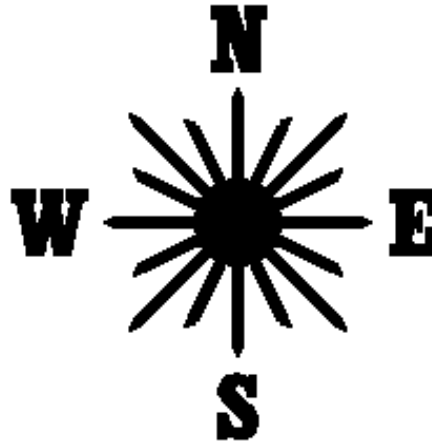


# **CENTRAL DARLING**



## **SHIRE COUNCIL**

**ORDINARY COUNCIL MEETING**

**BUSINESS PAPER**

**22 APRIL 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**

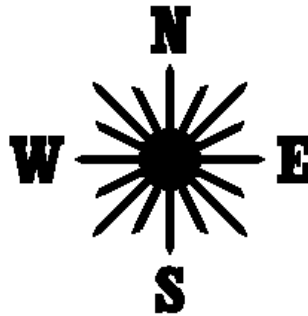
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees 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, 22 April 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 – 24 March 2021**

**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 24 February 2021 be received and confirmed as an accurate record.

Attachments:

1. Minutes of the 24 March 2021 Council Meeting

### **5.2 BUSINESS ARISING**

Nil

## 6. MAYORAL (ADMINISTRATOR) MINUTE

### 6.1 ADMINISTRATORS REPORT APRIL 2021

**REPORT AUTHOR:** ADMINISTRATOR  
**RESPONSIBLE DIRECTOR:** ADMINISTRATOR

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#### REPORT

As advised in my last report work had commenced on the Pooncarie Road project to be delivered by contractors under Council Project Management. Council was contacted by the Office of Heritage and Environment as an allegation was made that works had impacted several Aboriginal artifacts plus, I received information from several citizens supporting the allegations.

All construction works were stopped on the site by the direction from the Office of Heritage and Environment. Council under the direction of the Office of Heritage and Environment engaged an archaeologist to audit the works against the approved Aboriginal Heritage Impact Permit. Council is currently awaiting to receive this report.

The General Manager has engaged an independent consultancy to review the project delivery to focus on planning, delivery, control, compliance and provide recommendations for the future. The General Manager will provide a detailed report on the project to this meeting.

I am very disappointed and upset about the allegations and await the report from the archaeologist. I have committed to an open and transparent investigation and review plus to work with the local aboriginal community to address the findings.

Over the past weeks I have also received several calls and emails relating to Council service delivery at Menindee, and the GM has spent time on the ground with locals inspecting several sites as they are operational issues.

As the Administrator I am undertaking the role of an elected Council and am bound by the *Local Government Act 1993* and The Code of Conduct. The Council employs a General Manager under a performance-based contract who is responsible for the day to day running of the Council (operational) and is accountable to the Council. The General Manager employs all other staff and as Administrator I cannot direct staff or become involved in operational matters.

One issue that has caused great concern is road closures and I received several representations on this issue and the failure of the Electronic signs to work and where this occurs the lack of placement of hard closure signs and their removal in a timely manner.

The GM will provide an update report on his matter. I have noted right across the state during the recent flood events, the issue of road closures and people disobeying signage was a major issue. I will raise this matter at the upcoming Western Division Conference to see if a united approach can be gained.

Most of the above issues relate to Customer Service and the culture, systems and processes that exists across the organisation to address and respond. I have stated previously that all these need to be rebuilt to support an Elected Council. As part of this rebuilding Council has engaged a specialised professional Human Resources staff member



to commence putting in place a performance management system. In addition, The GM will be putting place training to all staff around customer service. Changing culture across an organisation takes time commitment and resources.

The General Manager and I will be attending the Western Division Shires Conference in Broken Hill, and Council has put several motions forward for consideration. In May, Council will be represented at the Murray Darling Association Annual Conference at Wentworth and again have put motions forward.

The General Manager and I will be in Dubbo on Tuesday 13 April to participate in a planning session with Regional Heads of government agencies to provide input into the Central Darling Shire Community Strategic Plan. I have reviewed some of the input garnered from the initial round of meetings. There are several powerful comments that will feed into the plan and future strategies for the shire and local communities. To date we have received advice that 40 representatives will attending the Dubbo meeting. This is a critical project for Central Darling Shire Council, given our small rate base and high dependence on grant income from Federal and State Governments.

At the beginning of the process, I offered communities the opportunity to have Local Development Committees as a mechanism to provide local input and advice into the decision making of the administration. Some communities indicated that they would like to explore the opportunity, others felt they did not want to participate.

