued Leave	-	-	-
d. - Unexpended Loans	-	-	-
e. - Sinking Funds	-	200	200
f. - Other	4,308	-	4,308
32 Receivables			
a. - Specific Purpose Grants	97	-	97
b. - Rates & Availability Charges	2,499	-	2,499
c. - Other	-	-	-
33 Inventories	4	-	4
34 Property, Plant & Equipment			
a. - System Assets		226,874	226,874
b. - Plant & Equipment		860	860
35 Other Assets	143	-	143
36 <b>Total Assets</b>	<u>9,371</u>	<u>229,834</u>	<u>239,205</u>
<b>LIABILITIES</b>			
37 Bank Overdraft	-	-	-
38 Creditors	346	-	346
39 Borrowings			
a. - Loans	1,870	21,527	23,397
b. - Advances	-	-	-
c. - Finance Leases	-	-	-
40 Provisions			
a. - Tax Equivalents	-	-	-
b. - Dividend	-	-	-
c. - Other	472	55	527
41 <b>Total Liabilities</b>	<u>2,688</u>	<u>21,582</u>	<u>24,270</u>
42 <b>NET ASSETS COMMITTED</b>	<u>6,683</u>	<u>208,252</u>	<u>214,935</u>
<b>EQUITY</b>			
43 Accumulated Surplus			95,246
44 Asset Revaluation Reserve			119,689
45 <b>Total Equity</b>			<u>214,935</u>
Note to system assets:			
46 Current Replacement Cost of System Assets			287,216
47 Accumulated Current Cost Depreciation of System Assets			72,162
48 Written Down Current Cost of System Assets			<u>215,054</u>



# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 7 CONDITION OF PUBLIC WORKS for the year ended 30th June 2012

