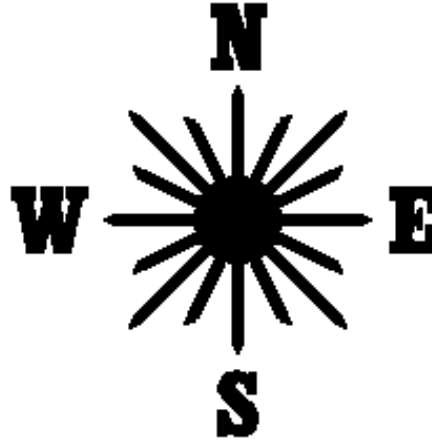


CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

BUSINESS PAPER

20 MAY 2021

The Meeting will be held at 11.00am in the
Council Chambers, 21 Reid Street, Wilcannia.

MISSION STATEMENT

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

RECORDING AND WEBCAST OF COUNCIL MEETINGS

Council meetings are recorded and webcast on Council's website, your attendance and/or input may be recorded and publicly broadcast.

PUBLIC RECORDING PROHIBITED WITHOUT COUNCIL AUTHORITY

A person may only use a recording device, including audio and visual recording and any device capable of recording speech, to record a Council meeting by the resolution of the Council.

A person may be expelled from a Council meeting for having used a recording device without consent.

PHOTOGRAPHY PROHIBITED WITHOUT PERMISSION

Photography is not permitted at a Council meeting without the consent of the General Manager.

PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

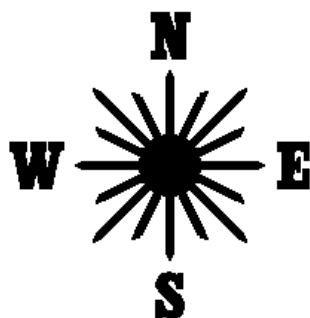
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees of the Council.
2. Public forums are to be chaired by the Mayor or their nominee.
3. 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 same day 8.50am 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. A person may apply to speak on no more than two (2) items of business on the agenda of the Council meeting.
5. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
6. The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
7. No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
8. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to

nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.

9. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
10. Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.
11. The General Manager or their delegate is to determine the order of speakers at the public forum.
12. Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
13. Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
15. Speakers are under no obligation to answer a question put under Clause 4.14. Answers by the speaker, to each question are to be limited to three (3) minutes.
16. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
17. The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to three (3) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
18. Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
19. When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct or making other potentially defamatory statements.

20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in Clause 4.19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
22. Where a speaker engages in conduct of the type referred to in Clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

Wednesday, 20 May 2021
11.00am
Council Chambers
21 Reid Street, Wilcannia

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1. OPENING OF MEETING

The Council Meeting will be declared open by the Mayor/Administrator.

2. ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.

3. APOLOGIES AND LEAVE OF ABSENCE

NIL

4. DISCLOSURES OF INTEREST

Pursuant to the Model Code of Conduct for Local Councils in NSW Councillors and Council staff are required to declare any pecuniary or non-pecuniary conflicts of interest.

Recommendation:

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

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING – 22 April 2021

Recommendation:

That the Minutes of the Ordinary Council Meeting held on 22 April 2021 be received and confirmed as an accurate record.

Attachments:

1. Minutes of the 22 April 2021 Council Meeting

5.2 BUSINESS ARISING

Nil

6. NOTICE OF MOTION

Notice of motion put forward by Administrator, Bob Stewart:

That the GM bring forward a report to the June Council Meeting detailing:

- 1 Issues and concerns associated with the operation of the electronic road condition signs recently installed at various locations in the Shire and the program to rectify these.
- 2 Policy and operational procedures for road closures when electronic signs are not working, including coordination with adjoining LGAs.
- 3 Details on updating Councils Web page to notify Road Closures in a timely manner including clear road descriptors.

7. MAYORAL (ADMINISTRATOR) MINUTE

7.1 ADMINISTRATORS REPORT MAY 2021

REPORT AUTHOR: ADMINISTRATOR
RESPONSIBLE DIRECTOR: ADMINISTRATOR

REPORT

The General Manager and I represented Central Darling Shire at the Western Division Shires Conference held in Broken Hill last month and the opportunity was taken to meet with Ministers, Shadow Ministers and The Chief Executive of the Office of Local Government.

We met with Minister Adam Marshall to brief him on issues facing Central Darling Shire particularly in respect to administration and the need to resolve a pathway for future governance given the complex issues for Councils in the Far West.

This theme was carried over in a meeting with Office of Local Government in which we were accompanied by Balranald Shire and we stressed the need for additional resources to rebuild the capacity of both organisations.

We were advised that OLG is in the final stages of procurement to engage consultants to model options for future governance of Central Darling Shire Council. I stressed that meaningful on ground engagement of the community must be undertaken before any final decision is taken.

Work continues on the development of a new and comprehensive set of planning documents informed by a community strategic plan. It is critical that residents engage in this process to ensure the communities vision for the future is captured as this will determine funding priorities. We have had good engagement by government agencies as delivery is not Council's responsibility alone.

The NSW Governor Her Excellency Margret Beazley visited Wilcannia, and a welcome reception was held at White Cliffs. A highlight was the Welcome to Country and dance delivered by Owen Whyman and the Barkindji Dance Group from Wilcannia.

Prior to this month's Council Meeting the GM and I will represent Council at the Murray Darling Association Annual Conference in Wentworth. There will be an inspection of the Menindee Lakes prior to the Conference. Council has several Motions to the conference covering flows in the Lower Darling and listing of the Lakes as a RAMSAR site.

Council has also been working with Wentworth Council and stakeholders to lobby for changes on how water is managed from the Lakes system under the Basin Plan. A letter has been sent to Minister Pavey by the Far Western Joint Organisation of Councils.

The NSW Government is currently undertaking a review of Joint Organisations and I provided comment to the consultants.

Given that the Far West Initiative did not proceed, the JOs were to provide scale and capacity for Councils. The FWJO of which Broken Hill, Wentworth, Balranald, and Central Darling Councils are members, has struggled given the lack of financial support from the state and the sheer size of the landmass covered. I argued that it is critical that this support be forthcoming, and that the organisation needs time to develop and mature.

The GM, as part of the organisation's development, has committed to a program to ensure customer focus and service delivery. This is a critical component to rebuilding the organisations workplace culture for the future.

Workplace culture is described as “the way things are done around here” – “how we are expected to behave”, with everyone being the custodian of, and responsible for, the workplace culture. Through a positive and respectful workplace, Council can deliver services in line with our Community Strategic Plan. It also informs and supports the HR Framework that manages staff performance.

It is fair to say this is one area the organisation has struggled in over the years and this will be a long-term project.

Central Darling Council Local Emergency Management Committee (LEMC) again raised concerns about power outages and how this affects mobile phone and landline services.

At our last LEMC meeting a couple weeks ago, to deal with the minor flooding of the Darling River, it was raised about the planned power outage for the Far West on Saturday 1 May and how would Telstra manage mobile phone and landline services during the outage. Contacted was made with the Regional Manager, who assured the GM that Telstra sites in CDSC and the Far West would be operational during the power outages. However, during the power outage, the battery backups at Wilcannia and the northern area of the Far West was depleted and the backup generators failed to start, leaving Wilcannia and other communities without any phone services.

The LEMC heard concerns from Wilcannia Hospital when mobile phone and landline service are not functioning, staff have to contact Broken Hill RFDS and Health Services using the ambulance UHF Radio, or the mobile satellite phone by standing in the middle of Ross Street to make the call to receive satellite reception.

The current situation with mobile phone and landline services with power outages is not good enough. This is the second time within two weeks that this has occurred and its time that both levels of government take responsibility to ensure our phone network is reliable in cases of emergency.

Representations have been made to our Federal and State members.

8. FINANCIAL REPORTS

8.1 Council 2020-2021 Current Grants Register

REPORT AUTHOR: SENIOR FINANCE OFFICER
RESPONSIBLE DIRECTOR: ACTING DIRECTOR BUSINESS SERVICES

EXECUTIVE SUMMARY:

This report is to provide a summary of Council's current grants and contributions reconciliation 2020-2021 as of 13 May 2021.

RECOMMENDATION:

That Council will:

- 1. Receive and adopt the report**

BACKGROUND:

Council's commitment to transparency and greater financial management have at the request of the Administrator, developed a Grants and Contributions Register for public access to be presented during ordinary Council Meetings.

REPORT:

In April 2021 Council has received Regional NSW Planning Portal Grant payment of \$50,000 from NSW Planning, Industry & Environment to implement the mandatory use of the NSW Planning Portal. The project being delivered is website development, planning documents creation, engagement, and cover council's staff wages. This project is to be completed by 30 June 2021.

After the Treasurer delivered the Federal Budget on 11 May 2021, Council has been advised by Hon Mark Coulton MP, Minister for Regional Health, Regional Communications and Local Government that Central Darling Shire Council has been approved to receive additional Local Roads Community Infrastructure funding of \$2,003,636 from January 2022, , total project fund is \$3,721,674. Council yet to plan to extend the project with the additional funding which is to be completed by June 2023.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL: 4 A consultative and professional Council providing relevant, attainable and efficient delivery of services.

Delivery Outcome

OBJECTIVE: 4.2 Efficient and effective services

Financial and Resource Implications:

Monitoring of the Current Grants and Contributions Reconciliation 2019/2020 enables timely financial management and improved cash flow processes.

Policy, Legal and Statutory Implications:

Regulation 208 of the Local Government (General) Regulation 2005 provides a requirement that:

A member of the staff of a council who has control of any of the council's accounting records must—

- (a) produce those records for inspection and audit in proper order whenever directed or requested to do so by the council's mayor, responsible accounting officer, general manager (if not the council's responsible accounting officer) or auditor or by the Director-General or a person to whom the Director-General's functions under section 430 of the Act have been delegated or subdelegated under section 745 of the Act, and
- (b) render all practicable assistance to the mayor, responsible accounting officer, general manager, auditor, the Director-General or such a delegate or subdelegate with respect to those records.

Risk Management – Business Risk/Work Health and Safety/Public:

Monthly reporting allows Council to keep informed of the process of the grants register to actual income and costs.

OPTIONS:

There are no alternative options.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

1. Council Current Grants and Contribution Reconciliation.

8.2 SALE OF LAND FOR UNPAID RATES AUCTION RESULTS

REPORT AUTHOR: ACTING RATES OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report provides an update on the Sale of Land for Unpaid Rates and Charges sales which occurred in the week commencing 26 October 2020.

RECOMMENDATION:

That Council will:

- 1. Receive and note the report.**
- 2. Note that monthly reports will be provided to Council until such time that the contracts of sales have been completed and the sale processes finalised.**
- 3. Increase provision for Doubtful Debt Provision for Rates, Annual Charges and Interest by \$108,000.**

BACKGROUND:

Section 713 of the Local Government Act 1993 (the LGA) provides that Council may sell land by public auction where rates and charges remain unpaid for a period of five (5) years or longer.

At its Ordinary Meeting on 25 March 2020, Council resolved to sell 111 properties at public auctions, but to defer advertising and scheduling of such auctions until such time that it is considered appropriate to proceed in light of the Covid-19 situation, which was beginning to evolve at that time. That resolution also provided Council's authority for the General Manager to execute all relevant documentation to affect such sales.

At its Ordinary Meeting on 24 June 2020, Council endorsed that sale of land auctions be conducted in the week commencing 26 October 2020.

Council received and noted a progress report on the matter at each of its Ordinary Meetings since June 2020. As reported to Council's Ordinary Meeting on 22 November 2020, the auctions resulted in the sale of 91 properties under 83 contracts of sale.

REPORT:

The contracts of sale provide for completion within 42 days of the auction dates, which period expired in the week of 7 December 2020 to 11 December 2020. Contracts provide for a 14 day "Notice to Complete" period (21 days if serve by post) should either party be unable to settle within the initial 42 days period. The timely completion of the contracts and finalisation of the sales process (settlement) has been impeded by the need for manual settlements involving exchange of physical documents rather than online settlements as are performed with standard sales.

The firm appointed to manage the sale, Outstanding Collections, have been acting “pro bono” for several purchasers to achieve completion of contracts on 13 different properties, 8 of which are fully completed with 5 others just requiring the deposit released by the real estate agent to finalise – expected by 24/5/2021.

Transfers have been registered and titles issued for all Council purchases with 5 of these matters just requiring release of the deposit paid at auction to finalise – expected by 24/5/2021.

The table below sets out the status and risk of non-completion at 10 May 2021.

Status	Count	Risk
Complete	49	Nil
Council purchase not proceeding – Western Land Lease cancelled – sale/deposit to be refunded	1	Nil
Awaiting Agent to remit deposits	15	Nil
Awaiting Order on Agent to release deposit monies	5	Very Low
Transfer to be registered	2	Low
Awaiting Order on Agent & Transfer to be registered	1	Low
Purchaser’s solicitor’s fees outstanding	9	High
Transfer not provided by purchaser	1	High
Total	83	

Of the original 83 matters, 63 are complete and or waiting on receipt of sale/deposit proceeds from the real estate agent.

Notices to Complete were issued on 26/4/2021 in respect of 20 incomplete matters, with expiry dates 10/5/2021 (18) or 17/5/2021 (2).

At the time of writing this report, 10 of these matters remain incomplete. Instructions have been issued to terminate the contracts and for deposits totalling \$1,091 to be forfeited. The unpaid balances on these 10 matters totals approximately \$125,000. These properties will need to be included in a future sale for unpaid rates. In addition to forfeiture of deposit monies other legal remedies are available to Council however these do not appear to be cost effective in most cases.

We are continuing to work with a press purchasers’ conveyancers to finalise the remaining incomplete matters – registering transfers and issuing of orders to release deposits. It is expected that these matters will be completed by 31 May 2021 however it is possible that a few may drag into June 2021.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

No direct linkages

Delivery Outcome

No direct linkages

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Nil	Nil
Environmental	Nil	Nil
Economic	Improved cashflow Crystallisation of Bad Debt exposure	Nil
Governance	Nil	Nil

Financial and Resource Implications:

Once sale proceeds are received any residual debts are written off in accordance with Section 719 of the LGA in order that the purchasers acquire the properties free of any rate debt outstanding up to the date of settlement.

The amount written off for matters completed to date is approximately \$1,136,000. These costs will be allocated against the existing Doubtful Debt Provision for Rates, Annual Charges and Interest of \$1,230,000.

An increase in provision of \$108,000 is required to cover write offs of remaining matters that are expected to complete within the current financial year.