These committees would be established under s355 of the *Local Government Act 1993* and subject to understanding and their development in governance, it would be my intention to delegate certain functions to put in place local decision making. These committees do not take the place of an Elected Council, however they are commonly used across the state and are powerful tool to guide local community development and activities.

I would encourage all communities to reconsider the offer.

## 7. FINANCIAL REPORTS

### 7.1 COUNCIL 2020-2021 CURRENT GRANTS REGISTER

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

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#### **EXECUTIVE SUMMARY:**

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

Council's current Grants Register is not in line with current best practice due to the limitations of Council's general ledger and job cost systems. Council is currently in the process of improving those systems in line with best practice reporting. This process is expected to be completed by July 2021.

In March 2021 Council has received part payment of \$4,000,000 for Upgrade of Pooncarie Road project (\$25,000,000). The project being delivered is upgrade of the Pooncarie Rd to Menindee NSW. This project is to be completed by December 2022.

#### **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.

## **7.2 SALE OF LAND FOR UNPAID RATES AUCTION RESULTS**

**REPORT AUTHOR:** ACTING RATES OFFICER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

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**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.**

## 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 should either party be unable to settle within the initial 42 days period. That option would usually only be exercised if no agreement to settle later could not be reached beforehand.

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 all of which are expected to be fully finalised by 29 April 2021.

Transfers have been registered and titles issued for all Council purchases except one. All these matters are expected to be finalised by 29 April 2021 when deposit monies (currently held in trust with agent) are received and processed.

The table below sets out the status and risk of non-completion as at 16 March 2021.

Status	Count	Risk
Complete	15	Nil
Council purchase not proceeding – Western Land Lease being surrendered	1	Nil
Awaiting Agent to remit deposits	25	Nil
Awaiting Order on Agent to release deposit monies	15	Very Low
Transfer to be registered	1	Low

Awaiting Order on Agent & Transfer to be registered	15	Low
Purchaser's solicitor's fees outstanding	10	High
Purchaser yet to provide Transfer for Council to sign	1	High
<b>Total</b>	<b>83</b>	

At this time there are 11 matters assessed as high risk of not being completed. The total purchase prices/deposits paid on these properties is \$8,365 with rates debts outstanding of approximately \$201,000. Instructions to issue 14 day "notice to complete" for each of these matters have been provided with notices expected to issue by 22 April 2021. Once the notice to complete lapses, deposit monies will be forfeited to Council (and applied to the unpaid rates). These properties would then need to be included in a future sale for unpaid rates.

In addition to forfeiture of deposit monies other legal remedies become available to Council once a notice to complete lapses. These options will be considered should and when the notices to complete lapse.

#### **Next steps**

It is now expected that all other matters will be finalised, through contract completion or termination, by 31 May 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:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Nil	Nil
<b>Environmental</b>	Nil	Nil
<b>Economic</b>	Improved cashflow Crystallisation of Bad Debt exposure	Nil
<b>Governance</b>	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.

Council's existing Doubtful Debt Provision for Rates, Annual Charges and Interest of \$1,230,000, is considered sufficient to cover the estimated shortfalls set out above. A review

of the adequacy the remaining Doubtful Debt Provision will be addressed through the March 2020-21 Quarterly Budget Review 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 may expose Council to further costs of selling for unpaid rates at a future date. A clearer understanding of such risk will not be possible unless and until Notices to Complete are issued and lapse.

**OPTIONS:**

None.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

**Internal Exhibition**

Regular liaison between relevant staff and Outstanding Collections (Council's agent)/solicitors has occurred and will continue to occur through to finalisation of all sales.

**External Exhibition**

None applicable

**7.3 CASH AND INVESTMENTS – MARCH 2021**

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

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**EXECUTIVE SUMMARY:**

This report is to provide a summary of Council's cash and investments as at 31 March 2021.

**RECOMMENDATION:**

**That Council will:**

- 1. 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	\$1,787.61
Operating Account	\$5,018,739.26	\$2,152,618.31	\$2,866,120.95	0.01%	NIL	\$115.84
Post Office Clearing Account	\$675,214.13	\$668,898.13	\$6,316.00			
<b>Total Cash at Bank as at 31<sup>st</sup> March 2021</b>					<b>\$9,643,953.39</b>	

### Commentary:

The net movement of cash for the month of March 2021 was an increase of \$2,872,436.95.

Payments for the month of March 2021 totalled \$2,120,268.39, being predominately payments to suppliers of \$1,704,885.70.

Receipts for the month of March 2021 totalled \$4,992,705.34, being predominately:

- Grant funding for Pooncarie Road works of \$4,108,000
- Roads to Recovery Funding of \$690,000

### Restrictions

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

### Loan Accounts

Loan Account	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Garbage Trucks	\$189,351.88	\$202,397.60	(\$13,045.72)	3.66%	\$481.52	\$4,591.84
<b>Total Loan Liability as at 31<sup>st</sup> March 2021</b>					<b>\$189,351.88</b>	

**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 31<sup>st</sup> March 2021 is \$189,351.88 and it is estimated that this loan will be repaid in full by 30 June 2022.

