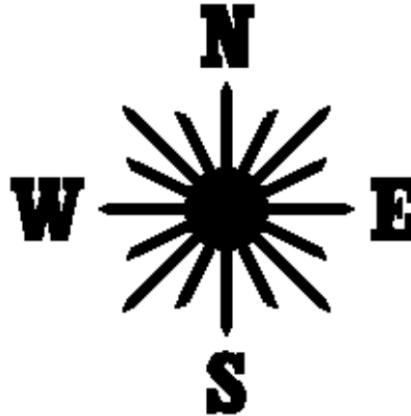


**Mission Statement**

To promote the Central Darling Shire area by encouraging development through effective leadership, community involvement and facilitation of services

# **CENTRAL DARLING**



# **SHIRE COUNCIL**

## **Agenda**

**For the Ordinary Meeting**

**Wednesday 26 June 2019 at 9:00am**

**In the Council Chambers**

**Wilcannia NSW**

**Council dedicated to serving its Communities**

*Any public discussion of Council or Committee reports and recommendations is on the basis that such reports or recommendations do not have effect until adopted by a full meeting of Council.*

The Ordinary Meeting of Council will be held in the Council Chambers on Wednesday 26 June 2019 commencing at 9:00am.

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## SECTION 1. ATTENDANCE

**PRESENT:**

Bob Stewart	Administrator
Greg Hill	General Manager
Reece Wilson	Director Shire Services
Jacob Philp	Director Business Services
Adriana Scott	Administration Officer - Environmental

## SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON-PECUNIARY

### ***RECOMMENDATION***

***That the Disclosures of Interest – Pecuniary and Non-Pecuniary be received and noted.***

## SECTION 3. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC

Council's policy regarding public access to Council Meetings states:

- public access to monthly meetings of Council is listed as an agenda item;
- each member of the public seeking to address Council is to register with the General Manager prior to commencement of the Council meeting. Each member of the public is to complete a "registration form" obtained from Council staff. The registration form seeks the proposed topic or topics in public access to be stated;
- each registered member of the public address is limited to five minutes; and
- all matters raised in public access are recorded and a response provided at the Council meeting or in writing within one month after meeting date.

Note: Operational matters are to be addressed/raised separately with the General Manager. Comments/statements made at Council Meetings are not subject to Parliamentary Privilege.

## SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### ***RECOMMENDATION***

***That the minutes of the Ordinary Meeting of the Council held on Wednesday, 22 May 2019, be taken as read and confirmed as a correct record of the proceedings of the meeting.***

#### 4.1 BUSINESS ARISING FROM MINUTES

Nil

## SECTION 5. ADMINISTRATOR'S MINUTE REPORT

To be tabled.

## SECTION 6. DETERMINATION REPORTS

### 6.1 ADOPTION OF POLICY – CODE OF MEETING PRACTICE

ATTACHMENT 1

#### **Purpose:**

The purpose of this report is to introduce a new Policy Code of Meeting Practice for Council meetings and other prescribed meetings held Council.

#### **Commentary:**

As Council is aware, staff is undergoing a review to remove, replace and update policies which are outdated, not applicable or covered by legislation.

As part of this ongoing improvement, and more so the recent revision of the New South Wales Local Government Code of Meeting Practice, which is made under Section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

#### **Summary:**

The Code of Meeting Practice applies to all meetings of Councils and Committees of Councils of which all the members are Councillors (Committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

The Code of Meeting Practice comprises of mandatory and non-mandatory provisions. Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the next ordinary Council elections. Council's adopted codes of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions as long as they are not inconsistent with the mandatory provisions.

Until a Council adopts a new Code of Meeting Practice, its existing Code of Meeting Practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed (14 December 2018 – 14 June 2019). If a Council fails to adopt a new Code of Meeting Practice within this period, any provisions of the Council's adopted meeting code that are inconsistent with the mandatory provisions of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that they are inconsistent with the mandatory provisions of the Model Meeting Code.

Also, as part of this change, Council will be altering the format of the Council Agenda and the style in which Determination and Information reports are presented to Council. These changes are expected to be introduced by July's Council meeting and format of the Agenda and Business Paper will align to the new Code of Meeting Practice.

Council has consulted with the community for a period of 28 days (from 22 May 2019 to 19 June 2019) with a public exhibition of the Draft Code of Meeting Practice available on Council's website, Council offices and other community outlets throughout the Shire where no submissions were received.

#### **(a) Policy Implications**

Once adopted, Council's Policy Register will be updated to contain the Code of Meeting Practice.

**(b) Financial Implications**

There are no financial implications.

**(c) Legal Implications**

The adoption of the Code of Meeting Practice will adhere to Council's legal responsibilities to the *Local Government Act 1993*, Section 360, and the *Local Government Regulation 2005*.

**(d) Community Consultations**

Public exhibition for a period of 28 days in accordance to the *Local Government Act 1993*, Section 160 has been completed where no submissions were received.

***RECOMMENDATION***

- 1. That Council receives the report;***
- 2. That Council resolves to adopt the Code of Meeting Practice.***

**Purpose:**

The purpose of this report is to have the revised Draft Procurement Policy placed on public exhibition for a period of 28 days.

