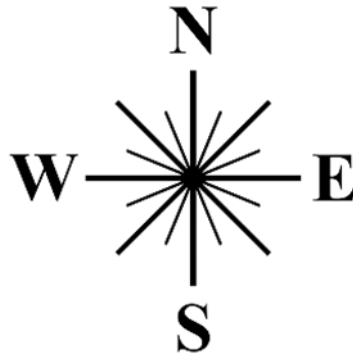


# **CENTRAL DARLING**



## **SHIRE COUNCIL**

### **ORDINARY COUNCIL MEETING**

### **DRAFT BUSINESS PAPER**

**14 DECEMBER 2022**

The Meeting will be held at 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**

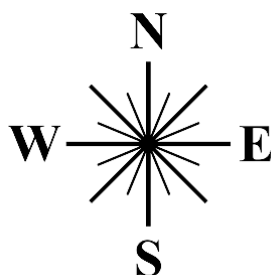
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees 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, 14 December 2022

Council Chambers, 21 Reid Street, Wilcannia

### **BUSINESS PAPER AGENDA**

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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**

### **3.1 APOLOGIES**

### **3.2 LEAVE OF ABSENCE**

## **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 PREVIOUS MEETING MINUTES**

### **RECOMMENDATION:**

That the Minutes of the Ordinary Council Meeting held on 23 November 2022 be received and confirmed as an accurate record.

### **Attachments:**

1. [Ordinary Council Meeting - 23 November 2022](#)

## **6 NOTICE OF MOTION**

Nil

## **7 MAYORAL (ADMINISTRATOR) MINUTE(S)**

Nil

## 8 FINANCIAL REPORTS

### 8.1 CASH AND INVESTMENTS – NOVEMBER 2022

**FILE NUMBER:** GD22/20769

**REPORT AUTHOR:** FINANCE MANAGER

**RESPONSIBLE DIRECTOR:** DIRECTOR BUSINESS SERVICES

#### EXECUTIVE SUMMARY:

This report is to provide a summary of Council's cash and investments as at the 30<sup>th</sup> November 2022.

Council's total cash assets as at 30<sup>th</sup> November are: \$11,864,704.52

#### RECOMMENDATION:

That Council will:

1. Receive 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 and Investment Accounts	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Westpac 11am Investment Account	\$9,700,000.00	\$2,900,000.00	\$6,800,000.00	1.05%	\$2,560.13	\$8,595.60
Operating Account	\$2,117,717.22	\$4,683,497.17	(\$2,565,779.95)	N/A	NIL	NIL
Post Office Clearing Account	\$46,987.30	\$30,288.74	\$16,698.56	N/A	NIL	NIL
Total Cash at bank as of 30 <sup>th</sup> November 2022				\$11,864,704.52		

#### Commentary:

The net movement of cash for the month of November 2022 was an increase of \$4,245,918.61.

Payments for wages and creditors for the month of November 2022 totalled \$3,096,452.58.

Receipts for the month of November 2022 totalled \$7,330,672.63 with major receipts being:

- Pooncarie Road Funding \$4,000,000
- RMS Works \$ 202,360

- Federal Assistance Grant Instalment \$ 476,822
- Water Treatment Plants Milestone Payment \$1,695,000
- Private Works Coona Coona Drill Pad \$ 466,824

**Restrictions:**

Restricted Amount	
Total Restriction as of 30 th June 2023	\$4,006,000

**Attachments:**

NIL

**8.2 COUNCIL 2022-2023 CURRENT GRANTS REGISTER****FILE NUMBER: GD22/20770****REPORT AUTHOR: SENIOR FINANCE OFFICER****RESPONSIBLE DIRECTOR: GENERAL MANAGER****EXECUTIVE SUMMARY:**

The purpose of this report is to provide a summary reconciliation of Council's current grant funding status as of 30 November 2022.

**RECOMMENDATION:**

That Council will:

1. Receive the report

**BACKGROUND:**

To deliver Council's commitment to transparency and greater financial management it has developed a Grants and Contributions Register for public access to be presented during ordinary Council Meetings.