Attachments

Nil

#### **7.4 SMART WATER METERS, METER READING AND BILLING UPDATE**

<b>REPORT AUTHOR:</b>	ACTING RATES OFFICER
<b>RESPONSIBLE DIRECTOR:</b>	ACTING DIRECTOR BUSINESS SERVICES & DIRECTOR SHIRE SERVICES

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**EXECUTIVE SUMMARY:**

This report aims to provide Council with an update on the smart water meter rollout, water meter readings, water consumption billings and collections of outstanding water charges.

**RECOMMENDATION:**

**That Council resolve to:**

- 2. Receive and note the report.**
- 3. Receive quarterly reports on water meter reading, billing and collections commencing in April 2021.**

**BACKGROUND:**

Smart metering of filtered water supplies in Ivanhoe and Wilcannia was substantially completed in March 2020 with further smart metering installed in October 2020. Funding of these works was provided through the NSW Government's Safe and Secure Water Program.

Smart metering of the White Cliffs filtered water supply is proposed as part of the reticulation network upgrade works.

Raw water supplies are metered in Ivanhoe but are unmetered in Wilcannia. Currently there are no plans to install smart meters on raw water supplies in either Ivanhoe or Wilcannia. White Cliffs does not have a raw water supply.



Council received a report on smart metering, water meter reading and billing activities at its Ordinary meeting on 24 February 2021. That report identified that approximately 70-80 filtered water services in Ivanhoe and Wilcannia do not yet have smart meters installed.

A further report was provided to Council's ordinary meeting on 24 March 2021 where it resolved to:

- 1. Receive and note the report.**
- 2. Receive quarterly reports on water meter reading, billing and collections commencing in April 2021.**
- 3. Receive a report regarding completion of smart metering of filtered water services in Ivanhoe and Wilcannia at the Ordinary Meeting of Council on 28 April 2021.**
- 4. That a report be brought forward on the breakdown of outstanding amounts by service area and indication if there is anything owing by government agencies.**

#### **REPORT:**

##### **1. Meter Reading and Billing**

Water meters throughout the Shire were read in the last week of February 2021 with Water Consumption accounts issued on 15 March 2021. Included with those accounts was information promoting the MiWater Public platform which provides customers with access to real time water usage information. At the time of writing this report only a small number of customers had registered for Mi Water Public.

A revised approach to increasing participation is being developed with assistance from Council's Community Engagement.

The next meter readings are scheduled to occur in the last full week of May 2021 with accounts planned to issue 15 June 2021. This will see a resumption of a true quarterly billing program.

##### **2. Completion of Smart Metering – Ivanhoe and Wilcannia**

A quote to finalise smart metering of filtered water supplies in Ivanhoe and Wilcannia has been provided based on 3 scenarios allowing for variation in meter sizes from standard 20mm services to a mix of 20mm, 25mm and 32mm services. These quotes range up to \$43,000. A provision for these costs will be required in the 2021-22 budget.

##### **3. Outstanding Water Charges**

Water service "access" charges are levied annually with ordinary rates and annual charges for waste and sewerage services. Likewise, the outstanding balances of annual water "access" charges are embedded with the balances of other annually levied rates and charges.

As such this report only deals with the collection of water consumption charges which have been affected by previous delays in the metering, meter reading and water consumption billing spaces.

To recap, water consumption accounts issued in November 2020 covered a period of approximately 15 months (July/August 2019 to November 2020) and as such the accounts issued were generally for larger amounts than previous accounts. To ease the impact of

these larger billers, customers were provided with a two month pay by date in lieu of the usual one month to pay and invited to discuss extended payment terms based on individual circumstances.

The position of water consumption charges levied and collected as of 30 June 2020, 28 February 2021 and 31 March 2021 are set out in the table below.

The relevance of these dates are:

30 June 2020 sets a base line against which the positions at future dates can reasonably be compared.

28 February 2021 includes water consumption charges raised in November 2021 and due for payment late January 2021.

31 March 2021 includes water consumption charges issued 15 March 2021 but not for payment until 15 April 2021. A clearer snapshot of outstanding charges will be available after the above due date has passed. Lead time to prepare and publish the business paper for this meeting precludes inclusion of that detail in this report.