**Commentary:**

As Council is aware, staff are undertaking a review to remove, replace and update policies which are outdated, not applicable or covered by legislation.

As part of this ongoing improvement, the Procurement Policy and Procedure adopted in May 2017, required revising as several items were not covered in the previous documents.

**Report:**

The objectives of the Procurement Policy and associate Procedure are designed to ensure that expenditure of public funds results in the best cost/value ratio and to ensure compliance with the following principles:

- Efficiency and effectiveness
- Value for money, being the benefits achieved compared to whole of life costs
- Probity and equity
- Environmental considerations
- Effective competition.

The Policy will enable Council to give fair and equitable consideration in all its procurement activities and will use public funds to ensure the best return and performance is achieved through prudent evaluation. Council will, in its evaluation, give preference to environmentally sensitive goods where price, performance, quality, sustainability and other evaluation criteria are comparable, considering whole of life analysis.

When purchasing goods and services, Council officers and Councillors will act impartially, maintain a high level of professionalism, confidentiality and accountability. The procurement must be in accordance with all relevant delegations as shown in the Procurement Procedure.

The procurement of goods and services by Council must be in accordance with the legislative framework that is set out in Section 55 of the *Local Government Act 1993* (the Act) and Part 7 – *Tendering of the Local Government (General) Regulation 2005* (the Regulation).

**(a) Policy Implications**

At completion of the public consultation process, Council's Policy Register and website will be updated to contain the revised Procurement Policy.

**(b) Financial Implications**

There are no financial implications in adopting the revised procurement Policy.

**(c) Legal Implications**

The adoption of the revised Procurement Policy will adhere to Council's legal responsibilities to Section 55 of the *Local Government Act 1993* (the Act) and Part 7 – *Tendering of the Local Government (General) Regulation 2005* (the Regulation).

**(d) Community Consultations**

Adoption of the recommendation will have the proposed Policy placed on public exhibition for a period of 28 days in accordance to the *Local Government Act 1993*, Section 160. Council will then consider any community comment before considering the adoption of the proposed Policy within 42 days of ceasing public consultation.

***RECOMMENDATION***

- 1. That Council resolves to place on public exhibition the revised Procurement Policy for a period of 28 days;***
- 2. That a report will be presented to Council within 42 days of public exhibition ceasing, with any public submission and the revised Procurement Policy either in its present state, or with amendments for Council adoption.***

**Purpose:**

The purpose of this report is for Council to endorse the proposal for the Menindee Lakes to be listed as a Ramsar site.

**Background:**

In 2010-11 there were attempts to have a proportion of the Menindee Lakes recognised as being listed as a Ramsar site. Regional Development Australia Far West NSW (RDAFW) invested resources and efforts into having a proportion of the Lakes listed as a Ramsar Sites on behalf of Central Darling Shire and the Far West Region. At this point in time, the State Government recognised the significance of the Menindee Lakes, however they were not able to support the project with the position of the Murray Darling Basin Plan at the time.

**Report:**

Ramsar convention and signing on wetlands took place on 2 February 1971 at the small Iranian town named Ramsar and came into force on 21 December 1975. Since then, the Convention on Wetlands has been known as the Ramsar Convention. The Ramsar Convention's intention is to halt the worldwide loss of wetlands and to conserve, through wise use and management, of those that remain. This requires international cooperation, policy making, capacity building and technology transfer.

Under the Ramsar Convention, a wide variety of natural and human-made habitat types ranging from rivers to coral reefs can be classified as wetlands. Wetlands include swamps, marshes, billabongs, lakes, salt marshes, mudflats, mangroves, coral reefs, fens, peat bogs, or bodies of water - whether natural or artificial, permanent or temporary. Water within these areas can be static or flowing; fresh, brackish or saline; and can include inland rivers and coastal or marine water to a depth of six metres at low tide. The Ramsar Convention encourages the designation of sites containing representative, rare or unique wetlands, or wetlands that are important for conserving biological diversity. Once designated, these sites are added to the Convention's List of Wetlands of International Importance and become known as "Ramsar" sites. In designating a wetland as a Ramsar site, countries agree to establish and oversee a management framework aimed at conserving the wetland and ensuring its wise use. Wise use under the Convention is broadly defined as "*maintaining the ecological character of a wetland*".

There are 66 Ramsar sites in Australia, covering 8.3 million hectares. The NSW Office of Environment and Heritage is responsible for managing the majority of Ramsar wetlands in NSW, including: Blue Lake (in Kosciuszko NP), Gwydir Wetlands (part only - Gwydir Wetlands SCA), Hunter Estuary Wetlands (Kooragang component), Lake Pinaroo (in Sturt NP), Little Llangothlin NR, Macquarie Marshes (Macquarie Marshes NR component), Myall Lakes, Narran Lakes, NSW Central Murray State Forests (Millewa Forests and Werai Forests components), Paroo River Wetlands, and Towra Point NR.

A discussion has been had among the four Councils in the Far South West Joint Organisation (FSWJO) to have the Menindee Lakes listed as a Ramsar site. To date, Balranald Shire Council and Wentworth Shire Council have endorsed their support to have the Menindee Lakes recognised as Ramsar site, with Broken Hill City Council to do the same on 26 June 2019. At this stage, it is proposed that the RDAFW will project manage by preparing and updating existing documentation at a cost; which isn't clear at this stage on what this will be. There has been some discussion among the FSWJO

representatives that the funding may come from the Joint Organisation itself, or another funding stream suggested by the FSWJO Executive Officer, which needs to be further investigated.