A further variation to the Doubtful Debt Provision for Rates, Annual Charges and Interest will be necessary before 30/6/2021 to address remaining doubtful debt exposure (not included in this sale process).

Policy, Legal and Statutory Implications:

Local Government Act 1993
Councils Debt Recovery Policy
Council's Economic Hardship Policy

Risk Management – Business Risk/Work Health and Safety/Public:

Failure of purchasers to complete purchasers has exposed Council to further costs of selling for unpaid rates at a future date. This additional expense will need to be included when assessing an increase in the Doubtful Debt Provision for Rates, Annual Charges and Interest

OPTIONS:

None.

COUNCIL SEAL REQUIRED:

No

Attachments

NIL

8.3 CASH AND INVESTMENTS – April 2021

REPORT AUTHOR: MANAGER FINANCE
RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES

EXECUTIVE SUMMARY:

This report is to provide a summary of Council's cash and investments as at 30th April 2021.

RECOMMENDATION:

That Council will:

2. Receive and note the report

REPORT:

In accordance with Clause 212 of the *Local Government (General) Regulations 2005*, a monthly report setting out details of all money that Council has invested under Section 625 of the *Local Government Act 1993* is required to be submitted to Council.

Cash and Investment Accounts

Cash & Investment Accounts	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Westpac 11am Investment Account	\$3,950,000.00	\$3,950,000.00	Nil	0.10%	\$35.71	\$1,823.32
Operating Account	\$4,976,666.23	\$5,018,739.26	(\$42,073.03)	0.01%	NIL	\$115.84
Post Office Clearing Account	\$697,705.57	\$675,214.13	\$22,491.44			
Total Cash at Bank as at 30th April 2021					\$9,624,371.80	

S

Commentary:

The net movement of cash for the month of April 2021 was a decrease of \$42,073.03.

Payments for the month of April 2021 in total dollars, being for payments wages and to suppliers of \$3,024,848.86.

Receipts for the month of April 2021 totalled \$2,982,944.32, being predominately:

- \$1,703,350 grant funding for Natural disaster Funding – Storm Damage
- \$50,000 grant funding for NSW Planning Portal
- \$786,500 contribution from the Far West joint Organisation
- \$148,911 payment claim from RMS

Restrictions

Restriction Type	Restriction Amount
Internal	Nil
External	\$5,955,000
Total Restrictions as at 30 June 2021	
\$5,955,000	

Loan Accounts

Loan Account	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Garbage Trucks	\$176,100.77	\$189,351.88	(\$13,251.11)	3.66%	\$405.20	\$4,591.84
Total Loan Liability as at 30th April 2021					\$176,100.77	

Commentary:

This loan was taken out during the 2013 financial year to fund the purchase of three garbage trucks and other operational expenditure. The loan balance as at the year ended 30 June 2013 was \$1,249,000.

The loan balance as 30th April 2021 is \$176,100.77 and it is estimated that this loan will be repaid in full by 30 June 2022.

Attachments

Nil

8.4 OUTSTANDING RATES, CHARGES AND OTHER DEBTS

REPORT AUTHOR: Acting Rates Officer

RESPONSIBLE DIRECTOR: General Manager

EXECUTIVE SUMMARY:

This report aims to provide Council with an overview of the rates, charges and other items owed to Council.

RECOMMENDATION:

That Council resolve to:

3. Receive and note the report.

BACKGROUND:

At the conclusion of the Mayoral (Administrator) Minute(s) at the Ordinary Meeting of Council on 22 April 2021, Council resolved:

That the General Manager provide a separate report on all outstanding rates, fees, charges and any other debt to Council, by fund, to the next meeting.

Additionally, Council received reports regarding outstanding water consumption charges at its Ordinary Meetings on 24 March 2021 and 22 April 2021. The report to the April 2021 Ordinary meeting included analysis of outstanding water consumption charges by area and by owner entity type.

REPORT:

There are essentially three main types of debts outstanding to Council consisting of;

1. Annual Rates and Charges
 2. Water Consumption Charges
 3. Other Fees and Income
-
1. Annual Rates and Charges consist of
 - a. Ordinary Rates (otherwise known as General Rates);
 - b. Domestic Waste Management service charges, levied under section 496 of the Local Government Act 1993 (the LGA);
 - c. Other (non Domestic) Waste Management service charges, levied under section 501 of the LGA;
 - d. Water Service Charges, levied under section 501 of the LGA, and;
 - e. Sewerage Service Charges, levied under section 501 of the LGA.
 2. Water Consumption Charges are levied under section 502 of the LGA, with tariffs apply for each kilolitre of water used as measured by the water meters servicing individual properties.
 3. Other fees and income where an invoice issued at or prior to time of payment (generally known as sundry debtors).

Analysis has been performed on the latest available information from 11 May 2021. This information includes rates and annual charges payable on the fourth quarterly instalment which is not due until 31 May 2021. Conversely, all Water Consumption balances are overdue.

Outstanding Rates, Annual Charges and Water Consumption

Analysis of outstanding amounts by various cross sections of the data is shown in the tables below:

Table 1: Total Outstanding by Location and Fund

Location	General	Sewerage	Waste	Water	Water Consumption	Total
Copi Hollow	\$3,587					\$3,587
Ivanhoe	\$68,060		\$68,489	\$72,220	\$96,511	\$305,280
Menindee	\$126,454		\$125,046			\$251,499
Mossgiel	\$1,203					\$1,203
Sunset Strip	\$17,844		\$3,364			\$21,208
Tilpa	\$5,160					\$5,160
Trida	\$5,359					\$5,359
White Cliffs	\$54,987		\$6,700	\$102,354	\$30,750	\$194,791
Wilcannia	\$190,721	\$130,837	\$127,991	\$204,809	\$290,795	\$945,153
Total	\$473,374	\$130,837	\$331,590	\$379,382	\$418,056	\$1,733,240

Table 2: Total Outstanding by Rating Category and Fund

Rating Category	General	Sewerage	Waste	Water	Water Consumption	Total
Farmland	\$165,434		\$12,704			\$178,138
Residential	\$287,342	\$107,780	\$268,312	\$345,406	\$395,207	\$1,404,047
Business	\$16,327	\$17,238	\$29,882	\$25,082	\$15,955	\$104,484
Non-Rateable	\$4,271	\$5,819	\$20,692	\$8,895	\$6,894	\$46,571
Total	\$473,374	\$130,837	\$331,590	\$379,382	\$418,056	\$1,733,240

Table 3: Total Outstanding by Owner Entity Type and Fund

Entity Type	General	Sewerage	Waste	Water	Water Consumption	Total
Government	\$2,628	\$10,125	\$17,105	\$10,259	\$10,806	\$50,922
Non Gov't Community Organisation	\$10,319	\$18,543	\$25,668	\$28,942	\$137,634	\$221,105
Private	\$460,427	\$102,170	\$288,818	\$340,181	\$269,616	\$1,461,213
Total	\$473,374	\$130,837	\$331,590	\$379,382	\$418,056	\$1,733,240

Table 4: Overdue Amounts by Entity Type (excludes 4th rates instalment due 31/5/2021)

Entity Type	Rates	Water Consumption	Total
Government	\$28,636	\$10,806	\$39,442
Non Gov't Community Organisation	\$1,905	\$137,634	\$139,538
Private	\$948,958	\$269,381	\$1,218,339
Total	\$979,498	\$417,822	\$1,397,320

Table 5: Outstanding Rates & Annual Charges as Percentage of Annual Levy/Levy Due by Location (excludes Water Consumption – see below)

Location	Levied Amount	Total Outstanding Annual Rates & Charges	Percentage Outstanding/Levy	Levied Amount Due (excludes 4 th Instalment)	Percentage Outstanding/Levy Due
Copi Hollow	\$6,103	\$3,587	59%	\$4,577	78%
Ivanhoe	\$407,358	\$208,769	51%	\$305,518	68%
Menindee	\$459,986	\$251,500	55%	\$344,989	73%
Mossgiel	\$10,100	\$1,203	12%	\$7,575	16%
Sunset Strip	\$70,300	\$21,208	30%	\$52,725	40%
Tilpa	\$28,084	\$5,160	18%	\$21,063	24%
Trida	\$310	\$5,359	1728%	\$233	2304%
White Cliffs	\$293,147	\$164,041	56%	\$219,860	75%
Wilcannia	\$1,119,212	\$654,358	58%	\$839,409	78%
Total	\$2,156,992	\$1,315,183	61%	\$1,617,744	81%

Table 6: Outstanding Water Consumption Charges as Percentage of Amount Levied Year to Date) by Location

Location	Levied Year to Date	Outstanding/Overdue	Percentage Outstanding/Amount Levied
Ivanhoe	\$255,050	\$96,511	38%
Wilcannia	\$277,032	\$290,560	105%
White Cliffs	\$88,114	\$30,750	35%
Total	\$620,197	\$417,822	67%

Table 7: Aged Debts – overdue amounts only

Aged Debt	Rates	No. of Rates Assessments	Water Consumption	No. of Water Assessments	Total
Current Year	\$301,002	314	\$203,396	192	\$504,398
1 Year	\$209,780	50	\$36,802	12	\$246,582
2 Years	\$122,320	31	\$32,773	17	\$155,093
3 Years	\$98,401	24	\$32,028	8	\$130,429
4 Years	\$63,195	13	\$25,624	8	\$88,819
5 Years	\$47,690	6	\$21,863	3	\$69,553
Over 5 Years	\$137,110	45	\$65,336	22	\$202,446
Total	\$979,498	483	\$417,822	262	\$1,397,320

Sundry Debtors

As mentioned earlier in this report, Sundry Debtors are used to account for a wide range of items. Generally Sundry Debtor items are unsecured and as such Council's carries additional risk in agreeing to invoice for services rather than require payment in advance.

An aged balance analysis of sundry debtors is typically used to assess bad debt exposure risk however other factors need to be considered in making such assessments.

The following tables provide some additional analysis of the existing Sundry Debtor book.

Table 8: Sundry Debtor Aged Balances by Entity Type

Entity Type	90 Days	60 Days	30 Days	Current Month	Total
Government	\$409,544	\$0	\$508,799	\$0	\$918,343
Non Gov't Community Organisations	\$9,280	\$0	\$12,625	\$0	\$21,905
Private	\$49,417	\$930	\$202	\$1,290	\$51,839
Grand Total	\$468,241	\$930	\$521,626	\$1,290	\$992,087

Table 9: Sundry Debtor Aged Balances by Service Type

Service Type	90 Days	60 Days	30 Days	Current Month	Total
Cemetery	\$11,370	\$930	\$202	\$1,290	\$13,792
Civil Works	\$0	\$0	\$1,000	\$0	\$1,000
DA Fees	\$5,844	\$0	\$0	\$0	\$5,844
Emergency Services	\$7,570	\$0	\$0	\$0	\$7,570
Facility Hire	\$5,047	\$0	\$85	\$0	\$5,132
Garbage Bins	\$1,940	\$0	\$0	\$0	\$1,940
Grants	\$381,695	\$0	\$507,799	\$0	\$889,495
Legal Costs	\$10,044	\$0	\$0	\$0	\$10,044
Rent	\$5,595	\$0	\$12,540	\$0	\$18,135
Tipping Fees	\$297	\$0	\$0	\$0	\$297
Traffic Control	\$3,440	\$0	\$0	\$0	\$3,440
Vehicle Sale	\$35,000	\$0	\$0	\$0	\$35,000
Veterinary Fees	\$110	\$0	\$0	\$0	\$110
Water Carting	\$288	\$0	\$0	\$0	\$288
Grand Total	\$468,241	\$930	\$521,626	\$1,290	\$992,087

Debt outstanding by Government departments is not considered at risk.

Additionally, some debt is payable outside typical 30 day payment terms – such as Government Grants payment of which is subject to milestones being achieved. As such the 30, 60, 90 day aging analysis does not necessarily indicate payment is overdue or at risk.

Commentary

Whilst there are many ways in which the data can be presented, what remains clear is there will be an ongoing challenge to manage the collection of rates, charges and other fees.

The benchmark for outstanding rates and charges set by the Office of Local Government for remote/rural Councils is less than 10%.

For at least the past 20 years, Central Darling Shire has reported a result failing to achieve that mark.

Table 5 (**Percentage Outstanding/Levy Due**) indicates a decline in collections of annual rates and charges since 30 June 2020 at which time the percentage of rates and charges outstanding was 27.9% (against the Office of Local Government’s benchmark for remote/rural Councils of 10%).

Table 7 illustrates that another sale of land for unpaid rates process should be undertaken during the 2021-22 period.

From another perspective, lowering rates and charges and making them more affordable, would ease the position over time. There is no scope to reduce costs through service reductions given our communities already have very limited access to services. As such the only avenue to lower rates and charges is to increase external funding from State and/or Federal Governments – or from other sources.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 4: A consultative and professional Council providing relevant, attainable and efficient delivery of services as per the standards set by Council and providing community development and succession planning.

Delivery Outcome

4.1 Effective communication and consultation with Shire communities.

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Improved customer engagement	
Environmental		
Economic		
Governance	Transparency of Council’s financial position	

Financial and Resource Implications:

Government grants account for \$889K of total Sundry Debtor exposure of \$992K.

Of the remaining \$103K, an initial review suggests \$12K is at risk and will most likely require write off.

A review of each individual account will be required to determine if write off is required. It is proposed that such review be completed before 30 June 2021 so that an appropriate provision may be raised before the 2020-21 financial period is closed.

The engagement of a permanent rates officer, as addressed through the recently revised Organisational Structure will be critical to improved collection rates.

Policy, Legal and Statutory Implications:

Local Government Act 1993
Councils Debt Recovery Policy
Council's Economic Hardship Policy

Risk Management – Business Risk/Work Health and Safety/Public:

Nil

OPTIONS:

None identified.

COUNCIL SEAL REQUIRED:

No.

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No.

External Exhibition

Not required.

8.5 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2021

REPORT AUTHOR:	MANAGER FINANCE
RESPONSIBLE DIRECTOR:	ACTING DIRECTOR BUSINESS SERVICES

EXECUTIVE SUMMARY:

This report is to provide a summary of Council's financial performance against budget as at 31 March 2021.

RECOMMENDATION:

That Council will:

- 1. Receive the 3rd Quarter Budget Review as at 31 March 2021;**
- 2. Adopt the variations to Council's 2020/21 Annual Budget.**
- 3. Note that the projected operating surplus for the financial year 2020/21 is \$187,000.**
- 4. Note that projected capital works budgeted expenditure for 202/21 is \$14,596,000.**

BACKGROUND:

Regulation 203 of the Local Government (General) Regulation 2005 provides a requirement that:

(1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.