	<b>30 June 2020</b>	<b>28 February 2021</b>	<b>31 March 2021</b>
<b>Overdue</b>	\$402,670.05	\$494,174.57	\$397,705.84
<b>Not Yet Due</b>	\$0.00	\$0.00	\$128,573.92
<b>Total Outstanding</b>	\$402,670.05	\$494,174.57	\$526,279.76
<b>Levied Year to Date (YTD)</b>	\$154,535.30	\$449,356.30	\$620,413.17
<b>Current Year Levied Overdue</b>	\$45,199.68	\$163,375.85	\$159,093.96
<b>Percentage Overdue/Levied YTD</b>	<b>29.25%</b>	<b>36.36%</b>	<b>25.64%</b>

The increase of 7.11 percentage points from 30 June 2020 to 28 February 2021 in the *Percentage Overdue/Levied YTD* values in the above table reflect that collections of water consumption charges has been adversely impacted by the delay in issuing, and individual gross bill increases, of the November 2020 accounts.

Additional focus on overdue accounts will be necessary in the coming months and years, in conjunction with improved efforts to recover overdue annual rates and charges.

Recent impacts in this space include;

- Legislative changes introduced in March 2020, in response to Covid-19, restricted debt recovery activity until 30 September 2020.
- Focus on the sale of land for unpaid rates process since August 2019 (auctions conducted late October 2020), the progress of which has been reported to Council at each of its Ordinary meetings since February 2020.

Appropriate, ongoing resourcing of all rates functions, including debt management, will be key to ensuring future water consumption accounts are issued in accordance with the quarterly billing program now in place and improving collections of both water consumption charges and annual rates and charges. This matter was addressed through a report to Council at its Ordinary Meeting on 24 February 2021 where the inclusion of a permanent rates officer within Council's Organisational Structure was endorsed by Council.

#### 4. Outstanding Water Consumption Charges

##### a. Analysis by Service Area

The table below sets out the position as at 31 March 2021.

<b>Outstanding Water Consumption Charges by Township</b>	<b>Ivanhoe</b>	<b>Wilcannia</b>	<b>White Cliffs</b>	<b>Total</b>
<b>Overdue</b>	\$99,955.54	\$271,820.98	\$25,929.32	\$397,705.84
<b>Not Due</b>	\$40,049.21	\$75,166.06	\$13,358.65	\$128,573.92
<b>Total</b>	\$140,004.75	\$346,987.04	\$39,287.97	\$526,279.76
<b>Filtered Water Meter Count</b>	143	283	181	607
<b>Average Outstanding per Filtered Water Meter</b>	\$979.05	\$1,226.10	\$217.06	\$867.02

For context and proper comparison, additional factors would need to be considered including, occupancy levels, permanent and transient population numbers and ratios, differences in water tariffs between each township and meter accuracy and reliability (noting that most meters in Ivanhoe and Wilcannia have already been replaced but those in White Cliffs have not).

The detailed analysis and assumption building that that would be necessary to provide detailed and meaningful comparisons on this level would take existing resources away from other key functions and would not necessarily provide any value in terms of managing overdue accounts.

##### b. Analysis by Owner Entity Type.

The table below sets out the position as at 31 March 2021.

<b>Overdue Water by Owner Entity Type</b>	<b>Amount Overdue</b>	<b>Percentage of Total Overdue</b>
<b>Government</b>	\$6,321.87	2%
<b>Non-Government Community Organisation</b>	\$132,346.29	33%
<b>Private/Other</b>	\$259,037.68	65%
<b>Total</b>	<b>\$397,705.84</b>	

This table discloses that a significant proportion (33%) of overdue water consumption charges relate to the Non-Government Community Organisation group. Council staff have recently engaged in discussions in regards to payment which is not considered at risk.

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

##### **Delivery Outcome**

1.2 Improved community services and facilities

- 3.1 Collaborative approach to environmental management and protection
- 3.3 Safe and reliable water supplies and road networks for Shire communities

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Improved customer engagement	
<b>Environmental</b>	Improve water efficiency	
<b>Economic</b>	Improved cashflow stability through regularity in billing	Implementation Costs
<b>Governance</b>		

**Financial and Resource Implications:**

The engagement of a permanent rates officer, as addressed through the recently revised Organisational Structure will be critical to achieving regular water meter readings, water consumption billing and improving collections.

Completion of smart metering of filtered water supplies will alleviate many of the issues which contributed to previous delays in meter reading and water consumption billing.

**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**

Relevant internal stakeholders have been engaged with and will continue to influence future outcomes in this space.

**External Exhibition**

Not required.

## **8. GOVERNANCE REPORTS**

### **8.1 POONCARIE ROAD CONSTRUCTION - INVESTIGATION OF IMPACTS AND HARM TO ABORIGINAL CULTURAL HERITAGE SITES**

**REPORT AUTHOR:** GENERAL MANAGER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

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#### **EXECUTIVE SUMMARY:**

The purpose of this report is to advise Council on the destruction of aboriginal artefacts during the construction of Pooncarie Road, and measures 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 the next meeting**

#### **BACKGROUND:**

Council received \$25m of State and Federal Government funding to bitumen seal 61 kilometres of the unsealed section of Pooncarie Road. The construction works are planned over the next 3 years with completion 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 commenced 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 advised of reports by concerned community members that several scar 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 and 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 scar trees and determine if there where 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 discussions 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.