Asset Class	Asset Category	Depreciation Rate (%)	Depreciation Expense \$'000	Cost \$'000	Valuation \$'000	Accumulated Depreciation, Amortisation and Impairment \$'000	WDV \$'000	Asset Condition (see Notes attached)	Estimated Cost to bring to a Satisfactory Standard \$'000	Required Annual Maintenance \$'000	Current Annual Maintenance \$'000
Public Buildings	Council Offices	1.25	101	0	8,084	1,188	6,896	Good	1,300	130	122
	Works Depot	2	50	0	2,855	542	2,313	Good	206	206	113
	Halls	1.25	199	0	15,664	2,836	12,828	Good	412	150	100
	Houses	1.25	6	0	507	392	115	Fair	103	25	0
	Museum	1.25	6	0	484	79	405	Good	15	15	0
	Library	1.25	93	0	7,475	760	6,715	Good	100	30	21
	Childcare Centres	1.25	40	0	3,218	565	2,653	Good	206	50	35
	Sale Yards	1.25	79	0	6,302	245	6,058	Good	206	100	48
	Bushfire	2	61	0	3,490	419	3,071	Good	103	50	50
	Amenities/Toilets	2	71	0	3,566	759	2,807	Fair	350	175	63
	Other	1.25-2	291	0	18,976	4,472	14,504	Good	525	260	56
	<b>Subtotal</b>		<b>998</b>	<b>0</b>	<b>70,422</b>	<b>12,257</b>	<b>58,165</b>		<b>3,526</b>	<b>1,191</b>	<b>809</b>
Public Roads	Sealed Roads	1.7	6,476	0	415,113	143,640	271,473	Fair	38,560	1,842	2,259
	Unsealed Roads	1.7	0	0	164,832	0	164,832	Good	0	0	0
	Bridges	1.2	335	0	36,123	24,503	11,621	Fair	6,516	1,585	1,665
	Footpaths	2	176	0	16,087	7,194	8,893	Good	1,908	73	30
	Cycleways	2	258	0	15,910	5,968	9,942	Good	4,433	109	52
	Kerb & Gutter	2	159	0	8,642	1,735	6,908	Fair	813	83	5
	Carparks	1.7	666	0	41,061	16,596	24,464	Good	15,209	12	1
	Guardrail	2	79	0	5,508	1,842	3,667	Fair	231	16	3
	Road Furniture	2	30	0	1,311	710	601	Poor	103	5	0
	<b>Subtotal</b>		<b>8,179</b>	<b>0</b>	<b>704,588</b>	<b>202,188</b>	<b>502,400</b>	<b>Fair</b>	<b>67,773</b>	<b>3,723</b>	<b>4,016</b>
Other Structures	Structures not included in Buildings	1	560	0	10,731	3,263	7,469	Fair	4,100	220	120
	<b>Subtotal</b>		<b>560</b>	<b>0</b>	<b>10,731</b>	<b>3,263</b>	<b>7,469</b>		<b>4,100</b>	<b>220</b>	<b>120</b>
Water	Treatment Plants	2	616	0	41,806	18,035	23,771	Good	1,442	2,204	2,387
	Reservoirs	1	343	0	26,715	10,449	16,266	Good	102	251	217
	Dams	1	122	0	15,954	6,663	9,291	Good	442	41	90
	Mains	2	1,721	0	130,412	56,823	73,589	Good	365	377	586
	Water Services	2	531	0	32,191	9,398	22,793	Fair	90	255	277
	Pump Stations	2	88	0	5,652	3,681	1,971	Fair	1,767	153	207
	Hydrants	2	408	0	22,193	12,062	10,131	Fair	114	1	200
	Valves	2	317	0	17,027	9,270	7,756	Fair	86	52	75
	Meters	4	156	0	3,806	1,801	2,006	Fair	350	30	33
	Bulk Meters	3	18	0	811	90	721	Good	105	1	2
	Urban Filling Station	3	7	0	224	23	201	Good	1	1	1
	<b>Subtotal</b>		<b>4,326</b>	<b>0</b>	<b>296,790</b>	<b>128,295</b>	<b>168,496</b>	<b>Good</b>	<b>4,862</b>	<b>3,365</b>	<b>4,075</b>
Sewerage	Pump Stations	2	557	0	33,395	8,281	25,114	Good	395	845	637
	Gravity Mains	2	1,213	0	105,608	27,450	78,158	Fair	378	470	702
	Rising Mains	2	134	0	12,208	2,012	10,195	Good	44	48	72
	Treatment Works	2	1,020	0	54,396	10,526	43,871	Good	195	1,971	1,992
	Valves	3	14	0	589	175	414	Good	2	2	3
	Vents	1	7	0	847	466	381	Fair	43	4	6
	Access Chambers	1	42	0	43,209	11,307	31,902	Fair	151	183	273
	Service Lines	1	447	0	32,642	11,736	20,906	Fair	122	148	222
	<b>Subtotal</b>		<b>3,434</b>	<b>0</b>	<b>282,894</b>	<b>71,952</b>	<b>210,942</b>		<b>1,330</b>	<b>3,670</b>	<b>4,106</b>
Drainage Works	Storm Water Drainage	1	735	0	62,218	22,623	39,595	Fair	250	549	507
	<b>Subtotal</b>		<b>735</b>	<b>0</b>	<b>62,218</b>	<b>22,623</b>	<b>39,595</b>		<b>250</b>	<b>549</b>	<b>507</b>
<b>Total classes</b>			<b>18,231</b>	<b>0</b>	<b>1,427,644</b>	<b>440,578</b>	<b>987,066</b>		<b>81,842</b>	<b>12,720</b>	<b>13,433</b>

Notes:  
Satisfactory refers to estimated cost to bring the asset to a satisfactory condition as deemed by Council. It does not include any planned 'enhancement(s)' to the existing asset.  
Required Annual Maintenance is what should be spent to maintain assets in a satisfactory standard.  
Current Annual Maintenance is what has been spent in the current year to maintain assets.

This Schedule is to be read in conjunction with the explanatory notes following.

**Wingecarribee Shire Council**  
**SPECIAL SCHEDULE NO 7 – (Cont.)**  
**ASSET CONDITION 2011/2012**

**Condition of Public Assets**

In assessing the condition of Public Assets Council has had regard to the condition, function and location of each asset. Proposed or potential enhancements to the existing asset have been ignored. Assets within each Asset Category have been assessed on an overall basis, recognising that an average standard of "Good" may be achieved even though certain assets may be above or below that standard on individual basis.

Council recognises that the standard that it considers to be "Good" may be different from that adopted by other Councils.

**Asset Condition**

The following condition codes have been used in this Schedule.

*Good*                      *Fair*                      *Poor*

**Comments:**

**Local Roads - Sealed**

**Regional Roads - Sealed**

Council's local and regional sealed road network condition overall is considered to be fair with over 80% of within Wingecarribee Shire assessed above a poor condition. Road rating was finalised in July 2009 with Councils asset team analyzing and studying the data in the Asset Management System. Roads that were assessed as in a poor condition have been prioritized and scheduled within our future works programs that include rehabilitation, reseal works and patching. Over the last few years there have been small increases to the local sealed road network through our seal of approval program. These roads and other rehabilitation works have enabled a larger proportion of the network to be considered in a good condition. The overall network condition is steadily improving and will continue to do so.