(2) A budget review statement must include or be accompanied by:

(a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and

(b) if that position is unsatisfactory, recommendations for remedial action.

In accordance with s.211 (Authorisation of expenditure) of the Local Government (General) Regulations 2005:

(1) A council, or a person purporting to act on behalf of a council, must not incur a liability for the expenditure of money unless the council at the annual meeting held in accordance with subclause (2) or at a later ordinary meeting:

(a) has approved the expenditure, and

(b) has voted the money necessary to meet the expenditure.

The QBRS appears as Attachment 1 and has been produced in accordance with the guidelines and standards issued by the Office of Local Government.

The March Quarterly Budget review shows Quarterly Budget Review shows a decrease in the projected 2020/21 operating surplus (before capital items) of \$187,000 to an overall projected operating surplus as at 30 June 2021 of \$360,000. Budgeted capital expenditure will decrease by \$5,000,000 and capital revenue will decrease by \$5,000,000. Projected capital expenditure will decrease from \$19,596,000 to \$14,596,000.

REPORT:

Operational Budget Result:

The March Quarterly Budget review shows Quarterly Budget Review shows a decrease in the projected 2020/21 operating surplus (before capital items) of \$360,000 to an overall projected operating surplus as at 30 June 2021 of \$187,000.

This result reflects the following movements:

1. Council has been contracted by RMS to undertake road rehabilitation works in the Willandra Creek which are from May 2021. The expected value of these works is \$200,000 and this income is additional to Council's 2021 Annual Budget.
2. Additional \$40,000 in contracting costs due to the extended leave taken and subsequent resignation of the Director of Business Services.

An additional \$180,000 has been allocated to continuing work on developing Council's ongoing IP&R framework. A portion of this cost is also due to Council not having a full time Director of Business Services in place.

An additional \$240,00 has been allocated to HR and recruitment, this is due to Council using LGNSW to recruit staff and ongoing staff development/discipline issues.

Street cleaning will exceed it's budget by some \$20,000 due to additional works undertaken. An additional \$20,000 has been allocated to this budget line.

An amount of \$80,000 has been allocated to contractors and materials for the costs Council will incur for the works at Willandra Creek as per point 1. Above.

Capital Budget Result:

Budgeted capital expenditure will decrease by \$5,000,000 and capital revenue will decrease by \$5,000,000. Projected capital expenditure will decrease from \$19,596,000 to \$14,596,000.

This result reflects the following movements:

1. The plant and reticulation replacement program for the White Cliffs Water Treatment Plant project has now been postponed due to delays in the approval process from DPIE Water. The reasons for this delay form part of the Capital Works Progress report tabled at the February 2021 Council meeting.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL: 4 A consultative and professional Council providing relevant, attainable and efficient delivery of services

Delivery Outcome

OBJECTIVE: 4.2 Efficient and effective services

SUSTAINABILITY ASSESSMENT:

Financial and Resource Implications:

Monitoring of the Quarterly Budget Review enables timely financial management.

Policy, Legal and Statutory Implications:

Clause 203 (1) of the Local Government (General) Regulation 2005 requires Council's Responsible Accounting Officer to prepare and submit a quarterly budget review statement to the governing body of Council.

Risk Management – Business Risk/Work Health and Safety/Public:

Quarterly reporting allows Council to keep informed of the progress of the budget to actual income and costs.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Nil

Attachments

Quarterly Business Reports

8.6 DRAFT 2021-22 INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR PUBLIC EXHIBITION

REPORT AUTHOR: ACTING DIRECTOR BUSINESS SERVICES

RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

In 2009 the *Local Government Act 1993* was amended to introduce Integrated Planning and Reporting, which places an obligation on all NSW Councils to develop a suite of long-term planning documents based on comprehensive community engagement.

This report presents the Draft Operational Plan (2021-2022) Incorporating, Draft Fees and Charges (2021-2022) and Draft Operational Budget (2021-2022) to the community for review and feedback ahead of adoption.

The Operational Plan (2020-21) must be developed for adoption before 1 July 2021, reflecting the existing Delivery Program (2018-2021).

RECOMMENDATION:

That Council will:

- 1. Receive the report presenting the DRAFT 2021-22 Integrated Planning and Reporting documents**
- 2. Endorse the DRAFT 2021-22 Integrated Planning and Reporting documents incorporating:**
 - a. Draft 2020-21 Operational Plan**
 - b. Draft 2020-21 Revenue Policy**
 - c. Draft 2020-21 Fees and Charges Schedule**
 - d. Draft 2020-21 Operational**

Budget

- 3. Place the Draft documents on public exhibition for 28 days, seeking community submissions for consideration prior to adopting the documents at the June 2021 council meeting**

BACKGROUND:

The Integrated Planning and Reporting legislation requires all NSW Councils to have:

- A ten-year Community Strategic Plan.

- A four-year Delivery Program.
- An annual Operational Plan.
- A Resourcing Strategy including an asset management plan, a long-term Financial Plan, and a Workforce Management Plan.

In line with the Legislation, Council needs to provide an annual Operational Plan, Fees and Charges and Operational Budget that can be shared in Draft form with the community for feedback ahead of adoption by 1 July 2021, noting the extended timeline as approved by the NSW Office of Local Government in response to the COVID-19 emergency.

Where amendments are made to the Long-Term Financial Plan and Delivery Program, these must be shared and revised using the same process.

REPORT:

The Draft Operational Plan 2021-2022 supports the Delivery Program 2018-2021 and specifies the actions of Council's key functional and operational areas that will be conducted in the coming year, funded through the 2021-2022 budget.

The Draft Operational Plan has been developed by Council staff in conjunction with the Administrator. As a result, it is anticipated that throughout 2021-2022, Council will be required to assess the need for changes to budget allocations and priorities.

The attached Operational Plan and budget documents consist of the following components.

1. Operational Plan 2021-22. This document covers the six key focus areas of Council's normal strategic planning framework. It describes the annual operational responsibilities of Council and where possible the relevant expenditure amounts from the annual budget. The programs and activities described in the plan cover Council's "business as usual" and include traditional expenditure in the areas of road maintenance, water and sewerage supply, general infrastructure, and service delivery.
2. Statement of Revenue. Ordinary rates have been increased by the approved IPART rate peg of 2%. The same increase has been applied to water, sewerage, and waste collection. No increase has been applied to general fees and charges.
3. Income and Expense Statement. The income component was calculated using the assumptions above. Where relevant, new grants have been recognized. The expenditure items were based on previous years expenditure and where applicable zero-based budget principles.
4. Capital Works Program 2021/22. Major capital works have been listed on page 52 of the document and include: Reseals/Gravel Re-sheets and Roads to Recovery: \$2.275 million. Pooncarie Road: \$8.00 million. White Cliffs Water Plant and Reticulation System: \$2.50 million. Ivanhoe and Wilcannia Water Treatment Plants: \$3.00 million. Ancillary Works totaling \$2.60 million have been itemized on page 53, and include Ivanhoe Paving \$154,000, White Cliffs Footpaths \$120,000, improvements to electronic roads signs \$300,000, Wilcannia Skate Park \$260,000, Sunset Strip Playground \$85,000, and various minor works in Menindee.
5. Fees and Charges 2021-22. As mentioned in point 2 above no increases to

Fees and Charges have been applied.

Changes to the Budget and Operational Plan, along with progress updates of Council's work across the year will be reported to the community through quarterly reviews to Council, the publication of a half yearly update on the Operational Plan and in Council's Annual Report.

The Operating Budget indicates that Central Darling Shire Council will have an operating Surplus (after Capital Grants) of \$182,000. (page 44)

The total 2021-2022 budgeted operating expenditure will be \$20.757 Million (page 49), Capital Expenditure will be \$20.956 Million (page 56), with total revenues expected to be \$37.023 Million.

The Draft Operational Plan for 2021-2022 continues the key focus areas of councils existing Community Strategic Plan which is currently undergoing an extensive review. The review is focusing on the additional specific needs identified by the community as part of an extensive community consultation process. New Programs and Activities have been identified and included in the draft Operational Plan to be assessed and refined throughout 2021-2022. These programs include Housing, Water Security, Employment, Telecommunications and Electricity Infrastructure.

Further information relating to the Draft 2021-2022 Budget can be found in the attached documents.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 4: A consultative and professional Council providing relevant, attainable, and efficient delivery of services.

Delivery Outcome

OBJECTIVE 4.2: Efficient and effective services.

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Ensuring adequate services are provided to the community and transparent planning provides confidence in Council's ability to deliver on the community's priorities.	The proposed Fees and Charges changes may be seen as having potential social impacts.
Environmental	Planning for the provision of services that improve environmental outcomes within Council's area of influence.	Environmental impacts will need to be identified and managed closely given the scale of developments outlined in the Operational Plan.

Economic	Improve budgetary control & cashflows.	Nil
Governance	This report is required to demonstrate to the community and Government the appropriateness and transparency of Council's decision making processes.	With current COVID-19 restrictions, face to face consultation on the Draft Plans are not able to be undertaken.

Financial and Resource Implications:

The adoption of these Plans will incur associated expenses and resource implications for their successful implementation. These commitments are outlined in the budget provided.

Policy, Legal and Statutory Implications:

In response to the COVID-19 emergency, the NSW Government has provided an extension to the timeframe for which Council is required to adopt a full suite of Integrated Planning and Reporting documents, being before 1 August 2021 (previously 30 June 2021).

Risk Management – Business Risk/Work Health and Safety/Public:

There is a risk that the Draft Plans provided with this report are not understood by the community and therefore, a detailed communications and engagement approach will be applied, as outlined below.

OPTIONS:

1. Council endorses the Plans as presented and places them on public exhibition.
2. Council may opt to amend the Plans and place them on public exhibition.
3. Council may opt not to endorse any of the Plans presented at this time, being aware that Councils are mandated to have the plans adopted by 1 August 2021.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Consultation

A review of the 2018-2022 Delivery Program commitments, the current 2020-2021 Operational Plan progress and priority organisational projects was undertaken by the Management Executive team to develop and confirm the priorities in the 2021-2022 Operational Plan.

The Operational Budget has been developed in consultation with the Management Executive team.

The Draft Plans have been presented to the Administrator.

External Consultation

The Operational Plan reflects the upcoming year's actions in order for Council to deliver on its commitments in the Delivery Program 2018-2022.

Formal public exhibition of the Draft Operational Plan 2021-2022 incorporating the Draft Operational Budget 2021-2022, Draft Fees and Charges 2021-22 will be conducted in accordance with the requirements of the *Local Government Act 1993*

Public exhibition will include the document being available electronically on Council's website and advertisements in local newspapers and electronic media.

Community feedback from the public exhibition period will be considered by Council before the final document is adopted at June (2021) Ordinary Council meeting.

Attachments

1 DRAFT 2021-22 Integrated Planning and Reporting documents incorporating:

- a. Draft 2020-21 Operational Plan**
- b. Draft 2020-21 Revenue Policy**
- c. Draft 2020-21 Fees and Charges Schedule**
- d. Draft 2020-21 Operational Budget**

9. GOVERNANCE REPORTS

9.1 Pooncarie Road Construction-Investigations of impacts and harm to Aboriginal cultural heritage sites

REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council on the destruction of aboriginal artifacts during the construction of Pooncarie Road, and measure undertaken to resume works.

RECOMMENDATION:

That Council will:

- 1. Receive the report and endorse the following:**
- 2. A further progress report to presented to Council at next meeting.**

BACKGROUND:

Council received \$25m of State and Federal Government funding to bitumen seal 61 km's of the unsealed section of Pooncarie Road. The construction works is planned over the next 3 years with completion in of works in the financial year 2023/24. Council signed funding deeds for the project in late 2019. Road design and environmental/heritage surveys were conducted during 2020. In December 2020, Council received Aboriginal Heritage Impact Permit (4686) and construction works in January 2021.

Council engaged Green Edge Environmental to prepare and submit Aboriginal Heritage Impact Permit (AHIP) application on Council behalf. Green Edge Environmental engaged Biosis Pty Ltd (Archaeologist) to undertake Aboriginal Cultural Heritage Assessment (ACHA) for the Pooncarie Road upgrade, which was completed in September 2020.

On Tuesday 16 March, Council was contacted by Environment/Heritage NSW to reports by concerned community members that several scarred trees have been removed on one of three construction sites. The Department ordered Council to cease works and Council

complied by ceasing works on all three construction sites immediately. Alternative maintenance work was found for work crews around the Menindee area.

Council staff, Green Edge Environmental met with the Environment/Heritage Compliance & Regulation and Community Engagement Departments via video link on Thursday 25 March, to discuss the requirements of a report to verify the destruction of the scare trees and if there were further breaches of the AHIP.

Monday March 29, Biosis Pty Ltd (Archaeologist) returned to Pooncarie Road, and remained on site for the entire week to undertake impact assessment of all construction work sites. Initial discussion via phone with the archaeologist at the end of that week, revealed that there has been breaches of the AHIP with damage done on all sites.

Biosis have completed investigations to potential impacts and harm to Aboriginal cultural heritage sites where nine (9) recommendations have been developed under the guidance of RAPs, members of the Barkindji NTRBC, Barkindji Rangers, Menindee LALC, Barkindji Elders, and members of the Menindee community.

Council has engaged HDS Australia Pty Ltd (engineering consultants) to undertake audit of Council Project Management of Pooncarie Road to commence soon as practical, with a written report to Council by the end of May.

REPORT:

Since the Council meeting in April, on Thursday 29 April Council staff met with community members in Menindee to discuss the recommendations in the Biosis Report. The community members were satisfied with the recommendations in the report to be implemented. Further discussion was had about recommencement of works with the two sections, (0-5km and 10-15km) being the less impacted of destruction of the three sections. Works were to recommence Tuesday 11 May; however, this was deferred due to availability of monitors with a verbal report to be made to council meeting on progress. The recommencement of the third section, the Menindee Community Group would like to meet on site to discuss the damage done and how the site will be rehabilitated, before any works start again. This meeting was planned after the recommencement of the other two sections, estimated in 4-8 weeks' time, subject to the availability of community members.

The Biosis archaeologist and Council staff on Friday 30th April, attended the two sections to recommence construction works to clearly mark all areas of high and moderate potential and indicate areas where construction machinery can manoeuvre.

At the meeting on Thursday 29 April, it was identified that the Menindee Local Aboriginal Land Council was not positioned to continue management and supply of monitors for the Pooncarie Road project. Discussions have been had with the Barkindji Native Title Group for the supply of monitors for the interim to recommence the project, with further discussion with the group on the long-term supply of monitors for the project for the next 3 years. Further verbal information to be provided at the council meeting.