Once all four Councils have endorsed that the Menindee Lakes to become a Ramsar listed site, a motion will be put forward at the Western Division meeting on Tuesday, 2 July 2019 for other Councils support in the Far West of New South Wales.

Attached with this report is:

- Fact Sheet - What is a Ramsar
- Fact Sheet - What are wetlands
- Fact Sheet - Criteria for a wetland

**Summary:**

**(a) Policy Implications**

There are no policies that affect Council.

**(b) Financial Implications**

At this stage there are no financial implications to Council. Financing RDAFW will be discussed at the next FSWJO meeting.

**(c) Legal Implications**

There are no legal implications.

**(d) Community Consultations**

There will be substantial amount of community consultation with the Menindee Community and the surrounding areas on how or if a Ramsar site will affect commercial or recreational activities, e.g. irrigation, tourism, water sports etc.

***RECOMMENDATION***

- 1. That Council receives the report;***
- 2. That Council endorses the Menindee Lakes, or a portion of the Lakes system to be listed as a Ramsar site, in further consultation with the community.***

**Purpose:**

The purpose of this report is to provide Council with information relating to the federally funded Roads to Recovery program to enable Council to make an informed decision on the allocation of the funding for next financial year.

Council is required to submit at least 12 months of rolling program works to the Roads to Recovery Infrastructure Management System. Projects may be entered from 1 July 2019 and the first payment for the new program will be made in August 2019.

**Background:**

The objective of Roads to Recovery is to contribute to the Infrastructure Investment Programme through supporting maintenance of the nation's local road infrastructure asset, which facilitates greater access for Australians and improved safety, economic and social outcomes. The Roads to Recovery Programme does not contain a sunset clause under the new *National Land Transport Act 2014* meaning no new legislation will be required for the continuation of the Programme.

From 2019-20 to 2023-24 the Government will provide \$2 billion under the Roads to Recovery Programme, to be distributed to Australia's local Councils, State and Territory Governments responsible for local roads in the Unincorporated Areas (where there are no Councils) and the Indian Ocean Territories.

Roads to Recovery allocations for the Councils in each jurisdiction (except the ACT as it is a unitary jurisdiction) have been determined on the basis of the recommendations of the Local Government Grants Commissions in each state and the Northern Territory for the roads component of the Financial Assistance Grants. This is the same methodology as was used for this purpose in previous Roads to Recovery Programmes.

Council's allocation for the 2019-20 to 2023-24 period is \$6,431,251

This table below indicates the allocation amount has been evenly split over the five-year period to reflect manageable project delivery timeframes. Projects can be submitted and withdrawn if Council's priorities change.

Financial Year	Allocation	Projects
2019-20	\$1,286,250	Refer to Next Table
2020-21	\$1,286,250	Projects not yet determined
2021-22	\$1,286,250	Projects not yet determined
2022-23	\$1,286,250	Projects not yet determined
2023-24	\$1,286,250	Projects not yet determined

**Commentary:**

In preparation of the 2019/20 budget \$1,286,250 was allocated to local roads capital works improvements.

The following projects have been identified as priorities following completion of the draft Transport Asset Management Plan, road and infrastructure condition assessments and Council’s commitment to complete commenced works in staged construction phases within budgetary restraints.

Location	Issue	Solution	Cost
White Cliffs SR6 Mandalay Rd	Dust ingress into town.  Unsealed access to waste depot and cemetery, inaccessible when wet.  Road safety.	2.4km Reconstruction.  Reconstruct formation, gravel overlay 150mm and 2 coat seal at 7m width.	\$660,000  (fully funded)
Wilcannia Township - Hood St, Cleaton St to Martin St	No Kerb and Gutter, drainage issues and equity of access for town residents.  Road safety.	225m Reconstruction including widen and seal pavement, new kerb and gutter both sides, drainage pipes and pits.	\$320,000  (fully funded)
Tilpa-Tongo Rd, Paroo Crossings 65km west of Tilpa	Road closed for extended periods following rain events and Paroo River flows.  Road Safety.	Stage 2 floodway reconstructions.  Reconstruct 3 floodways including 600mm excavations, import course rock and gravel overlay.	\$306,250  (fully funded)

**(a) Policy Implications**

Nil.

**(b) Financial Implications**

The Roads to Recovery allocations are 100% funded. No allowance has been made for any Council own source expenditure.

**(c) Legal Implications**

Nil.

**(d) Community Consultations**

Nil at this time.

***RECOMMENDATION***

***That Council endorses the decision of the Director Shire Services and allocates 2019/20 Roads to Recovery funding to***

- 1. Mandalay Road Reconstruction and Seal, White Cliffs  
\$660,000;***
- 2. Wilcannia Town Streets, Hood St Reconstruction \$320,000;***
- 3. Tilpa-Tongo Rd, Paroo Crossing Floodway Reconstructions  
\$306,250.***

## 6.5 TENDER METHOD DETERMINATION – BITUMEN SPRAY SEAL CONTRACT

### Summary:

The purpose of this report is to provide Council with recommendations to determine the type of tender for supply of services and materials necessary for the bituminous spray sealing of pavements.