**REPORT:**

With that stated purpose in mind, Council will continue to update the respective incumbent Grants status details into its in-house Pulse program which documents all of Council's Projects under each funding facility.

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

<b>Community Plan Strategic Plan Outcomes</b>	<b>Delivery Outcomes</b>
GOAL 2: A strong regional economy supported by developing industries, strong businesses and increased employment.	<u>Objectives</u> 2.3 Improved infrastructure across the Shire.

**SUSTAINABILITY ASSESSMENT:**

	<b>Assessment</b>
<b>Social</b>	Positive
<b>Environmental</b>	Positive
<b>Economic</b>	Positive
<b>Governance</b>	Positive

**Delivery Outcomes:**

Accurate and timely reporting of funding sources and expenditure.

**Financial and Resource Implications:**

Ensures that any funding sourced is being deployed within the approved scope of services, works and facilities for which they were intended.

**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:**

Periodic reporting enables Council to keep both funding providers and the community informed on the deployment of those funds as intended and as such significantly mitigate the risk of inappropriate usage of those funds.

**OPTIONS:**

There are no alternative options.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:****Internal Exhibition:**

None

**External Exhibition:**

None

**Attachments:**

1. [Council Current Grants and Contribution Reconciliation Report November 2022](#)
2. [Morris & Piper Advisory Monthly Report November 2022](#)

**8.3 FINANCIAL PERFORMANCE REPORT NOVEMBER 2022****FILE NUMBER: GD22/20771****REPORT AUTHOR: FINANCE MANAGER****RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES**

---

**EXECUTIVE SUMMARY:**

This report is to provide a summary of Council's financial performance against budget as at 30<sup>th</sup> November 2022.

The report indicates a YTD Net Operating Result before Capital Items of \$406,000 surplus, which is in line with expectations for this time of year.

The report shows no material variances for the month of November 2022.

**RECOMMENDATION:**

That Council will:

1. Receive the report

**BACKGROUND:**

Council has been working towards improving its financial reporting systems to meet best practice financial reporting guidelines. In line with these objectives a monthly report is to be presented to Council on its financial performance against budget.

**REPORT:**

<b>Income Statement November 2022</b>	<b>Amended Budget 2022/23 as per QBR1</b>	<b>Budget YTD</b>	<b>Actual YTD</b>	<b>Variance YTD</b>	<b>Variance %</b>	<b>Notes</b>
	<b>(\$000's)</b>	<b>(\$000's)</b>	<b>(\$000's)</b>	<b>(\$000's)</b>		
<b>Income</b>						
Rates and Annual Charges	2,483	2,483	2,478	(5)	(0%)	
User Charges and Fees	10,544	2,371	2,377	6	0%	
Interest and Investment Revenues	54	25	25	-	0%	
Other Revenues	405	175	182	7	4%	
Grants & Contributions - Operating	8,744	4,812	4,812	-	0%	
Grants & Contributions - Capital	24,466	9,953	9,953	-	0%	
<b>Total Income from Continuing Operations</b>	<b>46,696</b>	<b>19,819</b>	<b>19,827</b>	<b>8</b>	<b>0%</b>	
<b>Expenses</b>						
Employee Costs	6,968	2,780	2,534	246	9%	
Borrowing Costs	39	6	6	-	0%	
Materials & Contracts	8,507	3,644	3,841	(197)	(5%)	
Depreciation	4,324	1,802	1,802	-	0%	
Other Expenses	2,257	1,195	1,285	(90)	(8%)	
<b>Total Expenses from Continuing Operations</b>	<b>22,095</b>	<b>9,427</b>	<b>9,468</b>	<b>(41)</b>	<b>(0%)</b>	
<b>Net Operating Result from Continuing Operations</b>	<b>24,601</b>	<b>10,392</b>	<b>10,359</b>	<b>(33)</b>	<b>(0%)</b>	
<b>Net Operating Result before Capital Items</b>	<b>135</b>	<b>439</b>	<b>406</b>	<b>(33)</b>	<b>(8%)</b>	

**General Notes:**

Rates and Annual Charges are recognised as income when the rate is struck, generally the 1<sup>st</sup> of July.

Grants and Contributions are recognised when received, unless previously invoiced. Depreciation is not a cash expense.