Council has engaged HDS Australia, as reported above, to undertake an audit of Council Project Management of Pooncarie Road which has commenced with a site visit to Menindee and Wilcannia in the week of 10 May. It is expected that this report will be made available to council by the end of May.

Department of Environment/Heritage NSW North West Compliance and Regulation team has since visited the construction sites on Pooncarie Road to inspect the impacts to cultural sites. Furthermore, the Director Shire Services has met with the Compliance and Regulation

Team in their Dubbo Offices to provide further information on the management of the project. At this stage, no information has been provided by the department if Council will be prosecuted.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

Goal 4. A consultative and professional Council providing relevant, attainable and efficient delivery of services as per the standards set by Council and providing community development and succession planning.

Delivery Outcome

Objective 4.2 Efficient and effective services and informed Councillors and staff

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Council being transparent in actions being taken	Damage done to Council reputation and brand
Environmental	Nil	Significant damage to Aboriginal heritage and artefacts
Economic	Nil	Delay in delivery construction works
Governance	Project Management framework will be developed	Unknown

Financial and Resource Implications:

At this stage it is unknown if there are Financial and Resource implications, this could be subject to prosecution in breaching the AHIP.

Policy, Legal and Statutory Implications:

Potentially Council could be prosecuted for breach of the AHIP

Risk Management – Business Risk/Work Health and Safety/Public:

HDS Australia from their Audit Report will provide Council a Project Management Framework for the future management of the project.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

Nil

External Exhibition

Nil

Attachments

Nil

9.2 HUMAN RESOURCE MANAGEMENT ACTIVITIES

REPORT AUTHOR: HUMAN RESOURCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with information on the current human resource activities to ensure the organisation meets its statutory and legislative requirements.

RECOMMENDATION:

That Council will:

1. Receive the report.

BACKGROUND:

In the April Council meeting (2021) it was agreed to provide regular updates to Council on key human resource matters as it relates to the continuity in the delivery of services to the community, and the associated financial impacts.

REPORT:

Vacancies:

Below are the vacancies currently being advertised externally:

Position	Open Date	Closing Date	Status
Truck Driver – White Cliffs – Full-time – Permanent	18 March 2021	9 April 2021	Employment Offered.
Director Business Services – Full-time - 3 Year Fixed Term(via LGMS)	26 March 2021	12 April 2021	In progress
Rates Officer – Part-time (up to 44 hours per fortnight) – 2Year Fixed Term (initially)	26 March 2021	12 April 2021	No appointment
Senior Project Manager – Full-time - 3 Year Fixed Term	26 March 2021	16 April 2021	No appointment
Environmental Engineer - Full-time - Permanent	12 April 2021	23 April 2021	In progress

Attracting quality candidates remains a challenge for Council, particularly in key specialised and administrative areas. It is proposed to address this challenge through the HR Framework.

HR Framework:

A draft HR Framework has been prepared that will ensure Council's legislative obligations are met, along with improving areas such as workplace culture, attraction and retention, succession planning, and streamlining practices and processes. The framework will also align and support the development and delivery of the workforce planning management strategy as required under Council's Integrated Planning and Reporting Framework.

Consultation will be undertaken with key internal stakeholders during May and June 2021 with feedback being taken on board before finalising.

1,000 Jobs Package – Traineeships and/or Employment:

The National Indigenous Australians Agency is supporting a program called "1000 Jobs Package" that provides employers in remote Australian locations funding to increase employment opportunities for Community Development Program (CDP) participants. Eligible employers may receive financial support of up to \$57,020.28 (GST exclusive) over two years, including retention bonuses, to help them hire a CDP participant in a new, ongoing job located in a CDP region.

Funding applications closed on 30 April 2021 with Council submitting an application for grant funding under this program for the following areas:

- 1 x Wilcannia Post Office
- 1 x Wilcannia Administration
- 2 x Wilcannia Depot Yard or Office
- 1 x Menindee Depot (stores)
- 1 x Ivanhoe Depot (stores)
- 3 x WTP Trainees (White Cliffs, Ivanhoe, Menindee)
- 1 x Administration Trainee (Wilcannia Depot)
- 1 x Administration Trainee (Wilcannia Admin)
- 1 x Building Maintenance Trainee (Wilcannia Depot)
- 1 x Finance/Rates Trainee (Wilcannia Admin)

The above positions/areas have been identified as part of a succession plan for Council. There may be a potential cost to Council should it be successful with its application, however it is anticipated that this potential cost could be offset by current vacancies.

It should be noted that there is no guarantee that Council will receive the funding for any or all positions. Should Council's application be approved, there is a short timeframe in which to recruit for the positions.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

Goal 4. A consultative and professional Council providing relevant, attainable and efficient delivery of services as per the standards set by Council and providing community development and succession planning.

Delivery Outcome

Objective 4.2 Efficient and effective services and informed Councillors and staff

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Potential career opportunities from within the community.	Nil
Environmental	Improve reputational and Service Delivery to communities.	Nil
Economic	Receipt of Federal Government Assistance to support employment opportunities from within the community.	Potentially, some increase in operational and service delivery cost may be identified which will need to pass onto consumers.
Governance	Council meets its legislative and statutory requirements	The requirement for additional staff may come at a financial cost to Council

Financial and Resource Implications:

There are potential financial and resource implications in managing the 1000 Job Program should Council be successful. This cost has not been quantified, however it is expected that this will be able to be absorbed within current resources and costs associated with current vacancies.

Policy, Legal and Statutory Implications:

The HR Framework will assist Council in meeting its legislative obligations both with regards to industrial relations and the Integrated Planning and Reporting requirements.

Risk Management – Business Risk/Work Health and Safety/Public:

The HR Framework will assist Council in addressing risks associated with resourcing and meeting legislative obligations.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

Nil

External Exhibition

Nil

Attachments

Nil

9.3 COMMUNITY PARTICIPATION PLAN

REPORT AUTHOR: COMMUNITY ENGAGEMENT OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

To adopt the Community Participation Plan.

RECOMMENDATION:

That Council will:

- 1. Receive the report**
- 2. Note no submissions were received during the exhibition period**
- 3. Formally adopt the Community Participation Plan and register it with the Department of Planning through the NSW Planning Portal.**

BACKGROUND:

The Community Participation Plan was presented to Council at the March meeting and put on public exhibition until Friday April 23, 2021.

REPORT:

The Community Participation Plan (the Plan) has been prepared as a requirement of Division 2.6 of the *Environmental Planning and Assessment Act 1979*, following guidelines set down in Schedule 1 of the same Act.

At the meeting of 24 March 2021, Council resolved to place the Plan on public exhibition for a period of 28 days. The Plan was placed on Council's website and publicised through newspaper advertising and Facebook.

At the close of the exhibition period, no submissions were received.

It is a requirement of Schedule 3 of the Act that the Plan be accessible through the NSW Planning Portal. On adoption of the Plan, the appropriate actions will be taken to ensure this happens. The document will also be available on Council's website

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL OBJECTIVE 3.5 Well planned towns in accordance with LEP and sound planning principles

Delivery Outcome

OUTCOME 3.5.1 Well planned towns in accordance with LEP and sound planning principles

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Consistency in advertising	NIL
Environmental	NIL	NIL
Economic	Improved services	Ongoing cost of advertising
Governance	Complies with legislation	NIL

Financial and Resource Implications:

There will be ongoing costs due to a requirement to advertise planning matters. This has been costed and accounted for in upcoming budgets.

Policy, Legal and Statutory Implications:

NIL

Risk Management – Business Risk/Work Health and Safety/Public:

NIL

OPTIONS:

NIL

COUNCIL SEAL REQUIRED:

NO

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

Already undertaken

External Exhibition

Already undertaken

Attachments

NIL

9.4 DIGITAL (WEB AND SOCIAL MEDIA) POLICY

REPORT AUTHOR: COMMUNITY ENGAGEMENT OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

To formally adopt the Digital (Web and Social Media) Policy

RECOMMENDATION:

That Council will:

- 1. Receive the report**
- 2. There being no submissions to the Policy, it be adopted, listed in Council's Policy Register, and placed on Council's website.**

BACKGROUND:

The Digital (Web and Social Media) Policy (the Policy) was presented to Council at the March meeting and put on public exhibition until Friday April 23, 2021.

REPORT:

The Policy was placed on Public Exhibition on Council's website and promoted through advertising and on Council's Facebook page. It was also sent as a separate email to all staff through the All Users group inviting comment.

No comments were received from the public or staff. It is now proposed to adopt the policy, place it in Council's Policy Register and put it on Council's website.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

4.1 Effective communication and consultation with Shire communities

Delivery Outcome

4.1.1 Effective communication and consultation with Shire communities

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Increased engagement between Council and the community	Nil
Environmental	Reduction in paper based information	Nil
Economic	Increased use of digital resources could encourage tourism	Further expenditure may be required to keep digital infrastructure up to date
Governance	Council meets its responsibility by providing a sound framework for the use of digital technology in the public domain	Nil

Financial and Resource Implications:

Nil

Policy, Legal and Statutory Implications:

Nil

Risk Management – Business Risk/Work Health and Safety/Public:

Ensures all users are aware of their roles and responsibilities as council representatives in the public domain.

OPTIONS:

NIL

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

Staff consultation during exhibition period

External Exhibition

Community consultation invited through the Documents On Exhibition pages of the website.

Attachments

NIL

9.5 COMMUNITY ENGAGEMENT UPDATE

REPORT AUTHOR: COMMUNITY ENGAGEMENT OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with regular updates on community engagement activities.

RECOMMENDATION:

That Council will:

- 3. Receive and note the report**

REPORT:

The report covers the three month period from February to April.

MEDIA ENGAGEMENT

Seventeen media releases were sent during the period, plus items of interest sent to community groups. In addition, a number of paid advertisements were placed in various publications throughout the region, primarily for Positions Vacant and planning matters. Advertising is being placed in areas relevant to the issue, which may be the whole of shire or by locality.

FACEBOOK

Since the last report to the February meeting there has been an increase of 200 followers on Facebook. Council now enjoys a following of 2106 and, while front facing interaction is minimal, there is a great deal of engagement with followers opening posts to read them and clicking through on supplied links. The most popular regular posts relate to Road Conditions, with a spike in views during the flood event on the east coast.

Of our followers, nearly 70 per cent are in the 25-54 age bracket with an even split between male and female.

WEBSITE UPGRADE

The Community Engagement Officer has held three meetings with the new website service provider, and the project looks on track to be complete within the timeframe required. An upgrade of this nature would normally take approximately six months, however due to the time constraints imposed we are aiming for a launch date at the end of June. There may be some disruption to website availability at the launch time due to relocation of URLs etc, but this will be communicated to Council and the community through the usual channels.

OTHER ACTIVITY

1. Website: Update the website regularly.
2. Governance: Ensure all governance matters relating to community engagement and media and communications are up to date.
3. Assist staff with engagement and communications advice.

4. Community Strategic Plan: Work with the consultant to ensure communications are relevant and accessible
5. Newsletter: The monthly newsletter currently has 21 subscribers. New subscribers join the mailing list after each edition is sent out. There will be a promotional push to attract subscribers once the new website is launched. Under anti-spam provisions, there is requirement for people to subscribe to an electronic newsletter as well as a requirement for people to have access to a simple 'Unsubscribe' function. The current program used provides for this. Council is using the free service which provides for up to 1,000 subscribers. While there are some limitations to this service, it suits Council's current needs.

Attachments

NIL

9.6 40A Reid Street Wilcannia and 40B Reid Street Wilcannia

REPORT AUTHOR: Acting Rates Officer
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The owners of 40A Reid Street Wilcannia, being Lot 1 DP 906421, wish to gift that property to Council at no cost, and to pay any legal costs associated with the transfer.

Council owns the adjoining property, 40B Reid Street Wilcannia, Lot B DP 312008.

Together, 40A & 40B Reid Street Wilcannia would form a single vacant block of 689 square metres with a street frontage of 13.9 metres. The prospect of selling both lots together in one line appears stronger than attempting to sell either or both blocks separately.

RECOMMENDATION:

That Council resolve to:

4. **Accept ownership of Lot 1 DP 906421, 40A Reid Street Wilcannia, from Christine Gaye Elliot and Clarence Lawrence Elliott, for no monetary consideration and subject to any costs incurred in having the transfer completed being paid by Christine Gaye Elliot and Clarence Lawrence Elliott.**
5. **Classify Lot 1 DP 906421 as Operational Land in accordance with section 31 of the Local Government Act 1993.**
6. **Sell Lot 1 DP 906421 and Lot B DP 312008 for sale through a tender .**
7. **Authorise the General Manager or his delegate authority to negotiate the terms of the sale of Lot 1 DP 906421 and Lot B DP 312008 and to execute all relevant documentation to affect such sales.**

BACKGROUND:

40B Reid Street previously had an unoccupied and derelict building formerly operated as a retail premise. Council purchased this property at the sale of land for unpaid rates in October 2020 so that it could make the site safe for the community.

The site has since been cleared and made safe, with that work funded through an external NSW Government Grant. The property is now vacant land with an area of approximately 512 square metres. The most recent Valuer General valuation of this parcel is \$3,670 (as at 1 July 2020).

Owners of the adjoining parcel, 40A Reid Street Wilcannia wish to gift that property to Council at no cost to Council and to cover any legal costs associated with the transfer.

40A Reid Street is a narrow strip of vacant land with a frontage of just 3.3 metres and an area of approximately 177 square metres. The most recent Valuer General valuation of this parcel is \$1,220 (as at 1 July 2020).

REPORT:

The proposed gift to Council of 40A Reid Street enhances the prospect for disposal of the adjoining 40B Reid Street which Council already owns. Together, 40A & 40B Reid Street Wilcannia would form a single vacant block of 689 square metres with a street frontage of 13.9 metres. There is said to be a party interested in acquiring both properties. This indicates the prospect of selling both lots together in one line is stronger than that of individual sale(s).

Holding costs would be quite nominal as the property is a vacant, small block which adjoins an existing vacant allotment already owned by Council.

Council's Disposal of Assets policy provides that assets with a value between \$2,000 and \$150,000 be offered for sale by public auction or by tender. Based on the existing Valuer General valuations, it is expected the sale will be within / at the lower end of that range.