### Commentary:

The current contract is nearing end of term and it is necessary for Council to seek fresh tenders for the subject contract to be tendered.

The existing Bitumen Spray Seal Contract is with Fulton Hogan, valued at \$5m over a two period. This financial year, Council has spent \$1.3m on bitumen spray seal with \$430k being on Council works and the remaining on RMS works.

#### (a) Policy Implications

In accordance with Council's Procurement of Goods and Services Policy.

#### (b) Financial Implications

Spray sealing works are completed on Local, Regional and State roads within the Local Government area. Capital and routine maintenance works are funded from a variety of income sources.

The calling of fresh tenders via the open tender method will ensure Council is providing this service in a cost-effective manner that provides value for money.

#### (c) Legal Implications

Section 55 – *Local Government Act 1993* – What are the requirements for tendering?

- (1) *A council must invite tenders before entering into any of the following contracts:*
  - (a) *a contract to carry out work that, by or under any Act, is directed or authorised to be carried out by the council,*
  - (b) *a contract to carry out work that, under some other contract, the council has undertaken to carry out for some other person or body.*

Regulation 166 – *Local Government (General) Regulation 2005* – Council to decide whether tenders are to be by open tendering or selective tendering:

Whenever a Council is required by Section 55 of the Act to invite tenders before entering into a contract, the Council must decide which of the following tendering methods is to be used:

- (a) *the open tendering method by which tenders for the proposed contract are invited by public advertisement,*
- (b) *the selective tendering method by which invitations to tender for a particular proposed contract are made following a public advertisement asking for expressions of interest,*
- (c) *the selective tendering method by which recognised contractors selected from a list prepared or adopted by the council are invited to tender for proposed contracts of a particular kind.*

Section 167 – *Local Government (General) Regulation 2005* – Open tendering:

- (1) *A council that decides to use the open tendering method for a proposed contract must publish an advertisement in the relevant newspapers inviting tenders for the proposed contract.*
- (2) *The advertisement must:*

- (a) express the purpose of the proposed contract, and*
- (b) give details of where and when tender documents relating to the proposed contract can be obtained and the purchase price of those documents, and*
- (c) specify the name of a person to whom requests for information concerning the proposed contract may be addressed and how the person can be contacted, and*
- (d) invite any person willing to fulfil the requirements of the proposed contract to submit a tender to the council by the deadline specified in the advertisement. The deadline must be a specified time on a date that is at least 21 days after the date of publication or first publication of the advertisement.*

*(3) The tender documents relating to the proposed contract must comply with clause 170.*

**(d) Community Consultation**

The Community Strategic Plan lists under Goal 3 below, the importance of providing and maintaining a reliable road network.

**Goal 3** A protected and supported natural environment and a sustainable and well maintained built environment

**Objectives** Implementing Asset Maintenance Program

Safe and reliable network of roads throughout the Shire

**Goals Outcomes** 3.4 Improved infrastructure across the Shire

***RECOMMENDATION:***

***That Council:***

- 1. Select the open tender method in accordance with Regulation 166(a) of the Local Government (General) Regulation 2005; and***
- 2. Invite open tenders for the supply of services and materials necessary for the bituminous spray sealing of pavements, in accordance with Regulation 167 of the Local Government (General) Regulation 2005.***

**Summary:**

The purpose of this report is to present to Council the Community Consultation comments following the public exhibition period for the Draft Operational Plan and Budget for the 2019/20 financial year.

**Commentary:**

The Draft Annual Operational Plan 2019/20 is required to outline the activities Council proposes to undertake in the upcoming financial year 2019/20, as part of its Delivery Program. The document also includes Council's proposed revenue policy and budget estimates for the 2019/20 year.

The Draft Plan has been prepared on the basis of continuing to address the Council's current financial strategy of delivering ongoing trading surpluses and to ensure that Council does not return to a negative cash overdraft level. In recent times, this has seen the reduction in some service levels to consciously address the negative trading position, but this Draft Operational Plan attempts to redress some of that imbalance.

In accordance with the provisions of Section 405 of the *Local Government Act 1993*, the Draft Plan was placed on public exhibition for 28 days. That period expired on Wednesday, 19 June 2019.

Six community responses were received relating to the Draft Plan and Budget, the responses are not considered to be alterations to the plan. A number of submissions from White Cliffs, made comments about the increase in water services charges and referenced the quality of the water supply and the aging water infrastructure at White Cliffs. Council has received grant funding to upgrade the water infrastructure as is undergoing finalisation of constructing drawings in readiness for tendering. Other submissions also reference the increase of rates and services charges where pensioners concessions should be increased to cover these incurred costs; and Council needs to be transparent with its operating cost to justify increases. Council does not have the ability to alter pensioner concessions, however, will raise the matter with the State Government (IPART). As for transparency and how this relates to level of service against community expectation, Councils development of its Water Asset Management Plan is in the final stage of developing the plan, which will include public consultation on community expectation on level of services. All the submissions have not been included as attachment to this report, as number of the submission reference smearing comments about Council staff in accordance with Section 10A (1) & (2) *Local Government Act 1993*. Copies of the submissions have been provided to the Administrator for his perusal and the Administrator will make further comments at the Council meeting if he believes is necessary. The General Manager will provide written response back to all persons who have provided a submission.