The annual budget was reviewed as at 30<sup>th</sup> September and presented to Council at the November meeting. Approved amendments to the budget have been incorporated into the above Income Statement. The next budget review will be as at the 30<sup>th</sup> December 2022, and will presented to Council at its February 2023 meeting.

**Variance Analysis:**

There are no material variances (<10%) for November 2022.

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

<b>Community Plan Strategic Plan Outcomes</b>	<b>Delivery Outcomes</b>
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.	<u>Objectives</u> 4.1 Effective communication and consultation with Shire communities. 4.2 Efficient and effective services. 4.3 Skilled and informed Councillors and staff.

**SUSTAINABILITY ASSESSMENT:**

	Assessment
<b>Social</b>	Positive
<b>Environmental</b>	NA
<b>Economic</b>	Positive
<b>Governance</b>	Positive

**Financial and Resource Implications:**

Monitoring of monthly against budget enables timely financial management.

**Policy, Legal and Statutory Implications:**

N/A

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

Monthly financial 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:****Internal Exhibition:**

No

**External Exhibition:**

No

**Attachments:**

NIL

## 9 GOVERNANCE REPORTS

### 9.1 ORDINARY COUNCIL MEETING SCHEDULE FOR 2023

**FILE NUMBER:** GD22/20723  
**REPORT AUTHOR:** GENERAL MANAGER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

---

#### EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with proposed Ordinary Meeting dates for 2023, for consideration and adoption.

#### RECOMMENDATION:

That Council will:

1. Receive the report
2. Council adopts the following dates for Ordinary Council meetings to be held at 21 Reid Street Wilcannia:
  - No meeting in January 2023
  - Wednesday 22 February 2023
  - Wednesday 22 March 2023
  - Wednesday 19 April 2023 (meeting date adjusted to 3rd week due to proximity to ANZAC Day)
  - Wednesday 24 May 2023
  - Wednesday 28 June 2023
  - Wednesday 26 July 20223
  - Wednesday 23 August 2023
  - Wednesday 27 September 2023
  - Wednesday 25 October 2023
  - Wednesday 22 November 2023
  - Wednesday 13 December 2023 (meeting date adjusted to 3rd week due to proximity to Christmas)

#### BACKGROUND:

Council is required to provide notification to the public of the times and places of its Ordinary Council meetings for 2023, in accordance with Section 9 of the *Local Government Act 1993*. Previous years, Council meetings have generally been held on the 4th Wednesday of the month, starting at 9am, which has allowed the Administrator to be in the Shire from Monday to Thursday on those weeks.

#### REPORT:

It was previously determined by the Council that all meetings would be held in Wilcannia. Additionally, with Council meetings in the mornings of the Wednesday, it has also ensued that the Administrator is available on the prior Tuesday or following Thursday to visit other towns in the Shire to undertake community consultations. Dates for community consultations in towns to be confirmed in a separate report to Council.

It is recommended to Council to adopt the following Ordinary Council meeting schedule with monthly Council meetings to be held on the 4th Wednesday of the month, commencing at 9.00am, with all meetings to be held in Wilcannia in accordance with the following schedule:

- No meeting in January 2023
- Wednesday 22 February 2023
- Wednesday 22 March 2023
- Wednesday 19 April 2023(meeting date adjusted to 3rd week due to proximity to ANZAC Day)
- Wednesday 24 May 2023
- Wednesday 28 June 2023
- Wednesday 26 July 20223
- Wednesday 23 August 2023
- Wednesday 27 September 2023
- Wednesday 25 October 2023
- Wednesday 22 November 2023
- Wednesday 13 December 2022 (meeting date adjusted to 3rd week due to proximity to Christmas)

#### **LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPEARTIONAL PLAN:**

<b>Community Plan Strategic Plan Outcomes</b>	<b>Delivery Outcomes</b>
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.	<u>Objectives</u> 4.1 Effective communication and consultation with Shire communities. 4.2 Efficient and effective services.