## **REPORT:**

Council requested via email communication with Green Edge Environmental (28 March 2021) that Biosis undertake an audit investigation. The scope of the requested investigation is as follows:

- A review of the works at 0-5 kilometres and 20-25 kilometres to ensure works completed to date have adhered to the AHIP i.e. not disturbed identified sites, controls in place. (29 March 2021) on the findings with report to follow.
- Review 40-45 kilometres sections and the alleged impacts to culturally scarred trees with the Menindee Local Aboriginal Land Council (LALC).

### **Matters to address during the investigation:**

- Are the alleged damaged trees culturally scar trees?
- Are they in or outside the AHIP area?
- Were they previously removed from the ground by others?
- If cultural, have they previously been recorded on AHIMS or by Biosis?
- If not recorded above, was the appropriate mitigation strategy followed i.e. cultural monitors walk over pre-clearance?
- Conclusions from the investigation.
- Any procedural/training required to ensure cultural material is not disturbed.

### **Conclusions from the investigation**

The conclusions from the site investigation can be summarised as follows:

1. Council staff managing the project stated they had not read the AHIP or the ACHA (Aboriginal Cultural Heritage Assessment) Section and did not look at the maps or shapefiles provided by Biosis.
2. Council staff managing the project did not appear to understand their responsibilities in regard to avoiding and protecting Aboriginal cultural heritage within and adjacent to the AHIP area.
3. Aboriginal heritage sites subject to the no harm Condition 7 of the AHIP and detailed in the ACHA (Aboriginal Cultural Heritage Assessment) Section 6.2 Management and mitigation measures were not flagged prior to the commencement of works. This includes all culturally modified (scarred) trees and human burials identified within the ACHA and recorded on AHIMS.
4. Areas of high and moderate archaeological potential subject to the no harm Condition 7 of the AHIP and detailed in the ACHA Section 6.2 Management and mitigation measures were not flagged or identified to work crews prior to the commencement of works.
5. Culturally modified (scarred) trees) were bulldozed during works.
6. Extensive works in the form of detours (by-passes) in areas of high and moderate archaeological potential have been carried out. In areas of high and moderate archaeological potential, as per to the no harm Condition 7 of the AHIP, works were to be confined to the existing areas of road disturbance unless further archaeological investigation in the form of test excavations were undertaken.
7. A number of previously felled trees with cultural scarring were identified in the southern portion of the AHIP area. These trees had been felled for some time and had been moved during the current works at least once, so their original location was unable to be ascertained. These trees had not been previously recorded on AHIMS or during the Biosis ACHA field survey.

8. A number of tracks, turn-arounds, borrow pit expansions and other heavy vehicle disturbances outside of the AHIP area were noted. These areas were not subject to survey by Biosis for the ACHA.
9. Aboriginal site monitors engaged by the Council may not have had adequate training or possess the cultural knowledge to identify cultural heritage sites or objects.

### **Recommendations for procedures and training**

The following recommendations have been developed under the guidance of RAPs, members of the Barkandji NTRBC, Barkandji Rangers, Menindee LALC, Barkandji Elders, and members of the Menindee community. Biosis notes that this incident has caused severe distress and disappointment to the Menindee and Barkandji communities. In particular, community confidence and trust in the Council have been eroded. The involvement of the Aboriginal community in the project and in implementing these recommendations is strongly advised. No works are resume until DPIE compliance have provided written advice confirming works are able to recommence.

**Recommendation 1:** All Central Darling Shire Council employees managing the project to read AHIP and ACHA.

**Recommendation 2:** Cultural heritage inductions for all employees, contractors and sub-contractors working in the AHIP area.

**Recommendation 3:** Daily 'tool box' talks.

**Recommendation 4:** Immediate flagging of all Aboriginal heritage sites within the project area subject to Condition 7 of the AHIP.

**Recommendation 5:** Immediate flagging of all areas of high and moderate archaeological potential within the project area subject to Condition 7 of the AHIP.

**Recommendation 6:** Procedure to follow for conducting further works in areas of high and moderate archaeological potential outside the existing road disturbance area.

**Recommendation 7:** Procedure to follow for conducting further archaeological and heritage assessments in any disturbance areas where assessment has not been carried out.

**Recommendation 8:** Procedure to follow in areas of high and moderate potential where detours/by-passes have been graded.

**Recommendation 9:** Procedure to follow in the area of high potential on Tolarno and Karoola stations where the detour/by-pass has been graded.