During public exhibition, Council was advised by the Office of Local Government that advance payment of approximately 50% of 2019/20 Financial Assistance Grant, this payment was received by Council on 18 June 2019. There has been no amendment made to the Draft Operational Plan to reflect the income. However, these amendments will be done at the first Budget Review of 2019/20 to reflect the income.

**(a) Policy Implications**

Provision of the Draft Report and Budget will reflect that Council continues to responsibly address its current financial position, and in so doing, acknowledges that from time to time, it cannot necessarily meet all its previous financial commitments or services levels contained within its current Policy Manual or indeed, financial commitments given by previous Councils.

**(b) Financial Implications**

The financial implications will be contained in the report when tabled.

**(c) Legal Implications**

Provision of the Report ensures compliance with the provisions of Section 405 of the *Local Government Act 1993*.

**(d) Community Consultation**

The Draft Plan was advertised for 28 days in accordance with the provisions of Section 405 and 532 of the *Local Government Act 1993*.

***RECOMMENDATION:***

- 1. Adopt the 2019/20 Operational Plan and Budget***
- 2. That in relation to the Operational Plan and Budget, the following determinations be made:***
  - In accordance with Section 406 of the Local Government Act 1993, Council adopt the 2019/20 Operational Plan and Budget as described and amended in the body of this report***
  - In accordance with Part 9, Division 5, Clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure as detailed in the 2019/20 Operational Plan and Budget subject to the amendments as outlined in the body of this report***
  - Note that seven responses were received in relation to the 2019/20 Draft Operational Plan and Budget, asking for further information and transparency in a detailed document outlining the provision of services and service level agreements for each service***
  - In accordance with Sections 494, 518 and 515 of the Local Government Act 1993, Council make and levy the following ordinary rates for the 2019/20 year as follows:***
    - Residential Rate 0.05655976 cents in the dollar***
    - Business Rate 0.04735953 cents in the dollar***
    - Farmland Rate 0.00187737 cents in the dollar***
    - Minimum Rate \$130.00***
  - \*Amendments made to reflect final valuation changes submitted by Supplementary Valuation Listing.***
  - In accordance with Sections 501 and 502 of the Local Government Act 1993, Council make and impose charges***

***for water supply services in 2019/20 and adopt increase of 5% to all water supply charges as follows:***

***Wilcannia***

<u>Proposed Minimum Charge</u>	<b>2018/19</b>	<b>2019/20</b>
Properties Connected:		
Raw Water / Rural	\$899.00	\$943.00
Filtered Water	\$229.00	\$240.00
Properties not Connected:		
Raw Water	\$151.00	\$158.00
Filtered Water	\$151.00	\$158.00

***Ivanhoe***

<u>Proposed Minimum Charge</u>	<b>2018/19</b>	<b>2019/20</b>
Properties Connected:		
Raw Water / Rural	\$447.00	\$469.00
Filtered Water	\$266.00	\$280.00
Properties not Connected:		
Raw Water	\$200.00	\$210.00
Filtered Water	\$200.00	\$210.00

***White Cliffs***

<u>Proposed Minimum Charge</u>	<b>2018/19</b>	<b>2019/20</b>
Properties Connected:		
Non Potable Water	\$865.00	\$908.00
Properties not Connected:		
Non Potable Water	\$757.00	\$795.00
Non-rateable		
Non Potable Water	\$865.00	\$908.00

- ***In accordance with Sections 496, 501 and 502 of the Local Government Act 1993, Council make and impose charges for waste management services in 2019/20 as described in the Operational Plan and Budget subject to the amendments as outlined in the body of this report***
  - ***Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566(3) of the Local Government Act 1993***
    - ***Maximum Allowable Interest 7.5%***
  - ***Fees and Charges for the use of services provided by the Council as detailed in the Operational Plan and Budget 2019/20 (and as amended in this report, including the amendments to Companion Animals Registration Fees as per Circular 19-09 A647951) be adopted in accordance with Section 502 of the Local Government Act 1993.***
3. ***Council note that the Community Strategic Plan 2017-2027 and Delivery Program 2017-2027 had been previously adopted by Council in June 2017; which has incorporated the 2019/20 Operational Plan and Budget***
  4. ***Council place a copy of the adopted Operational Plan 2019/20 document on it's website.***

**Summary:**

The purpose of this report is to provide Council with a Long Term Financial Plan (LTFP) for adoption following a period of community consultation.

**Commentary:**

The LTFP is a financial projection that quantifies the cost of Council's services into the future, given certain assumptions and estimates.

It has been prepared to provide the community with the appropriate information about how Council's finances will operate over the next few years in line with the different choices that can be made.

All LTFPs must be based on a set of assumptions, which generally relate to those matters which are most likely to affect the overall outcome of the LTFP. The following assumptions have been considered, discussed and ultimately used as a basis to forecast Council's long term financial position over the period of the plan.

- Rates are forecast to increase by 2.4% in line with current rate capping guidelines
- Annual charges for water, sewer and waste services to increase by 15%
- No additional long-term debt
- All revenue sources other than rates and annual charges to rise by the Consumer Price Index (CPI) (2.4%)
- Net staff levels will remain constant in line with current service provision
- No reduction in the level of services provided
- Assets that provide an income stream or allow Council to reduce operating costs may be leased.