This report recommended that 40A and 40B Reid Street be offered for sale through a tender/ invitation for Expressions of Interest process. This report also proposes that the General Manager select and appoint a real estate agent from Broken Hill to manage the sale, through a competitive quote basis (as provided in Council's Procurement Policy for purchases up to \$29999).

Legal costs of sale are expected to be approximately \$2,000 which are expected to be fully covered by the sale proceeds.

40B Reid Street has not returned any rate income to Council for many years. The previous owners skipped and the subsequent sale for unpaid rates crystallised the loss of unpaid rates at \$13941.63.

Returning the property into private ownership is expected to generate collectable rate income.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

Goal 2: Sustainable economic development of Shire towns.

Delivery Outcome

2.1 Expansion of industries and growth in businesses

2.2 Employment growth

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Potential Improved street scape	
Environmental		
Economic	Improved rate income collection	
Governance		

Financial and Resource Implications:

Both the acquisition and disposal transactions are expected to be completed for nil net cost to Council, possibly with a small surplus from the disposal

Policy, Legal and Statutory Implications:

Section 377(1)(h) of the Local Government Act 1993 requires any decisions to accept or dispose of land must be made by Council resolution. However, there are no legislative or regulatory requirements or constraints in relation to how a property is marketed or sold provided it is satisfied the sale achieves the best value for money.

Sections 25, 26, 27 and 31 of the Local Government Act 1993 requires that land owned by Council must be classified by a resolution of Council before it acquires land, or within 3 months after it acquires land.

If such a resolution is not made within 3 months of the land being acquired, it will become Community Land by default. Section 45 of the Local Government Act 1993 precludes the sale of Community Land.

Council's Disposal of Assets policy provides that the land may be disposed of by public auction or tender.

Risk Management – Business Risk/Work Health and Safety/Public:

Nil

OPTIONS:

Decline to accept transfer of 40a Reid Street Wilcannia

Retain existing property 40B Reid Street Wilcannia

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

A pilot of the Aqualus Public platform commenced mid-January 2021 involving relevant staff.

External Exhibition

No formal external exhibition is required. Community awareness will be achieved through planned promotion of the benefits of smart water meters and the Aqualus Public platform

Attachments

- 1 Property Location Plan 40A & 40B Reid Street
2. Photographs 40A & 40B Reid Street

10. SHIRE SERVICES REPORTS

10.1 WATER AND SEWER UPDATE

REPORT AUTHOR: WATER AND SEWER ENGINEER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on water and sewer maintenance, capitalworks and expenditure on all assets within the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

- 1. Receive and note the report.**

REPORT:

Water & Sewerage Operations:

- Wilcannia's potable water supply transitioned to Darling River supply on Friday 16 October 2020 following positive jar testing and successful full Water Treatment Plant trial. Wilcannia's water supply will remain on river supply. The Wilcannia Weir continues to flow and Water Restrictions were lifted 1 February 2021
- White Cliffs town water supply is sourced from Wakefield Tank. Wakefield Tank storage supply without further rain is expected to last through to May 2021.

White Cliffs water supply experienced significant operational issues during January, resulting in interruption to the non-potable water supply to residents of Smiths Hill.

High water demand and undetected leaks made maintaining adequate reservoir levels a challenge. Additionally, 2 mechanical break downs frustrated efforts to restore reservoir capacity.

In addition to the commitment of additional staff resources, Council undertook watercarting to augment WTP water production. Notwithstanding the considerable inconvenience to Smiths Hill residents, non-potable water supply was maintained to White Cliffs residents generally.

Ivanhoe town water supply is currently being sourced from Morrison's Tank. Morrison's Tank current capacity is 400 megalitres following recent (early October 2020) Willandra Creek flow and capture and pumping to Morrison's Tank which is at capacity.

Works Description	Original Budget	% Expended	Remaining Budget
Wilcannia Water	\$433,500	62%	\$269,145
Wilcannia Sewer	\$230,865	53%	\$122,280
White Cliffs Water	\$165,500	70%	\$115,323
Ivanhoe Water	\$351,000	67%	\$117,272
Aboriginal Communities R&M	\$126,355	22%	\$98,675

Water and Sewer Capital Works

Council advertised tenders on Thursday 4 February 2021 for 3 new Water Treatment Plants via the open tender process on VendorPanel. The closing date was originally Fri 19 March 2021. An extension of time was granted to all tenderers with an updated closing date Fri 09 April 2021. Council's consultants, City Water Technology, will be involved for any necessary tenderer design queries.

A Pre-tender meeting was held Thursday 11 February 2021. A positive response was received with representatives from 34 companies attending.

The White Cliffs Reticulation design is 90% completed, further survey and smart metering information is required to be included in design and tender documentation. Expected date for calling tenders for civil works here is April 2021. Public Works Advisory have been engaged to manage the design and tender process.

The Wilcannia Gravity Sewer Scoping Study has been completed. Further discussions are in progress for possible funding opportunities to deliver the project. Council will be updated with any developments here.

The table below reflects expenditure to date for Capital Projects.

Works Description	Original Budget	% Expended	Remaining Budget
White Cliffs WTP and Retic	\$5,500,000	7%	\$5,135,399
Wilcannia WTP	\$3,500,000	6%	\$3,287,427
Ivanhoe WTP	\$2,500,000	6%	\$2,357,684

10.2 SERVICES UPDATE

REPORT AUTHOR: DEPUTY DIRECTOR SHIRE SERVICES
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on the services expenditure on all associated assets within the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

Receive and note the report.

REPORT:

Services:

Works Description	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$181,350	79%	\$37,878
Ancillary Works	\$250,500	26%	\$185,001
Street Cleaning/Bins	\$121,000	131%	-\$37,348
Buildings	\$674,800	100%	\$674,800
Swimming Pools	\$481,200	63%	\$176,881
Domestic Waste	\$189,000	76%	\$45,285

Services Capital Works

Council has received funding to improve facilities throughout the Shire through the Building Stronger Country Communities Projects for Round 1, 2 and 3. The table below reflects expenditure and progress to date.

Works Description	Original Budget	% Expended	Remaining Budget
Building Stronger Country Communities Round 1	\$893,640.00	100%	\$0
Building Stronger Country Communities Round 2	\$1,395,084	95%	\$68,543
Building Stronger Country Communities Round 3	\$760,340	12%	\$670,261.81

10.3 ROADS AND AERODROMES REPORT

REPORT AUTHOR: ROADS AND ASSETS ENGINEER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on road and aerodrome maintenance, capital works and expenditure on all road asset classes within the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

10.3.1 Receive and note the report

REPORT:

State Roads

Council are engaged by Roads and Maritime Services (RMS) to maintain the State Highway network within the Shire boundaries. The two State Highways are the Barrier Highway and the Cobb Highway.

Council are engaged under contract conditions specified under the Routine Maintenance Council Contract (RMCC). The contract details routine works required to be completed throughout the year and capital works which are supplied to Council via a Works Order (WO).

2020/21 RMCC Routine Maintenance preliminary allocation is: \$1,048,240

2019/20 RMCC Works Orders which have been issued, in progress and carry over to this financial year include

1. HW21 111.20.23 Bushley pit 3 extension, \$19,665 (now complete)
 2. HW21 111.20.24 Source gravel to Glen Albyn, \$412,502 (now complete)
 3. HW21 111.20.25 Glen Albyn Side-Track, \$266,163 (now complete)
 4. HW21 111.20.26 Source gravel to Rosewood from Bushley 3, \$105,600 (now complete)
 5. HW21 111.20.28 Glen Albyn Sth IS, \$1,947,460 (now complete) Total:
- Total: \$2,751,390

2020/21 RMCC Works Orders which have been issued and in progress this financial year include

1. HW8 111.21.01 SH8 Heavy patching \$242,204.97
 2. HW8 111.21.02 Resurfacing Improvements \$133,970
 3. HW21 111.21.03 Mt Manara Gravel \$849,409.13
 4. HW8 111.21.04 Seg 2185 Rehabilitation \$199,994
 5. HW21 111.21.05 Seg 2420 Rehabilitation \$329,901.496.
 6. HW21 111.21.06 Rosewood IS Project \$2,321,922.50
 7. HW8 111-21-07 Reseals \$452,197
 8. HW21 111-21-08 Reseals \$40,620
- Total: \$4,570,219

Works Description	Original Budget	% Expended	Remaining budget
RMCC Routine	\$1,048,240	60%	\$415,442
WO 2019/20	\$2,909,790	100%	\$0
WO 2020/21	\$4,570,220	60%	\$1,808,070

Regional Roads

Council maintains 790km of Regional Roads throughout the Shire.

2020/21 Regional Road Block Grant amount (including traffic and supplementary components) has not been confirmed. The figures below reflect the 2019/20 allocation. Payments to Council's will be made in July and January with any reconciliations required to be done in January following State (RMS) budget adoption.

2020/21 Regional Roads Repair Program was successful with \$400,000 being 50% of the project costs. The remaining 50% is being sourced from the Regional Roads Block Grant which is reflected in the table below.

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,408,000	103%	-\$61,110
Regional Roads Repair Program	\$800,000	58%	\$336,736.52

Local Roads

Council maintains 1600km of Local Roads throughout the Shire.

2020/21 The Financial Assistance Grant – Local Roads Component, has now been confirmed as \$1,651,944.

2020/21 Roads to Recovery (R2R) allocation is \$1,502,727. Four capital improvement projects will be delivered this year.

Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,651,944	108%	-\$124,152
Menindee Street (R2R)	\$240,000	97%	\$7,127
Little Menindee Creek Road (R2R)	\$450,000	100%	\$0.0
Pumpkin Point Road (R2R)	\$300,000	99%	\$1,994
Irrigation Road (R2R)	\$515,727	100%	\$0.0

Aerodromes

Council maintains 6 aerodromes throughout the Shire: Wilcannia, Menindee, Ivanhoe, WhiteCliffs, Tilpa and Emmdale.

The Royal Flying Doctor Services (RFDS) initiated the registration process in 2018 to enable 3 of Council's aerodromes to be registered in accordance with the CASA regulations.

Wilcannia, Ivanhoe and White Cliffs received modest infrastructure improvements to enable the process to be completed. Pursuant to the agreement between Council and the RFDS, the licensing costs will be borne by the RFDS for a 3-year period.

Works Description	Original Budget	% Expended	Remaining Budget
Aerodromes	\$124,000	95%	\$5,922

10.4 PLAN OF MANAGEMENT FOR 44 REID STREET WILCANNIA – LOT 1, S13 DP759091 – BAAKA CULTURAL CENTRE

REPORT AUTHOR: SENIOR PLANNER/ EHO
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

To provide Council with information on the on the proposed exhibition of the Plan of Management for Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for use as the Baaka Cultural Centre, and the exhibition of the new lease for the use of the land for the Baaka Cultural Centre.

RECOMMENDATION:

That Council will :

- 1. Receive the report and note the information and endorse the exhibition of the Plan of Management for the new land use category – General Community use and the new use of the community cultural centre at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia.**
- 2. Receive the report and note the information and endorse the exhibition of the new lease for the land at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for the use as the Baaka Cultural Centre.**
- 3. Resolve to hold a public hearing on the Plan of Management for the new land use category – General Community use, and the new use of land for a community cultural centre.**
- 4. Resolve to hold a public hearing on the new lease for the use of the land for the Baaka Cultural Centre.**
- 5. The public hearing will be held at council chambers at 21 Reid Street Wilcannia on 8 June 2021 at 6:30pm.**

BACKGROUND:

Central Darling Shire Council is required to prepare Plans of Management (*under the Local Government Act 1993*) for all “Community Land” within the Central Darling Shire Council area. The “community land” is both Council owned land and Council managed State owned Crown Reserve lots.

This Plan of Management is to change the use of the Community land at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for use as the Baaka Cultural Centre. The Plan of Management will enable the site to be developed under a lease, for the Baaka Cultural Centre Wilcannia Aboriginal Corporation, and for a development application to be lodged to Central Darling Shire Council. The assessment of the development application for the Baaka Cultural Centre will be undertaken, by agreement, by another New South Wales Council.

The lease between Central Darling Shire Council will be initially for a period of 12 months. The lease has been prepared between Central Darling Shire Council (owners of the land) and the Baaka Cultural Centre Wilcannia Aboriginal Corporation.

The Plan of Management is for Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for use as the Baaka Cultural Centre is the second of the Plans of Management for council owned “community land” (non crown land), that are required to be prepared under the *Local Government Act 1993* for all “community land”.

The long term goal of Central Darling Shire Council is to reclassify a large amount of council owned “community land” to become “operational land”. This removes the requirement for council to prepare plans of management for the reclassified land, this will result in cost savings to Central Darling Shire Council.

PLAN OF MANAGEMENT PROCESS

The Plan of Management, and lease, once prepared will be required to be on public exhibition for a minimum of 28 days for public comment and review.

The exhibition of the documents will be available in hard copy at Council offices, and on the Council website. The exhibition of the Plan of Management and lease for the new land use category and new use as a community cultural centre for land at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia, will be advertised in the local newspapers and newsletters.

The exhibition process is in accordance with advice from Department of Planning, Industry and Environment and as stated within the Central Darling Shire Council public participation plan for the exhibition of planning documents.

Following the exhibition process, any submissions on the Plan of Management and the lease must be reviewed and taken into consideration by Council before finalising the Plan of Management and the lease. If objections are received to the lease, the lease and Plan of Management will be forwarded to the Minister for Local Government for final determination. If no objections are received upon the proposed lease, the Plan of Management and lease will then be submitted to Council for adoption.

Following the adoption of the Plan of Management and the lease by Council, a development application may then be made to council for the Baaka Cultural Centre.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses, and increased employment.

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

Delivery Outcome

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.2 Improved town entrances and streetscapes

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Yes	N/A
Environmental	N/A	N/A
Economic	Yes	N/A
Governance	N/A	N/A

Financial and Resource Implications:

The Plan of Management and lease enables the land to be leased to the Baaka Cultural Centre Wilcannia Aboriginal Corporation. The community Baaka cultural centre will encourage cultural awareness within the Central Darling Shire Council area and promote cultural and art tourism particularly highlighting the local aboriginal culture.

Policy, Legal and Statutory Implications:

Advertisement of the plan of management and the lease for the use of the land is required under the *Local Government Act 1993*.

Risk Management – Business Risk/Work Health and Safety/Public:

No new Aboriginal cultural centre for Wilcannia and for the local community.

OPTIONS:

1. Council approves the Plan of Management and lease to be prepared for the use of the land Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for use as the Baaka Cultural Centre

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No

External Exhibition

Online at Central Darling Shire Council website and advertised in the local newspapers and newsletters.