**Local Roads – Unsealed**

**Regional Roads – Unsealed**

Council's local and regional unsealed road network condition overall is considered to be fair. Our gravel resheeting program and scheduled maintenance grading operations have continued to reduce Councils exposure to wet weather problems and reduced the amount of roads that would be considered in a poor condition. Most unsealed roads are graded at least once a year, some twice due to traffic and unscheduled maintenance requests. Action request response times to unscheduled maintenance of unsealed roads have improved. Additional Infrastructure Renewal Strategy (IRS) funding has provided greater assistance to Council in maintaining our unsealed assets in a fair condition.

**Bridges – Regional**

Council has six bridges on the regional road network that are all considered to be in a good condition. Regular inspections and maintenance is undertaken to ensure this condition is maintained.

**Bridges – Local**

Council has forty seven bridges on the local road network that are all considered to be on average in a fair condition. Of the bridges on the local network, fourteen are entirely made of timber and two are constructed of steel and timber. The condition of our timber bridges is considered to be fair and all are identified on our replacement plan. A program of replacement of timber bridges and culverts with more serviceable structures has been in progress for several years, funded by existing maintenance budget allocations and IRS funding. The improved funding has allowed substantial renewal work to be carried out.

**Wingecarribee Shire Council**  
**SPECIAL SCHEDULE NO 7 – (Cont.)**  
**ASSET CONDITION 2011/2012**

**Public Halls**

Council's Public Halls are in good condition as a result of the extra funding from the Infrastructure Renewal Strategy. The additional funding has enabled the completion of a backlog of maintenance issues, and all halls receive improved service level in dealing with work requests.

**Public Amenities**

Council's Public Amenities buildings are in fair to good condition.

**Works Depots**

The Works Depots are in good condition.

**Dwellings**

Council's dwellings are in fair to poor condition and require additional funding to improve maintenance service levels. All dwellings are currently under external management by real estate agents.

**Libraries**

Council's Libraries are in good condition.

**Childcare Centres**

Council's childcare centres are in good condition and are subject to an ongoing maintenance program.

**Saleyards**

The condition of the saleyards complex is good. Occupational Health and Safety issues have been rectified with a new induction program for users of the saleyards and improvements to the catwalks, yards and loading ramps, whilst building maintenance has seen a dramatic improvement, with the building now under a painting contract for the next seven years.

**WATER SUPPLY**

**Treatment Plants, Telemetry, WPS & Reservoirs & Dams**

These Assets are in good condition overall. The 30 year Strategic Business Plan outlines upgrade works and renewal works required to maintain these assets in good condition. One of the three treatment plants (Bundanoon) has been upgraded at a cost of \$1.2 million dollars. A 10ML reservoir and water mains have been constructed at a cost of \$7 million dollars to improve water supply in Mittagong & Northern Villages.

**Reticulation Assets Including Mains and Trunk Mains**

The condition of the water mains network is considered to be satisfactory. There are, however some water mains in poor condition. These mains are being replaced under the annual capital works program on a priority basis.

**SEWERAGE**

**Treatment Works, Telemetry and Pump Stations**

These Assets are in good condition overall. The 30 year Strategic Business Plan outlines upgrade works and renewal works required to maintain these assets in good condition. Construction of a sewerage system and treatment works to serve Robertson was commenced in 2012 and is expected to be completed in 2013 as an estimated cost of \$29.8M.

## Wingecarribee Shire Council

### SPECIAL SCHEDULE NO 8 FINANCIAL PROJECTIONS for the year ended 30th June 2012

	2012 \$,000	2013 \$,000	2014 \$,000	2015 \$,000
<b>Recurrent Budget</b>				
Income from continuing operations	91,900	102,186	105,252	108,409
Expenses from continuing operations	85,744	104,001	107,121	110,335
Operating result from continuing operations	<u>6,156</u>	<u>- 1,815</u>	<u>- 1,870</u>	<u>- 1,926</u>
<b>Capital Budget</b>				
New capital works <sup>(2)</sup>	<u>14,332</u>	<u>18,496</u>	<u>-</u>	<u>-</u>
Funded by:				
- Loans	945	15,928	-	-
- Asset Sales	-	-	-	-
- Reserves	-	-	-	-
- Grants/contributions	871	2,568	-	-
- Recurrent revenue	-	-	-	-
- Other	-	-	-	-
	<u>1,815</u>	<u>18,496</u>	<u>-</u>	<u>-</u>

Notes:

1. From Income Statement
2. New Capital Works are major non-recurrent projects, eg Subsidised sewer schemes, water reservoirs.

# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 9 GENERAL FUND - INCOME STATEMENT (Gross including Internal Transactions) for the year ended 30th June 2012

<b><u>A. REVENUES AND EXPENSES</u></b>	<b>2012</b>	<b>2011</b>
<b><u>REVENUES:</u></b>	<b>\$'000</b>	<b>\$'000</b>
Total Revenues Excluding Developer Contributions & Gain on Sale of Assets	60,840	61,586
Developer Contributions	1,507	1,267
<b>Total Revenues</b>	<b>62,347</b>	<b>62,853</b>
<b><u>EXPENSES</u></b>		
Total Expenses less Depreciation	48,540	44,533
Depreciation	14,041	12,498
<b>Total Expenses</b>	<b>62,581</b>	<b>57,031</b>
Gain (Loss) on Disposal of Assets	98	24
<b>OPERATING RESULT</b>	<b>-136.11</b>	<b>5,846</b>
<b><u>B. CAPITAL TRANSACTIONS</u></b>		
<b><u>Non-Operating Funds Employed</u></b>		
- Sale of Fixed Assets		
- Infra-Structure & Plant/Equip	1,146	1,016
	<b>1,146</b>	<b>1,016</b>
Borrowings Utilised		
- Loans	317	-
- Advances	155	168
- Finance Leases		
	<b>471</b>	<b>168</b>
<b>TOTALS:</b>	<b>1,617</b>	<b>1,184</b>
<b><u>Non-Operating Expenditures</u></b>		
Acquisition of Fixed Assets		
- Infra-Structure	14,290	11,561
- Plant & Equipment	3,275	3,290
	<b>17,565</b>	<b>14,852</b>
Repayment of Debt		
- Loans	479	469
- Advances		14
- Finance Leases		
	<b>479</b>	<b>483</b>
<b>TOTALS:</b>	<b>18,043</b>	<b>15,335</b>



# Wingecarribee Shire Council

## SPECIAL SCHEDULE NO 10 GENERAL FUND - BALANCE SHEET (Gross including Internal Transactions) for the year ended 30th June 2012

<b>ASSETS</b>	<u>Current</u> \$'000	<u>Non-Current</u> \$'000	<u>Total</u> \$'000
Cash and Investments			
- Developer Charges	5,441	5,063	10,504
- Specific Purpose Grants			
- Accrued Leave			
- Unexpended Loans	373		373
- Sinking Funds			
- Internal Loans			
- Other	33,383		33,383
Receivables			
- Specific Purpose Grants	595		595
- Rates & Availability Charges	811		811
- Less Provision Doubtful Rates			
- Domestic Waste Mgmt Charges	264		264
- User Charges			
- Accrued Revenue	744		744
- Prepayments	269		269
- Deferred Debtors	109	17	126
- Other	1,430		1,430
- Less Provision Doubtful Debts	(13)		(13)
Inventories			
- Stores & Materials	437		437
- Trading Stock	30		30
Property, Plant & Equipment			
- Infrastructure		743,480	743,480
- Plant & Equipment		11,943	11,943
Other			
<b>Total Assets</b>	<u>43,873</u>	<u>760,503</u>	<u>804,376</u>
<b>LIABILITIES</b>			
Creditors			
- Goods & Services	6,420		6,420
- Unearned Revenue	2,322		2,322
- Accrued Expenses	592		592
- Other HIH Insurance			
Borrowings			
- Loans	763	4,402	5,165
Provisions			
- Accrued Leave	4,397	539	4,936
<b>Total Liabilities</b>	<u>14,494</u>	<u>4,941</u>	<u>19,435</u>
<b>NET ASSETS COMMITTED</b>	<u>29,379</u>	<u>755,562</u>	<u>784,941</u>
<b>EQUITY</b>			
Accumulated Surplus			385,834
Asset Revaluation Reserve			399,107
<b>Total Equity</b>			<u>784,941</u>
Current Replacement Cost of System Assets			961,156
Accumulated Current Cost Depreciation of System Assets			236,327
Written Down Current Cost of System Assets			<u>724,829</u>