**Recommendation 10:** Procedure for engaging Aboriginal site monitors.

**General recommendations:** Whilst not mandatory, the formalisation of these recommendations in a cultural heritage management plan (CHMP) for the project, reviewed by RAPs and members of the Barkandji NTRBC, Barkandji Rangers, Menindee LALC, Barkandji Elders and Heritage NSW should strongly be considered by Council.

A CHMP describes how Aboriginal and non-Aboriginal heritage will be protected and managed by Council during the operational life of the project, setting out specific procedures in detail and forming part of the project's overall construction management plans.

It is further recommended that Council adopt a general policy that all Council staff and sub-contractors undertaking ground disturbance works complete an Aboriginal cultural heritage induction carried out by RAPs, members of the Barkandji NTRBC, Barkandji Rangers, Menindee LALC, and Barkandji Elders.

In addition, an area-wide Aboriginal cultural heritage sensitivity study should be undertaken for the Central Darling Shire Local Government Area (LGA) in consultation with the Aboriginal community. This study would identify areas of cultural sensitivity and would support Council in determining whether an assessment of Aboriginal cultural heritage would be required for any proposed development or works within the LGA.

Biosis-Menindee-Pooncarie Road Aboriginal Heritage Impact Permit Audit has been distributed to key stakeholders in Menindee. Meetings are planned to meet with stakeholders in late April to discuss the recommendations and work with them to reconcile their distress and disappointment.

At the time of writing this report, Environment/Heritage NSW, Compliance and Regulation Department are intending to visit the Pooncarie Road construction sites on Tuesday 20 April, if forthcoming more information will be provided at the Council meeting.

At this stage, there is no date set to recommence construction. For construction to resume meeting with stakeholder groups need to be completed and further discussion with Environment/Heritage NSW.

#### **Internal Audit by Council-Project Management of Pooncaire Road construction**

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

- Reading of preconstruction reports- Biosis Pooncaire Menindee Road Upgrade Aboriginal Culture Heritage Assessment -28 September 2020, Aboriginal Heritage Impact Permit (AHIP) and review Road Design for construction.
- Reading of Biosis Pty Ltd survey assessment undertaken in March/April 2021
- Interview all relevant Council engineering staff involved in the project.
- Interview Consultants Green Edge Environmental and Biosis Pty Ltd.
- Interview the General Manager and Administrator
- Interview external key stakeholders, Menindee Aboriginal Land Council, Barkandji Native Title Group, Menindee Tourism Association, and other groups if identified, on reputation damage to Council image.

HDS Australia will provide a written detailed report to Council on following findings:

- Overview of how the project is being managed.
- The failures of not abiding to the AHIP.
- How can management of the project be improved to ensure this, and similar type of incidents do not occur again.
- Provide the necessary governance framework for processes and procedures needed to manage the project for the next 3 years.
- Other recommendations from the findings



**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:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Council being transparent in actions being taken	Damage done to Council reputation and brand
<b>Environmental</b>	Nil	Significant damage to Aboriginal heritage and artefacts
<b>Economic</b>	Nil	Delay in delivery construction works
<b>Governance</b>	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

## 8.2 ENGAGEMENT OF STAFF AND ORGANISATIONAL STRUCTURE

**REPORT AUTHOR:** HUMAN RESOURCE OFFICER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

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### EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with the background of staffing requirements and information on the current issues faced to ensure the organisation meets its statutory and legislative requirements.

### RECOMMENDATION:

#### That Council will:

1. Receive the report and note the potential employment of Environmental Engineer and a subsequent increase in wages budget.
2. Receive further reports on key human resource activities.

### BACKGROUND:

In the February Council meeting (2021) it was reported that there had been a significant turnover with staff leaving or wanting to work part time. This has seen the replacement of administration positions being difficult to fill, especially in Wilcannia. To date, these positions have been filled with a mixture of casual, short term contract and permanent positions.

This report has been created with the view 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
Truck Driver – White Cliffs – Full-time – Permanent	18 March 2021	9 April 2021
Director Business Services – Full-time - 3 Year Fixed Term (via LGMS)	26 March 2021	12 April 2021
Rates Officer – Part-time (up to 44 hours per fortnight) – 2 Year Fixed Term (initially)	26 March 2021	12 April 2021
Senior Project Manager – Full-time - 3 Year Fixed Term	26 March 2021	16 April 2021
Environmental Engineer - Full-time - Permanent	12 April 2021	23 April 2021

## **Environmental Administration Officer to Environmental Engineer:**

Following the resignation of the Environmental Administration Officer, a review of the position within the Environmental and Engineering team was undertaken. The review identified that there was a need to engage a person with qualifications more suited to broader responsibilities within the environmental area, rather than an administrative focus.