Attachments

- 1 Plan of Management Report,
- 2 Lease.

10.5 PUBLIC HEARING INTO THE PLANNING PROPOSAL TO RECLASSIFY LAND

REPORT AUTHOR: SENIOR PLANNER/ EHO
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

To provide Council with the Public Hearing Report and submission summary following a public hearing into the Planning Proposal to amend the *Central Darling Local Environmental Plan 2012* to reclassify the land Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

RECOMMENDATION:

That Council will :

1. Receive and note the public hearing report and submissions from the public hearing held on 28 April 2021.
2. Note the public hearing independent chair recommendation that the community members that attended the public hearing on 28 April 2021 did not support the reclassification of the community land to operational land for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
3. Notes that a combined 17 written and verbal submissions were received during the two exhibition periods with all submissions taken into account.
4. Note that more than 10 verbal submissions and one written submission opposing the reclassification were received during the public hearing on 28 April 2021.
5. Note that 20 written submissions were received on 13 May 2021 supporting the planning proposal to reclassify the land from community land to operational land to enable the building of the Maari Ma community health facility.

6. **Support the reclassification of the subject land from Community to Operational.**
7. **Progress the reclassification process through referring the public hearing report, Council recommendation, planning proposal to reclassify the land and the Submission Summary Report to the Department of Planning, Industry and Environment to consider making the amendment to the *Central Darling Local Environmental Plan 2012*.**

BACKGROUND:

Council is required to hold a public hearing regarding the reclassification of land. Upon the completion of the advertising period, Council is to consider any submissions received. The public hearing must be chaired by an independent chair and a report prepared approved by the independent chair at the completion of the public hearing, with the Chairs recommendation.

REPORT:

The Public Hearing Report and Submission Summary Report is for consideration and resolution by Council and for submission to the Department of Planning Industry and Environment, for the making of the Planning Proposal/ amendment to the *Central Darling Local Environmental Plan 2012*.

The Public hearing was advertised on the Central Darling Shire Council website and in the local Newspapers and newsletters for more than the required 28 days prior to the hearing taking place on Wednesday 28 April 2021. This is in accordance with advice from Department of Planning Industry and Environment.

Reclassification of land

Central Darling Shire Council is required to prepare Plans of Management (*under the Local Government Act 1993*) for all "Community Land" within the Central Darling Shire Council area. The "community land" is both Council owned land and Council managed State owned Crown Reserve lots.

Council has prepared a Plan of Management for the Bonney Street lots in Wilcannia. This Plan of Management is to change the use of the Community land from "Water Supply" to "Community Health Facility" which will enable the site to be developed under a lease, for the Maari Ma Community Health Facility. The Public hearing for the Plan of Management was held on 28 April 2021 after the Public hearing the reclassification of the land at Bonney Street Wilcannia.

Submission Summary Exhibition November 2020 and Public Hearing December 2020

The initial exhibition of the Planning Proposal to reclassify the land at Bonney Street Wilcannia held November 2020 – 4 December 2020.

A number of submissions were received by Central Darling Shire Council the total number of verbal and written submission received is 17 on the Planning Proposal to reclassify land at Bonney Street Wilcannia.

The number of verbal submissions received by Council at the Public hearing/ meeting on 1 December 2020 was 10 verbal comments/ submissions.

The number of written submissions received by council is seven (7).

Submissions from public hearing 28 April 2021

The number of verbal submissions received at the public hearing on the 28 April 2021 was six (6) verbal submissions. Seven (7) members of the community attended the public hearing. A written submission was handed in during the public hearing and was accepted as a submission, along with the verbal submission (reading out the written submission).

The submissions received verbally were from residents of Wilcannia and a representative of the Maari Ma Aboriginal Health Corporation.

A written submission was received from a member of the community.

A large number of written submissions on the reclassification of land was received by council on 13 May 2021. These twenty (20) submissions from the community all supported the planning proposal to reclassify the land at Bonney Street Wilcannia and for Maari Ma Aboriginal Health organisation to building the Community health facility on this site.

To summarise, the comments received from residents of Wilcannia at the public hearing held on 28 April 2021, was that in their personal opinion the site at Bonney Street Wilcannia was not favourable, and all residents put forward the opinion that another site was preferred for the Maari Ma Aboriginal Health - community health facility.

The proposal to reclassify the land from "Community land" to "Operational land" was not supported" by residents of Wilcannia at the Public hearing held on 28 April 2021 for the following reasons:

- Cultural – Bonney Street site is used as a viewing area for the weir and river by residents and tourists by car (important cultural connection to river by residents),
- Biodiversity - Issue with impact on riverine vegetation and wildlife of the proposed development,
- Environment – Issue with potential for localised flooding and impact on site biodiversity,
- Practicality - Personal opinion stated that a more suitable site exists on Ross Street Wilcannia.
- Land ownership – Concern about the Maari Ma Aboriginal Health Corporation owning the land and not the Wilcannia local community. Concern that in future the land would be sold to another organisation and would not benefit the community.
- Design – Concern that the design of the proposed community health facility was not attractive and the building would prevent access to the river by the local community.

The original submissions received from the New South Wales State agencies generally raised no issues with the planning proposal, however the Department of Environment NSW (DPIE) raised concerns in the development stage due to flood issues and impact on the river biodiversity.

Further to the comment above, Central Darling Shire Council has received twenty (20) submissions from the Wilcannia Aboriginal and wider community supporting the reclassification of the land at Bonney Street Wilcannia from Community land to operation land and for the building of the community health facility by the Maari Ma Aboriginal Health organisation on the Bonney Street Wilcannia land.

Project time frame for Planning Proposal to reclassify the land at Bonney Street Wilcannia.

1. **20 February 2020** - Letter to Council regarding intention of Maari Ma Aboriginal Health Corporation to build a new community health facility at Wilcannia to be located on the hospital grounds or nearby lot in close proximity to the hospital (lot identified was for council housing).
2. **4 March 2020** – Letter from Maari Ma Aboriginal Health Corporation stating after meeting with the CDSC Director of Business Services and the Town Planner that the preferred site was Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia. Due to proximity to hospital and ease of access to site.
3. **27 May 2020** – Business paper to Council tabling the Report from Maari Ma Aboriginal Health Corporation on the proposed Community Health facility on the site at Bonney Street Wilcannia. The report contained the preliminary health facility design. Community consultation was undertaken with this preliminary design (contained independent living units, now removed from the project).
4. **27 May 2020** – Minutes from Council meeting – Council resolves for CDSC staff to commence the process to send the planning proposal to reclassify the land from Community land to Operational land, to the Department of Planning Industry and Environment.
5. **September 2020** – Department of Planning, Industry and Environment agrees to prepare the draft Planning Proposal to reclassify the land at Bonney Street Wilcannia from community land to operational land.
6. **October 2020**- Draft Planning Proposal reclassify the land at Bonney Street Wilcannia from community land to operational land provided by the Department of Planning, Industry and Environment to Central Darling Shire Council to commence the exhibition process.
7. **11 October 2020** – CDSC Council endorses the exhibition of the four planning proposals for public comment and notification.
8. **4 November 2020** – Commence exhibition of the four planning proposals for public comment and notification of the public hearing on 4 December 2020 for the Planning Proposal to reclassify the land from community land to operational land.
9. **1 December 2020** – Public hearing for the Planning Proposal to reclassify the land from community land to operational land, at Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
10. **15 December 2020** – Council resolves to
 - a. receive submissions from the public hearing held on 1 December 2020.
 - b. Note the public hearing did not support the reclassification of the community land to operation land for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
 - c. Council is of the opinion that the long term health benefits to the Wilcannia Community outweighs the matters raised in the submissions, and the matters such as view points, environmental impacts and flooding of the riverine environment will be dealt with through the development application process.
 - d. Council supports the reclassification of the land at Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia. Council submit the Planning Proposal, the submission Summary Report together with the Council resolution to the Department of Planning Industry and Environment to amend the Central Darling Local Environmental Plan 2012.
11. **18 December 2020** – Council submits the Planning Proposal and accompanying documents to the Department of Planning, Industry and Environment to amend the Central Darling Local Environmental Plan 2012.
12. **February 2021** – Department of Planning, Industry and Environment request that the public hearing be held again due to procedural issues.

13. **28 April 2021** – Public hearing for the Planning Proposal for the reclassification of land at Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
14. **29 April 2021** – Public Hearing Report and submissions on Planning Proposal for the reclassification of land at Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia placed on the Central Darling Shire Council website for comment, with hard copies of the Public hearing report available at all council offices.

Comment on issues raised in the Public Hearings by the Wilcannia Community.

- 1. viewing areas of the Darling River from the Bonney Street Site and justification of a health facility on the site.**

Views of the Darling River and Wilcannia Weir

The town of Wilcannia offers various viewing areas of the Darling River besides the Bonney Street site at Wilcannia.

The other river viewing areas are:

1. Baker Park,
2. Steamer Point,
3. the Victory Caravan Park and
4. Union Bend Park (just out of town near the cemetery),

Note: The current Wilcannia weir (located near the Bonney Street Site) will be removed and a new Wilcannia weir constructed, which will be located further up the river and can be easily viewed from a vehicle at the Union Bend Park area.

2. Selection of the Bonney Street Site

The initial site for the proposed Maari Ma community health facility was within the grounds on the Wilcannia hospital, however the available buildable area due to heritage item constraints was less than 500m² which was not enough buildable area for the medical facility.

The Maari Ma Aboriginal Health Organisation wrote to Central Darling Shire Council (CDSC) on 20 February 2020. The letter to Council explained the intention of Maari Ma Aboriginal Health Corporation to build a new community health facility within Wilcannia. Maari Ma explained the original intention to locate within the hospital grounds or on a nearby lot in close proximity to the hospital. (The lot identified was consolidated into a larger lot used by Central Darling Shire Council for council housing).

On 4 March 2020, a letter from Maari Ma Aboriginal Health Corporation was received by Central Darling Shire Council stating after meeting with the CDSC Director of Business Services and the Town Planner that the preferred site, due the larger site area required for the proposed health facility, was Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia. These lots were selected due to proximity to hospital and ease of access to site.

At the Council meeting on 27 May 2020, a Business paper was tabled containing a report from the Maari Ma Aboriginal Health Corporation on the proposed Community Health facility on the site at Bonney Street Wilcannia. The report contained the preliminary health facility design. Community consultation was undertaken with this preliminary design (contained independent living units, now removed from the project).

The site at Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia is now the preferred site, due to the size of the site area, with the proximity to the hospital (able to transfer a patient if required on a trolley), ease of access to the site and the proximity to the Darling/ Baaka River.

Surrounding land on Ross Street Wilcannia

The Wilcannia community attending the Public Hearing on the 28 April 2021 and at the previous Public Hearing on 1 December 2020 all nominated the Crown Land adjacent to the Wilcannia Hospital and Nurses housing as the preferred site for the Maari Ma Community Health Facility.

The Crown Land Reserve lot 87463 – Wilcannia Golf Course, LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia cannot be used for the proposed Maari Ma Community Health Facility, due to the recently identified items and areas of indigenous cultural significance located on the reserve. This identification of the Crown Reserve lot as containing indigenous cultural significant areas and items requires the land to have a Plan of Management and a plan of operation for the golf course to provide protection to containing indigenous cultural significant areas and items. The above identification of the Crown reserve for the category of area of cultural significance will preclude the use of the land for building a health facility.

The Crown Land Reserve lot 87463 – Wilcannia Golf Course, LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia, has been recently surveyed and investigated by NSW Heritage.

NSW Heritage has identified numerous aboriginal cultural items and area of indigenous cultural significance upon this Crown Reserve Lot.

The identification and the discovery of items and areas of indigenous cultural significance upon the Wilcannia Golf Course necessitates a standalone Plan of Management for the crown reserve lot to ensure that the items and areas of indigenous cultural significance are protected whilst the golf course is used for public recreation as a sportsground.

The gazetted use of the Wilcannia Golf Course is for Public Recreation (17.10.1969) this use will remain for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia. However, a careful plan of operational use will be formulated to protect the items and areas of indigenous cultural significance on the crown reserve.

3. Flood levels - Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

The following information has been provided by the applicant consultant firm Barnson Pty Ltd.

Note: There is no current flood study for the Darling River in Wilcannia, for the 1:100 year flooding information and the effect of this level of flooding on the nominated site.

However, the consultant has utilised historical data and the current Darling River water levels from Water NSW to make the following statement.

“The proposed Health Clinic at Ross St in Wilcannia will be situated on the north bank of the Darling River. The Heath Centre’s finished floor level is proposed to be 77.42 AHD. This floor level corresponds to Wilcannia Hospital in the neighbouring allotment. Contemporary anecdotal evidence from local sources suggests that the hospital, built in 1879, has not been subject to flooding from the river in the past 50 years. No account of historical flooding has been determined from a desktop study. Without knowledge of the specific 1% Annual Exceedance Probability (AEP) level at this point on the Darling River, it seems appropriate to adopt this level for the floor level of the proposed development.

As per “National Arrangements for Flood Forecasting and Warning” by the Bureau of Meteorology, the “minor flood” event occurs at a river height of 9.0m at Gauging Station 425008 (BOM ref 546010), located adjacent to the proposed site. The “major flood” event occurs at 10.4m. As of the date of this letter, the current river height is 9.244m, according to the Bureau of Meteorology website. This exceeds the “minor flood” level. A Central Darling Shire Council representative reported that the river level is perceived appreciably lower than the Hospital’s floor level on this date. This indicates the “major flood” level is below the proposed floor level. The corresponding AHD level of the “major flood” and its correlation to the 1% AEP are unknown at this time.

In the past 50 years, the “major flood” level has been exceeded in April 2012, March 2011, September- November 1998, June-July 1990, July-September 1983, March-May 1976, and February-March 1974. In that period, the highest water level (11.583m) was recorded on the 5th of April 1976. Anecdotal evidence suggests that this was below the Hospital’s floor level. Flood data has been sourced from the Murray- Darling Basin Authority website.

The proposed Health Centre will be located on the northern bank. The floodplain at this location is located on the south bank and it is expected that the majority of flooding will occur on this side of the river. Minor flood depths and flow velocities are expected at the proposed facility during a significant flood event.

It should also be stated that the proposed development is a Health Clinic intended to provide non- emergency out-patient care that is routine or preventative. In-patient care will continue to be at the Wilcannia Hospital. As such, consideration of long-term continuous care of patients in critical condition at the facility is not applicable.”¹

¹ Flood Levels, Wilcannia Health Clinic – Barnson Consultants- Diarmaid J OShea Civil Engineer 13 May 2021

COUNCIL COMMENT ON COMMUNITY REQUIREMENT OF HEALTH FACILITIES IN WILCANNIA.