#### **SUSTAINABILITY ASSESSMENT:**

	<b>Assessment</b>
<b>Social</b>	Positive
<b>Environmental</b>	NA
<b>Economic</b>	NA
<b>Governance</b>	Positive

#### **Financial and Resource Implications:**

There are no financial or resource implications for Council

#### **Policy, Legal and Statutory Implications:**

*Local Government Act 1993*, Section 9 -Public notice of meetings

#### **Risk Management - Business Risk/Work Health and Safety/Public:**

Nil

#### **OPTIONS:**

Not alternative options provided

#### **COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

**Internal Exhibition:**

Nil

**External Exhibition:**

A council must give notice to the public of the times and places of its meetings.

**Attachments:**

NIL

**9.2 CHRISTMAS AND NEW YEAR OFFICE CLOSURE AND STAFF CHRISTMAS LUNCH**

**FILE NUMBER:** GD22/20729  
**REPORT AUTHOR:** GENERAL MANAGER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

---

**EXECUTIVE SUMMARY:**

The purpose of this report is to inform Council of the Christmas/New-year office closures, operating days for the Wilcannia Post Office and operations of essential services during this period.

**RECOMMENDATION:**

That Council will:

1. Receive and note the report
2. For the Christmas/ New Year period, Council offices at Wilcannia, Menindee, and Ivanhoe will close at 3pm Friday 23rd December and reopen on Monday 9th January 2023.

**REPORT:**

In past years, Council has closed its offices over the Christmas/ New -year period to allow staff time off. During this period, there is not a need for the offices to remain open, as there is little demand from the public and other government and non-government agencies are closed. Council's essential services normally continue to operate during this period in delivering waste collection, water/sewage operations, toilet cleaning and emergency works.

This Christmas/New-Year period, Council Offices at Wilcannia, Menindee, and Ivanhoe will close at 3pm Friday 23rd December and reopen on Monday 9th January 2023.

Wilcannia Post Office during this period will close only for public holidays and remain open on normal business days, as outline below:

- Friday 23rd December - Open, closure at 3pm.
- Saturday 24th December – Closed
- Sunday 25th December – Closed
- Monday 26th December – Closed
- Tuesday 27th December – Closed
- Wednesday 28th December – Open, Business as usual
- Thursday 29th December – Open, Business as usual
- Friday 30th December – Open, Business as usual
- Saturday 31st January 2022 – Closed
- Sunday 1st January 2022- Closed
- Monday 2nd January 2022—Closed
- Tuesday 3rd January 2022- Open, Business as usual

Council's essential services will continue to operate as normal in delivering waste collection, water/sewage operations, toilet cleaning and other emergency works. Programmed construction and maintenance activities will cease during the Christmas/New-year period. Council staff not working during the Christmas/New-Year period will either take annual leave, or time banked for working overtime or roster days off.

Staff Christmas lunch will be held at different times and locations due to unknown weather events impacting roads closures and potential flooding. Staff not wanting to attend the Christmas lunch will remain at their designated workplaces and continue with their normal duties.

A Public Notice will be sent to social and commercial media outlets, advertised on Council's website and Facebook Page, to advise of Office Closures over the Christmas/New-Year period and the closures of offices for the Christmas lunch. Contact details will be provided in case of emergency in the Public Notice.

**Attachments:**

NIL

**9.3 ADMINISTRATOR TOWN VISITS SCHEDULE 2023**

**FILE NUMBER:** GD22/20731  
**REPORT AUTHOR:** GENERAL MANAGER  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

---

**EXECUTIVE SUMMARY:**

The report is to enable the Council to consider a schedule for Administrator Town Visits in 2023.

**RECOMMENDATION:**

That Council will:

1. Receive and note the report
2. That Council resolves to adopt the following 2023 Administrator Town Visit schedule:
  - February - Wilcannia
  - April – White Cliffs
  - July - Ivanhoe
  - September – Menindee

**REPORT:**

A bimonthly schedule had been previously developed to enable the Administrator to visit other administrative offices in Ivanhoe, Menindee, and White Cliffs to undertake public consultations regularly throughout the year.

Administrator Mr. Bob Stewart still wants to continue with scheduled bi-monthly Administrator visits to major centres throughout the shire. The Administrator is aware daytime visits at Council Administration Offices doesn't always suit the community due to their work and family commitments.