Throughout local government in Australia, there is a shortage of Environmental Health Officers and Building Surveyors, however the organisation is lucky to have and retain the services an Officer with these qualifications. Therefore, we are confident in seeking a person who has environmental qualifications and experience who would be more suitable to support existing staff in their administration needs as well as undertake the duties in the management of:

- swimming pools
- waste collection and disposal,
- vegetation and weed control,
- tree management
- cemeteries reporting
- other duties that entail environmental issues.

The organisation is currently advertising the full-time position for an Environmental Engineer, with the position being based in Wilcannia.

The new position of Environmental Engineer will replace the Environmental Administration Officer role and has resulted in a change in the classification level of the position to reflect the responsibilities, skills, knowledge, qualifications and experience required.

As a result of the change in the classification level, there is an increase of salary for the position of \$23,733, being from \$80,959 (Level 7 Step 3) to \$104,693 (Level 12 Entry) per annum. This increase is expected to be offset against the Western Local Land Services - Weed Action Program (WAP) that was recently signed, along with other activities for Transport NSW contracted and ordered works within the Shire.

## **Review of Organisational Structure:**

A proposed review of the Organisational Structure of the organisation's Leadership Team was also reported in February's Council meeting. The review was aimed at exploring the potential to "flatten out" the hierarchy, as well as a review of workloads and responsibilities.

In considering a number of key elements in undertaking the review, including the industrial relations aspect, it has been identified that it is appropriate to maintain the existing structure with adjustments being made to engage technical and support staff to meet the demands expected of the organisation in delivering the services and projects.

## **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 close in April 2021 and comprises of 800 subsidies plus any not filled under stage 1 of the program.

The organisation will be seeking to submit an application for grant funding under this program, with the aim of engaging placements in the following areas:

- Wilcannia Post Office – 1 placement
- Wilcannia Administration – 1 placement
- Wilcannia Depot Yard or Office – 2 placements (small plant mechanic & building maintenance)
- Menindee Depot – 1 placement (stores)
- Ivanhoe Depot – 1 placement (stores)

**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:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Nil	Nil
<b>Environmental</b>	Improve reputational and Service Delivery to communities.	Nil
<b>Economic</b>	Potential recovery of costs of expenses in operational and service delivery	Potentially, some increase in operational and service delivery cost may be identified which will need to pass onto consumers.
<b>Governance</b>	Council meets it legislative and statutory requirements	The requirement for additional staff comes at a financial cost to Council

**Financial and Resource Implications:**

Additional cost of \$2,282, will be incurred in the remaining 2020/21 Engineering wages budget for the Environmental Engineer position. However, it is expected that the increase to the wages budget for 2021/22 and the Long-Term Financial Plan of \$23,734 per annum will be offset by additional income through funding and order works.

**Policy, Legal and Statutory Implications:**

In the past, Council has not met its funding commitments in the delivery of Weed Action Program, resulting in community criticism in tree management and more recently destruction of significant vegetation.

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

Having an Environmental Engineer on staff will mitigate some risk that the organisation is facing with service of delivery in its operational areas.

**OPTIONS:**

Nil

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

**Internal Exhibition**

Nil

**External Exhibition**

Nil

Attachments

Nil

**8.3 WEBSITE REDESIGN**

**REPORT AUTHOR:** COMMUNITY ENGAGEMENT OFFICER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

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**EXECUTIVE SUMMARY:**

To seek Council ratification to sign a one (1) year contract with OpenCities for the redevelopment of Council's website and source those funds from current funds available.

**RECOMMENDATION:**

**That Council will:**

- 1. Receive the report**
- 2. Council ratifies the decision to sign a one (1) year contract**

**BACKGROUND:**

Council was presented with a report about the redevelopment of the Council's corporate website in February 2021. A further report was requested after further discussions with two (2) providers in line with Council's Procurement Policy.

## REPORT:

Council has engaged OpenCities, a website developer specialising in local government websites. The urgency to finalise this matter has escalated after advice from the current provider that they need to change their technology infrastructure which would render Council's current website inoperable within three months.

Funds for the contract, which totals \$16,800 and includes design, hosting, full training, help desk services has been found in the 2020/21 budget.

The Long Term Financial Plan will reflect licensing fees for the next three years.

Sourcing providers for the redevelopment of the website has been conducted in line with Central Darling Shire Council's Procurement Policy. The project was costed as coming in between \$10,000 and \$29,999 requiring two quotes which were received and reported to Council in February.

After discussion and deliberation, as well as speaking with end users of both providers, it has been determined that OpenCities will provide Council with the flexibility required by Council as it moves forward.

This determination includes the ability for all staff to easily take over website management if and when required, and particularly at the conclusion of the Community Engagement Officer position in the event that this role is not re-engaged after the term of the employment contract.