The challenges of providing medical services and attracting health professional in rural and remote communities are well documented and understood.

Remote Australia is characterised by a sparse population with some moderately large regional towns where services are concentrated. These towns are surrounded by small, isolated communities often with a large proportion of Aboriginal people. Innovative and collaborative solutions between service providers, government and communities will be required to deliver outcomes.

The Strategic Plan for Central Darling Shire Council within Goal 1 Strategic Focus – Social is to provide relevant and quality health and family support services for all members of our community. This involves the advocacy of continued funding of services and programs and appropriate and accessible health services.

Far West Regional Plan – Direction 23

Health services must meet the needs of remote communities, including Aboriginal people, people with a disability, the disadvantaged, young people and families. Community-based health care and the roll out of e-health initiatives and distance education to smaller and isolated communities are examples of integrated service delivery.

Investments in existing public health facilities can drive the development of complementary health services that meet community needs and support local employment.

Wilcannia community health facilities by Maari Ma Aboriginal Health Corporation

The representative of Maari Ma Aboriginal Health Corporation at the public hearing Dr Steve Gagin stated that the reason for the selection of the Bonney Street site in Wilcannia for the new Maari Ma community health facility was due to the location on the river.

This location was selected over other nominated sites, as it will offer a good view of the Darling River from the waiting area and medical consultation rooms. This view of the Darling River is considered an important motivation or enticement to attract medical professionals (Doctors and nurses and other medical specialist consultants) to work in Wilcannia and far west New South Wales. During the public hearing Dr Gagin discussed the difficulty in engaging medical professionals willing to work in far west of NSW (with salary of \$1,800.00 a day). The solution to the critical shortage in medical staff is to offer a medical facility with great views of the river. This will benefit the traditional owners of the land the by the Barkindji tribe (from barka meaning a river).

The Maari Ma organisation stated at the public hearing that they had undertaken extensive consultation with the Wilcannia residents prior the selection of the site.

Maari Ma also stated that alternative sites were investigated within the grounds of the current Wilcannia Hospital.

The Bonney Street site was selected due to the proximity to the Wilcannia hospital and the and the proposed building will offer views from the waiting area and consultancy rooms.

Furthermore, the site was selected due to the ability of Maari Ma to purchase the land (after reclassification of the land from community land to operational land) and that the Native Title Land Claim had been extinguished on the Water supply - community land lots. It is noted that the finance of the Maari Ma community health facility requires land ownership.

Further reports required for the development application stage are an ecological assessment study report (flora and fauna) and a heritage impact statement (due to the position near the Darling River and the historical significance for the local Aboriginal people use of the river).

Maari Ma – Health, Development & Wellbeing In Far Western NSW – Our Children & Youth

Central Darling Shire is ranked as the second, and Broken Hill as the seventh, most disadvantaged local government area (LGA) in NSW out of 128 LGAs. Social statistics on average show the Maari Ma region to be socio economically disadvantaged, with fewer residents completing their secondary education and more people in the social welfare system, compared with the rest of NSW.

Maari Ma has followed a few indicators over time to monitor progress against “Closing The Gap” targets for Aboriginal children in the Maari Ma region and NSW as a whole. (Since 2008, Australian governments have worked together to deliver better health, education and employment outcomes for Aboriginal and Torres Strait Islander people, and to eliminate the gap between Indigenous and non-Indigenous Australians.

The first “Closing the Gap” framework outlined targets to reduce inequality in Aboriginal and Torres Strait Islander people’s life expectancy, children’s mortality, education and employment.) The desired outcome is for the ‘Gap status’ to be equal to or less than one, to show that the result for the Aboriginal population in the Maari Ma region is the same as, or better than, the NSW population as a whole.

If the figure in the ‘Gap status’ column is equal to or less than 1, it indicates that the Aboriginal population in the Maari Ma region is doing the same or better, respectively, than the NSW population as a whole. Conversely, if the figure in the ‘Gap status’ column is greater than 1, this indicates that the figure in the Maari Ma region Aboriginal population is worse than the NSW population as a whole and improvement is required.

The new Maari Ma community health facility will be providing healthcare and social services to the local community to assist in the goal of “closing the gap” to provide better outcomes for the local Aboriginal and wider community in Wilcannia.

The main functions of the proposed clinic will be

- Antenatal checks/consultations (performed by GP/obstetrician, midwife and Aboriginal health practitioner)
- Child health checks/consultations (performed by paediatrician, GP, child and family nurse, Aboriginal health practitioner)
- Adult health checks/consultations (performed by GP, nurse, Aboriginal health practitioner)
- Specialist appointments
- Allied health appointments (including speech and occupational therapies, and dietician)
- Wound care
- Pathology collection
- Counselling

Maari Ma manages the primary health care services including General Practice clinics run by Maari Ma and Royal Flying Doctor Service doctors for chronic disease and acute care. Visiting services include child and adult dental; and a wide range of visiting specialist clinics held quarterly – cardiology, renal, endocrinology, smoking cessation, GP obstetrician, ophthalmology and optometry.

The proposed Maari Ma Community Health Facility Clinic in Wilcannia will expand the healthcare and social services currently provided to the Wilcannia local community (both Aboriginal and non Aboriginal residents).

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses and increased employment

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

Delivery Outcome

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.4 Improved infrastructure across the Shire

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Yes	N/A
Environmental	N/A	N/A
Economic	Yes	N/A
Governance	N/A	N/A

Financial and Resource Implications:

N/A

Policy, Legal and Statutory Implications:

Under the *Local Government Act 1993* Council it is required to hold a public hearing regarding the reclassification of land for Public comment.

Risk Management – Business Risk/Work Health and Safety/Public:

Not providing improved health services for the community.

OPTIONS:

- 1 Council recommends the making of the amendments to the Central Darling Local Environmental Plan 2012 taking into account the benefits the Wilcannia community and the supporters of the proposed community medical facility.
2. Due to the number of objections raised and the recommendation from the Public Hearing Report , Council withdraws the planning proposal to reclassify the land at lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia and writes to the Department of Planning, Industry and Environment notifying the Minister of Planning of Council’s decision.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No

External Exhibition

Online at Central Darling Shire Council website and on the NSW Planning Portal - <https://www.planningportal.nsw.gov.au/digitaldocuments>. Local Newspapers and Newsletters.

Attachments

1. Submission Summary Report
2. Council resolution,
3. Planning Proposal for the reclassification of community land to operational land.
4. Public Hearing Report and minutes from the Hearing and the verbal and written submissions.
5. Map of Wilcannia

10.6 PLAN OF MANAGEMENT FOR COMMUNITY LAND FOR CROWN RESERVE LOT 87463 – WILCANNIA GOLF COURSE, LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 WILCANNIA

REPORT AUTHOR: SENIOR PLANNER/ EHO
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

To provide Council with information on the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* to prepare a Plan of Management for community land at the Crown Reserve lot 87463 – Wilcannia Golf Course, with an additional land use category – “area of cultural significance” in addition to the existing land use category of “Sportsground”. The use for the lots remains the gazetted purpose of public recreation for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia.

A public hearing is required to be held under the *Local Government Act 1993*, as there will be an additional category of “area of cultural significance” added to the existing category of “sportsground” allocated to the Crown Reserve Community land.

RECOMMENDATION:

That Council will:

- 1 Endorse the preparation of the Plan of Management for the Crown Reserve lot 87463 – Wilcannia Golf Course, with an additional land use category – “area of cultural significance” in addition to the existing land use category of “Sportsground” for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia.**
- 2 Note the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* requiring a Plan of Management for new land use categories for community land. The new additional category is for “an area of cultural significance” in addition to the existing category of “sportsground” for the Crown Reserve lot 87463 – Wilcannia Golf Course, for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia.**
- 3 Note that the Plan of Management, and the lease are required to be publicly exhibited/ notified for a minimum of 28 days for public comment. ‘**
- 4 Note that a public hearing for the new Plan of Management introducing a new category for “an area of cultural significance” is a statutory requirement under the *Local Government Act 1993*.**

BACKGROUND:

Council under the *Local Government Act 1993* is required to prepare a Plan of Management where there is a new category – “an area of cultural significance” in addition to the existing category of a “sportsground” is be nominated for the crown land reserve lot that is community land.

Under the *Local Government Act 1993* all council owned and council managed crown reserve “community land” is required to have a plan of management that allocates a category for the land (an area of cultural significance, general community use, a sportsground, a natural area, or a park) and a use for the land.

The Crown reserves community land have categories assigned by the Minister; however, the Crown Reserve Lot 87463 – Wilcannia Golf Course, requires a stand-alone Plan of Management as there is an additional proposed land category due to Heritage NSW discovering items and areas of indigenous cultural significance on the reserve.

The identification of the discovery of items and areas of indigenous cultural significance upon the Wilcannia Golf Course necessitates a standalone Plan of Management for the crown reserve to ensure that the items and areas of indigenous cultural significance are protected whilst the golf course is used for public recreation as a sportsground.

The gazetted use of the Wilcannia Golf Course is for Public Recreation (17.10.1969) this use will remain for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia. However, a careful plan of operational use will be formulated to protect the items and areas of indigenous cultural significance on the crown reserve.

Ancillary use of the Crown Reserve Lot – Wilcannia Golf Course

The ancillary use of the Wilcannia Golf Course is for tennis courts and basketball courts and amenities, located at the north eastern end of the golf course alongside Bourke Street Wilcannia.

REPORT:

This report is for information regarding the statutory requiring a Plan of Management for community land Crown Reserve Lots under the *Local Government Act 1993* and the *Crown Land Management Act 2016*. The allocation of the new land categories of an area of cultural significance requires a public hearing to allocate the new additional category under the *Local Government Act 1993*.

Plan of Management

The Plan of Management defines the value, use, management practices and intent for the broad public purpose for which the crown land has been reserved or dedicated. The Plan of Management should be consistent with the public purpose for the Crown reserve and the principles of crown land management, as well as other guidelines, policies, and legal requirements which may apply to the reserve such as the provisions of environmental planning instruments for example a Local Environmental Plan (LEP) and development control plans (DCPs) made under the *Environmental Planning and Assessment Act 1979* and threatened species or native vegetation controls.

Plans of management provide information about the Crown reserve and its users, and state what, why, how and by whom the values of a reserve are being managed. Plans of Management are statements about how a reserve is to be managed in line with its purpose.

A Plan of Management is to be prepared in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993* to provide a framework for the future management, use and development of reserved Crown land.

The Plan of Management for the Crown Reserve Crown Reserve Lot 87463 – Wilcannia Golf Course, at LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia, will be accompanied by a lease.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses, and increased employment.

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

Delivery Outcome

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.4 Improved infrastructure across the Shire

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Yes	N/A
Environmental	Yes	N/A
Economic	Yes	N/A
Governance	Yes	N/A

Financial and Resource Implications:

The Plan of Management enables the land to be used for the Wilcannia Golf Course and its ancillary uses being basket-ball courts and tennis courts as a sportsground.

A lease between Central Darling Shire Council and Wilcannia Golf Club will assist in the long term cost and upkeep of this sporting infrastructure upon the Crown Reserve.

Policy, Legal and Statutory Implications:

The Plan of Management and public hearing is required to endorse the new additional category of land – “area of cultural significance” under the *Local Government Act 1993* and *Crown Land Management Act 1993*.

A lease is required between Central Darling Shire Council and Wilcannia Golf Club for use of the golf course and the sporting facilities.

Risk Management – Business Risk/Work Health and Safety/Public:

Not providing the Plan of Management, the lease may have an impact on the access for the community to the Wilcannia Golf Course and the sporting facilities upon the course (tennis courts and basket-ball courts).

The lack of Plan of Management for the operational use and protection of the items and areas of indigenous cultural significance on the reserve and lease may cause the golf course to cease operations until adequate protection measures are put in place. The Plan of Management is required to authorise work on the crown reserve.

OPTIONS:

Not preparing the Plan of Management - possible impact on the use of the Wilcannia Golf course and the other sporting facilities on the Golf Club land.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No

External Exhibition

Online at Central Darling Shire Council website, local newspaper, and newsletters.

Attachments

Map from NSW Heritage – Aboriginal sites of cultural significance Wilcannia Golf course.

10.7 PLAN OF MANAGEMENT FOR COMMUNITY LAND FOR CROWN RESERVE LOT 85567 – UNION BEND PARK, LOT 7315 DP 1181235 WILCANNIA

REPORT AUTHOR:	SENIOR PLANNER/ EHO
RESPONSIBLE DIRECTOR:	DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

To provide Council with information on the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* to prepare a Plan of Management for community land at the Crown Reserve lot 85567 - Union Bend park, with two new land use categories – “area of cultural significance” and “park”, and new use for land as a park for Lot 7315 DP 1181235 Wilcannia.

A public hearing is required to be held under the *Local Government Act 1993*, as there will be two new land categories allocated to the Crown Reserve Community land, as an area of cultural significance and park.

RECOMMENDATION:

That Council will:

- 1 Endorse the preparation of the Plan of Management for the Crown Reserve lot 85567 - Union Bend Park, with two new land use categories – “area of cultural significance” and “a park”, and new use for land at Lot 7315 DP 1181235 Wilcannia.**
- 2 Note the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* requiring a Plan of Management for new land use categories for community land. The new categories are for “an area**

of cultural significance” and “a park” for the Crown Reserve lot 85567 - Union Bend recreation park, for Lot 7315 DP 1181235 Wilcannia.

- 3 Note that the Plan of Management, and the lease are required to be publicly exhibited/ notified for a minimum of 28 days for public comment. ‘**
- 4 Note that a public hearing for the new Plan of Management introducing a new categories for “an area of cultural significance” and “a park” is a statutory requirement under the *Local Government Act 1993*.**

BACKGROUND:

Council under the *Local Government Act 1993* is required to prepare a Plan of Management where there is a new categories – “an area of cultural significance” and a “park” is be nominated for the crown land reserve lot that is community land.

Under the *Local Government Act 1993* all council owned and council managed crown reserve “community land” is required to have a plan of management that allocates a category for the land (an area of cultural significance, general community use, a sportsground, a natural area, or a park) and a use for the land.

The Crown reserves community land have categories assigned by the Minister; however, the Crown Reserve Lot 85567 - Union Bend Park, requires a stand-alone Plan of Management as the proposed land category and use of the lot is changing due to the proposed location of the new Wilcannia Weir adjacent to the reserve.