The key outcomes from the LTFP include the following:

- Council's liquidity improves over the life of the plan
- Capital Works Program has been increased for the period
- Funding being allocated for the renewal of assets to ensure sustainability in the longer term
- Council's service levels have been maintained at the current level and will be reviewed during the term of the Plan
- Council's overall financial position strengthens throughout the Plan.

The Plan highlights the ongoing sustainability of the Council into the future and this is further enhanced by asset management programs and strategies that are being implemented. Council will continue to develop these programs over the next five years and this will provide confidence for the expenditure levels required in the future.

The continued allocation of funding towards the renewal of assets and the consistent level of funds applied to upgrade and maintenance of assets will result in a positive investment for the community in the future.

Overall, the LTFP provides Council with a sustainable financial outlook into the future. Its continued commitment to provide efficient services and to fund the renewal and upgrade of its assets will result in a positive long-term viability for the community.

**(a) Policy Implications**

Provision of the report will evidence that Council continues to meet its legislative responsibilities relating to the preparation of the LTFP.

**(b) Financial Implications**

The financial implications are contained within the report. In essence, the Plan will evidence that Council remains financially sustainable in the long term and it is intended that the 2021-30 LTFP be based on the following guidelines:

- rate increases are in line with the governments overall rate capping strategy
- a pricing strategy for services based on Council's preferred options for service delivery and subsidisation vs. user pays principles
- optimise debt levels within prudential guidelines
- increased funding levels for capital works and infrastructure asset maintenance
- improved liquidity
- continuing achievement of Operating Statement surpluses.

**(c) Legal Implications**

Nil

**(d) Community Consultation**

The Plan was advertised for community comment however no submissions have been received.

***RECOMMENDATION***

***That Council adopt the Long Term Financial Plan noting that no public submissions have been received following the public consultation period.***

## SECTION 7. INFORMATION REPORTS

### 7.1 ENVIRONMENTAL SERVICES STATISTICS

<b><u>Statistics for May 2019</u></b>		
Development	Number of DAs Approved	0
	Total Value of DAs Approved	\$0
Food Safety	Food Premises Inspected	3
Animal Control Activities	Impounded	24
	Rehomed	12
	Returned to Owner	10
	Euthanized	7
	Registrations	0
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	10
	Chemistry Samples Collected	0
	Non-Compliant Samples	0
	Darling River Algae Samples	0

### 7.2 WORKS PROGRAM

ATTACHMENT 11

The Yearly Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes will be presented monthly.

### 7.3 COBB HIGHWAY

Gypsum Mine North Initial Seal Project (5.50km) is in progress with Roads and Maritime Services (RMS) at present. Council commenced works 28 May and it is expected to be completed by end August 2019.

Works are still in progress by civil contractors on the Slamannon section of the Cobb Highway and further initial sections are being planned for commencement by RMS in the new financial year. Sealing completion of the Cobb Highway is programmed for completion by end of 2023.

Maintenance grading works on the Cobb Highway were completed by end of May 2019.

#### 7.4 STREET LIGHTING

Council received correspondence from Essential Energy in April 2019 regarding changes to the Public Lighting Service provided by Essential Energy commencing 1 July 2019.

Essential Energy has lodged a proposal with the State Government to fund deployment of smart-enabled LED lighting across country NSW. Essential Energy's Manager, David Salisbury together with Julie Briggs from Southern Lights gave a presentation on the proposal at the November 2018 Country Mayors Association meeting. Essential Energy together with Southern Lights are continuing to pursue funding and if successful, then Council's financial contribution to the LED deployment will be minimal.

One of the changes detailed in the letter on 1 April referred to the opportunity for Councils to take up LED lighting and the arrangements that would apply if Council wanted to move forward with this opportunity. The intent of the letter was to ensure that Councils were informed of the costs that are likely to apply to the deployment should we not be successful in obtaining the requested funding from the State. Essential Energy, as the asset manager for the lights, has a responsibility to ensure that they continue to meet required standards for street lighting which includes maintaining the cyclic Bulk Lamp Replacement (BLR) program, during which Council are provided the opportunity to contribute toward LED upgrades. Where a Council is due for BLR upgrade in the following financial year, Essential Energy will provide an estimate to support council in preparing budgets for future works.

Recently Council received an estimate to upgrade a targeted area of the Wilcannia township following a tragic accident last year. Council has accepted the offer to upgrade the street lighting in Reid Street, Wilcannia with seven street lights upgraded to LED 33 Watt and one new LED street light opposite the Swimming Pool. The cost of the upgrades is \$4,608.70 (ex GST).

Further estimates were sought with respect to upgrading the Central Darling Local Government Area (LGA). Initial costs have been estimated at:

- Wilcannia Township - 81 remaining streetlights to be upgraded to LED at a cost of \$49,971 (this estimate does not include any annual savings, energy savings certificate amounts or discounts)
- Ivanhoe, Menindee, White Cliffs and Villages - 168 remaining streetlights to be upgraded to LED at a cost of \$103,169 (this estimate does not include any annual savings, Energy savings certificate amounts or discounts)

A further report will be provided to Council following the installation and assessment of the Reid Street upgrades and receipt of information from Essential Energy with respect to any further reductions in Council's financial contributions going forward.