The Administrator Town Visit will continue in the fourth week of the month, the same week that Council meeting is being held. Instead of scheduling a day and time for a town visit, it has been decided that a week be set aside where a visit might coincide with a community meeting/function or that overnight stay is more beneficial in meeting the community and resident's afterhours.

Regardless that a schedule has been set aside, anyone in the community can be requested to meet with the Administrator anytime via phone call or by virtual meeting, regardless of the Administrator being present in the shire or not.

**Attachments:**

NIL

**9.4 MODEL CODE OF MEETING PRACTICE****FILE NUMBER: GD22/20749****REPORT AUTHOR: GOVERNANCE OFFICER****RESPONSIBLE DIRECTOR: GENERAL MANAGER**

---

**EXECUTIVE SUMMARY:**

The purpose of this report is to seek the endorsement and adoption for the review of Council's Code of Conduct.

**RECOMMENDATION:**

That Council will:

1. Receive the report
2. Resolves to adopt the Code of Conduct.
3. Continue to display the Code of Conduct on the Council's website

**BACKGROUND:**

At the Ordinary Council Meeting on 23 September 2020, Council adopted the Model Code of Conduct (Minute Number: 08-09-20). Under the Act, councils must review their adopted codes of conduct within 12 months of the local government elections.

**REPORT:**

This Model Code of Conduct was developed by the Office of Local Government and prescribes the minimum standards applicable to all Local Councils in New South Wales. It is prescribed by regulation to assist council officials to:

- Understand and comply with the standards of conduct that are expected of them
- Enable them to fulfill their statutory duty to act honestly and exercise a reasonable degree of care and diligence
- Act in a way that enhances public confidence in local government.

Councils can choose to adapt the Code to meet their own needs by prescribing requirements that are more onerous than the Model, but they cannot adopt provisions that are inconsistent with the Model.

The Office of Local Government have made no changes to the Model Code of Conduct as previously adopted by Council.

Accordingly, no changes to the current Code of Conduct Policy are recommended.

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

<b>Community Plan Strategic Plan Outcomes</b>	<b>Delivery Outcomes</b>
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.	<u>Objectives</u> 4.2 Efficient and effective services.

**SUSTAINABILITY ASSESSMENT:**

	Assessment
<b>Social</b>	NA
<b>Environmental</b>	NA
<b>Economic</b>	NA
<b>Governance</b>	NA

**Financial and Resource Implications:**

Nil

**Policy, Legal and Statutory Implications:**

Failure to review this policy as part of Council's Calendar of Compliance means a breach in legislation

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

Nil

**OPTIONS:**

Nil

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:****Internal Exhibition:**

Nil

**External Exhibition:**

Nil

**Attachments:**

1. [Model Code of Conduct for Local Councils in NSW - 2020](#)

## 10 CORPORATE SERVICES REPORTS

### 10.1 PRESENTATION AND ADOPTION OF THE AUDITED FINANCIAL STATEMENTS 2021-22

**FILE NUMBER:** GD22/20776

**REPORT AUTHOR:** FINANCE MANAGER

**RESPONSIBLE DIRECTOR:** DIRECTOR BUSINESS SERVICES

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#### EXECUTIVE SUMMARY:

Council is required to advertise a summary of Audited Annual Financial Statements for the year and formally present them to the public in accordance with the *Local Government Act 1993*. Any person may make a comment with respect to the financial reports within seven days of being presented.

The Audited Financial Statements indicate a Net Operating Result before Capital Items of \$1.969M surplus.

Council has received an unqualified Audit Report.

#### RECOMMENDATION:

That Council will:

1. Receive the report
2. Adopt the 2021-22 Audited Financial Statements and Audit Reports for the 2021-22 financial year.
3. Present the reports to the public, in accordance with *Sections 418 and 419 of the Local Government Act 1993*

#### BACKGROUND:

At the Ordinary Council Meeting held on 28 September 2022 Council resolved the following:

That in accordance with Section 413 of the *Local Government Act 1993*, Council resolved:

1. That its 2021/22 Annual Financial Statements:
  - a. Are in accordance with the *Local Government Act 1993 (as amended and the Regulations made there under)*;
  - b. Are in accordance with the Australian Accounting Standards and Professional Procurements;
  - c. Are in accordance with the Local Government Code of Accounting Practice and Financial Reporting;
  - d. Present fairly the Council's 2021/22 operating result and financial position;
  - e. Are in accord with Council's accounting and other records; and
  - f. That Council is not aware of any matter that would render this report false or misleading in any way.