The location of the new Wilcannia weir adjacent to the Crown Reserve lot will result in an increase in the use of the Union Bend Park as a park and area of recreation.

NSW Heritage has recently identified several items of aboriginal cultural significance within the Crown Reserve lot 85567 - Union Bend recreation park. Therefore, this lot category will be changed from “a natural area” to part of the lot being an “area of cultural significance” and part of the lot being a “park”. The gazetted use of the Union Bend Park will remain as “public recreation”, however the crown reserve lot will have two new categories “area of cultural significance” and a “park”,

The gazetted use of the Union Bend Park – Public Recreation (3 .12.1965) will remain for Lot 7315 DP 1181235 Wilcannia.

Ancillary use of the Crown Reserve Lot – Union Bend Park

Wilcannia Weir

Central Darling Shire Council has water supply infrastructure located within the Union Bend Park Crown Reserve. The construction of the Wilcannia Weir by Water NSW will be accompanied by the construction of a car park area, a heritage walk (scar tree and other aboriginal cultural significant items), signage, and seating.

The construction of the car park, signage and seating will be accompanied by a lease between Central Darling Shire Council and Water NSW.

Central Darling Shire Council – water supply

This use of the Crown reserve must be listed in the Plan of Management and an Indigenous Land Use Agreement is required for the council water supply infrastructure easement.

Central Darling Shire Council water infrastructure at Union Bend is as follows:

- Three (3) bores,
- pipeline
- power poles and power lines and
- access road.

REPORT:

This report is for information regarding the statutory requiring a Plan of Management for community land Crown Reserve Lots under the *Local Government Act 1993* and the *Crown Land Management Act 2016*. The allocation of the new land categories of an area of cultural significance and as a park will require a public hearing to allocate the new categories under the *Local Government Act 1993*.

Plan of Management

The Plan of Management defines the value, use, management practices and intent for the broad public purpose for which the Crown land has been reserved or dedicated. The Plan of Management should be consistent with the public purpose for the Crown reserve and the principles of Crown land management, as well as other guidelines, policies, and legal requirements which may apply to the reserve such as the provisions of environmental planning instruments for example a Local Environmental Plan (LEP) and development control plans (DCPs) made under the *Environmental Planning and Assessment Act 1979* and threatened species or native vegetation controls.

Plans of management provide information about the Crown reserve and its users, and state what, why, how and by whom the values of a reserve are being managed. Plans of Management are statements about how a reserve is to be managed in line with its purpose.

A Plan of Management is to be prepared in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993* to provide a framework for the future management, use and development of reserved Crown land.

The Plan of Management for the Crown Reserve lot 85567 - Union Bend recreation park, at Lot 7315 DP 1181235 Wilcannia, will be accompanied by a lease and an Indigenous Land Use Agreement.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses, and increased employment.

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

Delivery Outcome

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.4 Improved infrastructure across the Shire

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Yes	N/A
Environmental	Yes	N/A
Economic	Yes	N/A
Governance	Yes	N/A

Financial and Resource Implications:

The Plan of Management enables the land to be used for ancillary uses connected to the new Wilcannia Weir, such as for public recreation (fishing, heritage walks, community gathering). Water NSW intends to place an all-weather surface road to the Union Bend Park area for access to the Weir infrastructure and servicing and for the local community to view the weir from the Union Bend park.

A lease between Central Darling Shire Council and Water NSW will assist in the long term cost and upkeep of this infrastructure.

An Indigenous Land Use Agreement will have cost implications to Central Darling Shire Council. The cost will need to be negotiated with the assistance of the Council Crown Land Management Team and the National Native Title Tribunal and the local Native title land holders the Barkandji people.

Policy, Legal and Statutory Implications:

The Plan of Management and public hearing is required to endorse the new category of land – “area of cultural significance and a park” under the *Local Government Act 1993 and Crown Land Management Act 1993*.

A lease is required between Central Darling Shire Council and Water NSW for the construction of the car park area, the seating area, the heritage walk and the signage for the Wilcannia Weir. (ongoing discussion regarding a boat ramp for use of locals for fishing and for the SES for boat launches).

An Indigenous Land Use Agreement is required for the Central Darling Shire Council water supply infrastructure that is located on the Crown Reserve at Union Bend Park.

Risk Management – Business Risk/Work Health and Safety/Public:

Not providing the Plan of Management, the lease and the Indigenous Land Use Agreement may have an impact on the access for the community to the union bend park to view the new Wilcannia weir and for the community to use this area as a park. The lack of Plan of Management and Indigenous Land Use Agreement may have statutory implications.

An issue may arise with the construction of the new Wilcannia Weir and the use of the Crown Reserve for increased recreation use and access to the weir area. The work on the weir and the viewing area, seating, car park, heritage walk requires a for the work that Water NSW requires a lease between Central Darling Shire Council and Water NSW under the *Crown Land Management Act 2016*.

OPTIONS:

Not preparing the Plan of Management - possible impact on the Water NSW Wilcannia Weir project and delivery of community infrastructure.

Not preparing a Plan of Management and Indigenous Land Use Agreement for an easement for council water supply infrastructure located on the Union Bend Park Crown Reserve lot - may have statutory issues.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No

External Exhibition

Online at Central Darling Shire Council website, local newspaper, and newsletters.

Attachments

Nil.

10.8 PUBLIC HEARING INTO THE PLAN OF MANAGEMENT AND LEASE FOR LAND AT BONNEY STREET WILCANNIA

REPORT AUTHOR: SENIOR PLANNER/ EHO
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

To provide Council with the Public Hearing Report and submission summary following public hearing into the Plan of Management and lease for the new category and new use for the land at lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

RECOMMENDATION:

That Council will :

- 1. Receive and note the public hearing report and submissions from the public hearing held on 28 April 2021.**
- 2. Note the public hearing independent chair recommendation that attendees did not support the Plan of Management and new lease for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.**
- 3. Note that no written submissions were received during the exhibition period.**
- 4. Note that more than 10 verbal submissions and one written submission opposing the Plan of Management and lease were received at the public hearing, necessitating referral to the Office of Local Government.**
- 5. Support the Plan of Management and Lease on the subject land.**
- 6. Refer the public hearing report, Plan of Management and lease to the Office of Local Government for the approval of the lease for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.**

BACKGROUND:

Council is required to hold a public hearing regarding a new category and new use for the land for land lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia. Upon the completion of the advertising period, Council is to consider any submissions received.

There was no written submissions received from the community on the Plan of Management or lease for land at lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

The public hearing must be chaired by an independent chair and a report prepared approved by the independent chair at the completion of the public hearing, with the Chairs recommendation.

REPORT:

The Public Hearing Report is for consideration and resolution by Council and for submission to the Office of Local Government - Department of Planning Industry and Environment, as more than 10 negative verbal submissions were received against the Plan of Management and lease.

The Public hearing was advertised on the Central Darling Shire Council website and in the local Newspapers and News letters for more than the required 28 days prior to the hearing taking place on the 28 April 2021. This is in accordance with advice from Department of Planning Industry and Environment and the *Local Government Act 1993*.

Plan of Management and lease for land at Bonney Street Wilcannia

Central Darling Shire Council is required to prepare Plans of Management (*under the Local Government Act 1993*) for all “Community Land” within the Central Darling Shire Council area. The “community land” is both Council owned land and Council managed State owned Crown Reserve lots. Council has prepared a Plan of Management for the Bonney Street lots in Wilcannia.

A public hearing is required under the *Local Government Act 1993*, as this Plan of Management is for a new land category for the community land – “General Community use” land and to change the use of the Community land from “Water Supply” to “Community Health Facility”.

The new category and use for the land will enable the site to be developed under a lease, for the Maari Ma Community Health Facility.

The Plan of Management being prepared for the lots on Bonney Street Wilcannia (for the Maari Ma community health facility) is the first of the Plan of Management for council owned “community land” (non crown land), that are required to be prepared under the *Local Government Act 1993* for all “community land”.

Submission Summary

The public hearing was attended by 13 community members.

Eleven member gave a public verbal submission on the Plan of Management and lease. A written submission was received in the public hearing covering both the Plan of Management and lease as well as the planning proposal for the Bonney Street Site in Wilcannia.

The submissions received verbally were from residents of Wilcannia and a representative of the Maari Ma organisation.

A written submission was received from a member of the community which covered both the planning proposal and the plan of management and lease.

To summarise, the comments received from residents of Wilcannia on the Plan of Management and lease were similar to the comments on the planning proposal to reclassify the land from community land to operational land.

The main issues raised by the members of the community that attended the public hearing was that in their personal opinion the site at Bonney Street Wilcannia was not favourable for the community health facility by the Maari Ma Aboriginal Health Corporation.

All members of the community that attended the Public Hearing stated that in their opinion another site was preferred for the Maari Ma Aboriginal Health - community health facility, somewhere else on Ross Street Wilcannia possibly on the Crown Land Reserve (part of the Golf course). The main reasons against the proposed building would block the local people to drive their vehicles to the edge of the river to look at the river, the building works would damage to the riverine site vegetation and the site was subject to flooding.

Verbal submissions in public hearing

The Plan of Management and lease “was not supported” by residents of Wilcannia that attended the public hearing (13 people) for the following reasons:

- Land ownership – concern that the Maari Ma Aboriginal Health Corporation would in the future sell the site to another organisation and the use of the site would no longer be for the Wilcannia local community. The preferred use of the land at Bonney Street Wilcannia was for a park.
- The Plan of Management for the new land category and new use of the land was not for the community benefit, but only for the benefit of the Maari Ma Aboriginal Health Corporation new community health facility.
- The Plan of Management mentioned the Planning Proposal to reclassify the land from community land to operational land so the land would be sold and not used for the Wilcannia Community.
- Concern with the stated 12 month short term lease, as the real intention is to reclassify the land and sell the land to the Maari Ma Aboriginal Health Corporation to construct the community health facility.
- Cultural – Bonney Street site is used as a viewing area for the weir and river by residents and tourists by car (important cultural connection to river by residents),
- Biodiversity - Issue with impact on riverine vegetation and wildlife of the proposed development,
- Environment – Issue with potential for localised flooding and impact on site biodiversity,
- Practicality - Personal opinion stated that a more suitable site exists on Ross Street Wilcannia within the Crown Reserve land.

Comment on the viewing areas of the Darling River from the Bonney Street Site and justification of a health facility on the site.

Views of the Darling River and Wilcannia Weir

The town of Wilcannia offers various viewing areas of the Darling River besides the Bonney Street site at Wilcannia. The other river viewing areas are Baker Park, the Victory Caravan Park and Union Bend Park (just out of town near the cemetery), and the road on the river side of the cemetery. The current Wilcannia weir ([located near the Bonney Street Site) will be removed and a new Wilcannia weir constructed, which will be located further up the river and can be easily viewed from a vehicle at the Union Bend Park area.

Wilcannia community health facilities by Maari Ma Aboriginal Health Corporation

The representative of Maari Ma Aboriginal Health Corporation at the public hearing Dr Steve Gagin stated that the reason for the selection of the Bonney Street site in Wilcannia for the new Maari Ma community health facility was due to the location on the river.

This location was selected over other nominated sites, as it will offer a good view of the Darling River from the waiting area and medical consultation rooms. This view of the Darling River is considered an important motivation or enticement to attract medical professionals (Doctors and nurses and other medical specialist consultants) to work in Wilcannia and far west New South Wales. During the public hearing Dr Gagin discussed the difficulty in engaging medical professionals willing to work in far west of NSW (with salary of \$1,800.00 a day). The solution to the critical shortage in medical staff is to offer a medical facility with

great views of the river. This will benefit the traditional owners of the land the by the Barkindji tribe (from barka meaning a river).

The Maari Ma organisation stated at the public hearing that they had undertaken extensive consultation with the Wilcannia residents prior the selection of the site.

Maari Ma also stated that alterative sites were investigated within the grounds of the current Wilcannia Hospital.

The Bonney Street site was selected due to the proximity to the Wilcannia hospital and the and the proposed building will offer views from the waiting area and consultancy rooms.

The issue of the site being subject to flooding was also raised at the public hearing.

The flood level for the site can only be determined from historical information on flooding from the Wilcannia hospital (2metres). A flooding impact report will be required for the development application stage.

Further reports required for the development application stage are an ecological assessment study report (flora and fauna) and a heritage impact statement (due to the position near the Darling River and the historical significance for the local Aboriginal people use of the river.

Comment

The Maari Ma organisation stated at the public hearing that they had undertaken extensive consultation with the Wilcannia residents Maari Ma also stated that alterative sites were investigated within the grounds of the current Wilcannia Hospital.

The Bonney Street site was selected due to the proximity to the Wilcannia hospital and the and the proposed building will offer views from the waiting area and consultancy rooms. The provision for the river views is seen as a requirement to attract medical professionals to work in Wilcannia. At present it is difficult to attract medical staff to work in far west NSW.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Community Strategic Plan Outcome

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses and increased employment

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

Delivery Outcome

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.4 Improved infrastructure across the Shire

SUSTAINABILITY ASSESSMENT:

	Positive	Negative
Social	Yes	N/A
Environmental	N/A	N/A
Economic	Yes	N/A
Governance	N/A	N/A

Financial and Resource Implications:

N/A

Policy, Legal and Statutory Implications:

And under the *Local Government Act 1993* Council it is required to hold a public hearing regarding a new category being allocated to community land.

Risk Management – Business Risk/Work Health and Safety/Public:

Not providing improved health services for the community.

OPTIONS:

- 1 Council notes that more than 10 verbal submissions and one written submission opposing the Plan of Management and lease were received from the community members that attended the public hearing, necessitating referral to the Office of Local Government and further, Council writes to the Office of Local Government withdrawing its support of the lease.
- 2 Council supports the Plan of Management and lease despite the opposition from the community members that attended the public hearing. The support of the Plan and Management and lease due to the potential health benefits to the Wilcannia community, particularly the traditional land owners the Barkindji people.
- 3 Council forwards the lease and Plan of Management to the Office of Local Government to determine, due to the number of submissions opposing the plan of management and lease.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition

No

External Exhibition

Online at Central Darling Shire Council website and on the NSW Planning Portal - <https://www.planningportal.nsw.gov.au/digitaldocuments>, local newspapers and newsletters.

Attachments

1. Council resolution,
2. Plan of Management and lease for lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
3. Public Hearing Report and minutes from the hearing including the verbal and written submissions.>

11. MEETING CLOSE

The Council Meeting will be declared closed by the Mayor/Administrator. The next meeting of Council will be held on Wednesday 23 June 2021 in Wilcannia at 9.00am.