#### 7.5 NETWASTE SCRAP METAL CONTRACT FOR COLLECTION AND RECYCLING

The subject contract is currently in place between 25 NetWaste Councils and Sims Metal Management which expires its original contract term on 27 July 2019.

In accordance with Clause 2 of the Contract, there is the option for the contract arrangement to be extended for 12 months subject to mutual agreement between the Contractor and the Council. Should this initial extension be agreed upon, one further 12-month extension is available.

Sims Metal Management generally visit the Far West one to two times per year depending on the quantity of scrap metal that has accumulated in the landfill sites. Advance notice is provided on scheduled visit times and Town Gangers arrange scrap metal stockpiles accordingly.

As a participating Council in the regional arrangement, Council has advised of its agreement to extend the contract for the initial 12 months, with contract expiry to be 27 July 2020, on the condition of the inclusion of the new Chain of Responsibility requirements.

## 7.6 WATER RESTRICTIONS, WHITE CLIFFS AND WILCANNIA

The Central Darling Shire water supply situation remains much improved following recent rainfall during April and May, and the cessation of substantial summer demand. The Wilcannia Weir Pool on the Darling River has also benefitted from recent Warrego River release which despite some early doubt the flow has made its way down the lower Darling River and has replenished the Wilcannia Weir Pool. The quality of this initial flow into the Wilcannia Weir Pool is poor and high in salinity. For these reasons Wilcannia's filtered water supply source remains the Union Bend Bore Field and Level 4 Water Restrictions remain in place.

Council is working with the communities and local businesses to address the water shortage issue and will continue to monitor the situation and seek assistance from Department of Primary Industry Water in this regard.

It should be noted that some businesses have been granted exemptions for essential landscaped grounds maintenance, these exemptions will be reviewed following any changes in restriction levels.

### **Wilcannia Water Supply**

Wilcannia's water supply continues to be sourced from the Union Bend Bore Field based on Darling River Weir Pool conditions being relatively high salinity levels and general poor quality which is expected from the "first flush" after cease to run event. Wilcannia's raw water supply continues to be sourced from the Darling River Weir Pool. Water Supply Information will be distributed to the community to ensure residents are aware of the current situation, restrictions, safety concerns, tips to save water and what Council are doing. Level 4 Water restrictions remain in place.

### **White Cliffs Water Supply**

White Cliffs water supply is sourced from above ground storages. The main storage being Dam 3, Wakefield, located within Glenhope Station which is sourced from local runoff via Wanara Creek.

Rainfall and subsequent runoff from rainfall in late April and early May has fully replenished Wakefield Tank providing over 12 months water supply to the White Cliffs community. All water restrictions have been lifted at White Cliffs.

Alternate underground supplies have been investigated close to existing pump and power infrastructure with no success. Further Groundwater supply investigations have been completed and new investigation/test bores drilling are to be undertaken. Project plans in this regard are well advanced and investigation drilling is expected to commence 2019.

## 7.7 WATER CARTING ARRANGEMENTS

Council commenced water carting arrangements on Friday 7 December 2018 at Menindee. The Menindee Environs residents are not connected to the town potable water supply reticulation network and source household water directly from the Darling River. The Darling River water quality around Menindee remains poor. Essential water is supplying Council with potable water, within operational limits, to allow an 18,000 litre truck to deliver from town supply to properties. All Rural properties in need of potable water supply for household use will be assisted by Council.

The recent rainfall has curtailed demand for water carting to stations around Wilcannia. Menindee demand for water carting has lessened with the cooler weather but is still needed by relevant residents.

## 7.8 ROADS REPORT

The purpose of this report is to update Council on the roads expenditure to date.

### **State Roads (Council undertaking work on behalf of Roads and Maritime Services):**

- 2018/2019 RMCC Routine Maintenance preliminary allocation is \$600,000
- 15 Works Orders have been issued to Council 2018/19, as follows:
  - SH21 Bushley access Road \$177,772 - completed
  - SH21 Bore tanks and fencing \$168,839 - completed
  - SH21 Bushley Gravel Pit REF/EIL \$48,461 - 50% complete
  - SH8 Truck Fire \$16,260 - completed
  - SH21 Guardrail terminals \$56,949 - completed
  - SH21 Bushley Pit EPL \$6,127 - completed
  - SH21 Menindee Road North Initial Seal \$856,759 (including variation) - completed
  - HW8 Heavy Patching \$220,707 - completed
  - HW21 Heavy Patching \$142,390 - completed
  - HW21 Reseals \$441,504 - completed
  - Centre Line Spot Marking \$10,289 - completed
  - HW21 Control Survey Glen Albyn/Kerpa \$23,484 - completed
  - HW21 Control Survey Slamannon/Yelta \$23,484 - completed
  - HW21 Burndoo Clearing & Grubbing \$7,783 - completed
  - HW8 Bridge Protest
  - HW21 Control Survey Springdale Initial Seal \$11,742 - completed
  - HW21 Water Supply Bores Rosewood/ Slamannon \$83,146 - 50% complete
  - HW21 Resheet- Eurella Shoulders/Mt Manara Floodway/Mt Manara Pit Rehabilitation/Bushley to Slamannon Maintenance Grading \$137,361 - completed
  - HW21 Maintenance Grade - Bushley to Slamannon - 90% complete
  - HW21 Slamannon Bore Tank & Fence - 50% complete
  - HWS21 Gypsum Mine North Initial Seal - 20% complete
  - HW8 Incident Car & Caravan Rollover Caltigeena Creek- completed
- There are two Work Orders that have been carried over and completed from last financial year being 111.18.15 SH21 Willandra Bridge Works \$192,523 and 111.18.16 SH21 Willandra HP \$81,144