There have been extensive discussions between the Community Engagement Officer and both potential providers. OpenCities is able to provide a level of flexibility that is reflective of the fluidity that encompasses local government, and an ability to change the structure of the website by Council staff to reflect the needs of Council and the community.

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

## 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
<b>Social</b>	Increased capacity to engage	Non digital residents may feel marginalised
<b>Environmental</b>	Nil	Nil

<b>Economic</b>	Great business confidence	Impact on current and future budgets
<b>Governance</b>	Increased capacity to comply with statutory obligations across the organisation	Nil

**Financial and Resource Implications:**

Funds have been identified from the IT budget “Other Software” supplemented by funding from the Department of Planning Industry and Environment for implementation of the NSW Planning Portal.

**Policy, Legal and Statutory Implications:**

Nil

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

Nil

**OPTIONS:**

NIL

**COUNCIL SEAL REQUIRED:**

No

Attachments

Nil

## 9. SHIRE SERVICES REPORTS

### 9.1 WATER AND SEWER UPDATE

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

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**EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on water and sewer maintenance, capital works 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 level a major challenge. Additionally, 2 mechanical break downs frustrated efforts to restore reservoir capacity.

In addition to commitment of additional staff resources, Council undertook water carting 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.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Wilcannia Water	\$433,500	53%	\$203,968
Wilcannia Sewer	\$230,865	50%	\$114,628
White Cliffs Water	\$165,500	66%	\$57,097
Ivanhoe Water	\$351,000	61%	\$135,965
Aboriginal Communities R&M	\$126,355	19%	\$102,184

### 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 presentation and



meeting minutes are attached for Council's perusal.

- 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.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
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

## 9.2 SERVICES UPDATE

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

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### 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:**

1. **Receive and note the report.**

### REPORT:

#### Services:

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
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Parks & Gardens/ Sporting Facilities	\$181,350	58%	\$75,842
Ancillary Works	\$250,500	18%	\$198,953
Street Cleaning/Bins	\$121,000	105%	-\$6,142
Buildings	\$674,800	40%	\$270,932
Swimming Pools	\$481,200	46%	\$257,553
Domestic Waste	\$189,000	61%	\$74,072

### **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.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Building Stronger Country Communities Round 1	\$893,640.00	100%	\$0
Building Stronger Country Communities Round 2	\$1,395,084	90%	\$145,847
Building Stronger Country Communities Round 3	\$760,340	6%	\$713,337

## **9.3 ROADS AND AERODROMES REPORT**

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

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### **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:**

- 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: \$878,000

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: \$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 \$247,223
5. HW21 111.21.05 Seg 2420 Rehabilitation \$329,901.49
6. HW21 111.21.06 Rosewood IS Project \$2,321,922.50

Total: \$3,981,853

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining budget</b>
RMCC Routine	\$1,048,240	57%	\$453,069
WO 2019/20	\$2,909,790	100%	\$0
WO 2020/21	\$4,077,403	47%	\$2,083,684

## **Regional Roads**

Council maintains 790km of Regional Roads throughout the Shire.

202/21 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 being done in January following State (RMS) budget adoption.

202/21 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. Refer to determination report included in this agenda.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Regional Road Block Grant	\$2,408,000	95%	\$2,281,293
Regional Roads Repair Program	\$800,000	51%	\$388,854.43

## **Local Roads**

Council maintains 1600km of Local Roads throughout the Shire.

202/21 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.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Local Roads Component (FAG)</b>	\$1,651,944	80%	\$333,126
<b>Menindee Street (R2R)</b>	\$240,000	97%	\$7,208
<b>Little Menindee Creek Road (R2R)</b>	\$450,000	81%	\$84,644.30

<b>Pumpkin Point Road (R2R)</b>	\$300,000	65%	\$195,384
<b>Irrigation Road (R2R)</b>	\$515,727	44%	\$290,895

### **Aerodromes**

Council maintains 6 aerodromes throughout the Shire; Wilcannia, Menindee, Ivanhoe, White Cliffs, 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.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Aerodromes</b>	\$124,000	92%	\$10,113

#### **9.4 PLAN OF MANAGEMENT FOR 44 REID STREET WILCANNIA – LOT 1, S13 DP759091**

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

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#### **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 Darling Baaka Arts organisation 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 Darling Baaka Arts organisation.

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:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Yes	N/A
<b>Environmental</b>	N/A	N/A
<b>Economic</b>	Yes	N/A
<b>Governance</b>	N/A	N/A

**Financial and Resource Implications:**

The Plan of Management and lease enables the land to be leased to the **Darling Baaka Arts Organisation. 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. MEETING CLOSE**

The Council Meeting will be declared closed by the Mayor/Administrator. The next meeting of Council will be held on Thursday 20 May 2021 in Wilcannia at 11.00am.