Works Description	Original Budget On Issued Work Orders	% Completed	Remaining Budget
RMCC (Routine Works)	\$600,000	99.5%	\$3,407
RMCC (Ordered Works)	\$5,260,720	44.0%	\$2,893,458 (to be completed in next FY)

**Regional Roads (Council Owned and Maintained Roads):**

- 2018/19 Regional Road Block Grant amount (including traffic and supplementary components) is \$2,749,000 (-\$400,000 matching funding for Regional Roads Repair Program)
- MR67 Wool Track funding \$1,925,000 to seal remaining 7km within Central Darling LGA. An additional \$460,000 is allocated from Roads to Recovery funding for the completion of major reinforced concrete box culverts, (completed)
- Roads to Recovery allocation of \$213,890 for 1.2km seal extension to the approach to Wilcannia from Tilpa West Rd, MR68A, (completed)
- Regional Roads Repair Program (RRRP) allocation of \$400,000 and RRBG allocation \$400,000 for new bridge and approach road construction, MR68A Marra Creek, (in progress)

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,349,000	100%	\$0
MR67 Wool Track	\$2,385,000	100%	\$0
MR68A Seal Extension	\$213,890	100%	\$0
MR68A Marra Creek Bridge	\$800,000	100%	\$0

**Local Roads (Council Owned and Maintained Roads):**

- 2018/19 Local Roads Component (FAG) is \$1,535,041. Budget allocation to operational works is \$1,480,000
- 2017/18 Roads to Recovery allocation this year is \$331,212 for floodway reconstructions, Paroo River, SR3 Tilpa-Tongo Rd

Works Description	Original Budget	% Expended	Remaining Budget
<b>Local Roads Component (FAG)</b>	\$1,480,000	100%	\$0
<b>SR3 Paroo Crossings</b>	\$331,212	78%	\$74,584

## 7.9 CAPITAL WORKS

The purpose of this report is to update Council on the capital works and projects expenditure to date.

Project	Comments	Original Budget	% Expended	Remaining Budget
CTWS – Preconstruction activities	Pre-construction activities	\$1,000,000	97%	\$20,521
	Training	\$200,000	100%	\$0
Restart NSW – White Cliffs Water Supply	Funding Deed signed  WTP design and tender docs 90%  Retic design and tender docs 75%	\$5,500,000	0%	\$5,500,000
Waste Less, Recycle More – landfill Improvements	Wilcannia, Menindee and Ivanhoe Tips  Wilcannia – in progress  Ivanhoe – complete  Menindee – complete	\$584,672	88%	\$73,078

Drought Relief Funding	Water Carting/ Smart Meters	\$400,000	69%	\$126,383
	Community Events/Projects	\$200,000	60%	\$80,247
	Bore Development	\$400,000	69%	\$124,995
Drought Relief Heavy Vehicle Access Program	VMS Road Closure Signage	\$300,000	32%	\$204,082

7.10 CASH AND INVESTMENTS

**Schedule of Investments and Bank Balances as at 31 May 2019**

	<b>Amount</b>
<b>Cash Reserve</b>	
Westpac Business Cash Reserve	\$1,129,000
<b>Total Reserve Balance as at 31 May 2019</b>	<u>\$1,129,000</u>
<b>Bank Balances as at 31 May 2019</b>	
General Fund	\$874,331 In Funds
Clearing Account (Account used for receiving deposits)	\$10,687 In Funds
Total Cash at Bank	<u>\$2,014,017</u>
<b>Cash Restrictions</b>	
Internal Restrictions	\$260,000
External Restrictions	<u>\$1,565,000</u>
Total Restrictions	<u>\$1,825,000</u>

## SECTION 8. CONFIDENTIAL MEETING

### **CLOSED COUNCIL Confidential Reports (Section 10A (2) of the Local Government Act 1993)**

Where it is proposed to close part of the Council meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public.

The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

Pursuant to Section 10A(2) of the *Local Government Act 1993* (the Act) Council or a Committee may close to the public so much of its meeting when matters listed below are to be discussed being:

- (a) personnel matters concerning particular individuals other than Councilor's,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the Council, or
  - (iii) reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councilor's, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act states that a Council, or a Committee, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10A(4) provides that a Council, or a Committee, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A (2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the Council or Committee concerned, or to Councilor's or to employees of the Council; or
  - (ii) cause a loss of confidence in the Council or Committee.

#### **Resolutions passed in Closed Council**

It is a requirement of clause 253 of the *Local Government (General) Regulation 2005* that if Council passes a resolution during a meeting, or part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

### **SECTION 9. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on Wednesday 24 July 2019 in Wilcannia at 9:00am.*

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