#### REPORT:

*Section 419 of the Local Government Act 1993* prescribes a Council must present its Audited Financial Reports, together with the Auditor's reports, at a meeting of the Council.

The Financial Statements 2021/22 have been audited by Council's auditor. However, *Section 418 of the Local Government Act 1993* prescribes that the Council must give separate notice that it proposes to adopt the Audited Financial Statements, giving the public the opportunity to make comment.

The recommendation is in accordance with the requirements of the *Local Government Act 1993*.

Items to highlight for the period are:

### **Income**

Total income reported for the year was \$46,630M. The major components being grants and contributions for operating purposes of \$12.507M, grants and contributions for capital purposes of \$18.530M and user fees and charges of \$12.223M.

### **Expenditure**

Total expenditure for the year was \$26.131M. The major components being, materials and contracts of \$15.443M, depreciation and amortisation of \$4.524M and employee benefits of \$5.706M.

### **Surplus/Deficit**

Council is reporting an Operating Surplus of \$20.499M. However, once capital grants are removed, Council reports a Net Operating Surplus of \$1.969M.

Council continues to rely heavily on government grants and income received for RMS works.

It should also be noted that depreciation and amortisation of \$4.524M included in Council's net result is not a cash expense.

### **Assets**

Council completed a capital works program of \$11.051M

Councils Audit Report is unqualified.

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

<b>Community Plan Strategic Plan Outcomes</b>	<b>Delivery Outcomes</b>
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.	<u>Objectives</u> 4.1 Effective communication and consultation with Shire communities. 4.2 Efficient and effective services. 4.3 Skilled and informed Councillors and staff. 4.4 Engaged leaders and volunteers in each community.

**SUSTAINABILITY ASSESSMENT:**

	Assessment
<b>Social</b>	Positive
<b>Environmental</b>	NA
<b>Economic</b>	Positive
<b>Governance</b>	Positive

**Financial and Resource Implications:**

Council's annual financial result contributes to future economic and financial decision making.

**Policy, Legal and Statutory Implications:**

In accordance with the *Local Government Act 1993*.

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

Having Council's Annual Financial Statements audited is a key component to managing financial and business risk.

**OPTIONS:**

Nil

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:****Internal Exhibition:**

No

**External Exhibition:**

Yes, via website and print media

**Attachments:**

1. [CDSC Audited Financial Statements 2021-22](#)

## **11 SHIRE SERVICES REPORTS**

### **11.1 COUNCIL COMMENT ON THE DRAFT FAR WEST REGIONAL PLAN 2041**

**FILE NUMBER:** GD22/20515

**REPORT AUTHOR:** SENIOR PLANNER

**RESPONSIBLE DIRECTOR:** DIRECTOR SHIRE SERVICES

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#### **EXECUTIVE SUMMARY:**

Council is required to provide a comment on the Draft Far West Regional Plan 2041 to the Department of Planning and Environment.

The Department of Planning and Environment put the Draft Far West Regional Plan 2041 on exhibition for comment from 6 October 2022 until 21 November 2022.

There were two information/ briefing sessions for Central Darling Shire Council to be informed and comment on the content of the draft plan.

Council is required to provide a formal comment to the Department of Planning and Environment.

#### **RECOMMENDATION:**

That Council will:

1. Receive the report
2. Provide a response to the Department of Planning and Environment on the draft Far West Regional Plan 2041.
  - (i) Support the current draft Far West Regional Plan 2041.

#### **BACKGROUND:**

The Department of Planning and Environment is required to carry out a 5-yearly review to reset priorities and extend the Far West Regional Plan reach to 2041.

The Department provided several online information sessions where feedback was sought on the plan for the Far West region.

The draft plan is the 20-year strategic blueprint to guide and support communities in the Far West Region as they adapt to meet future challenges.

The plan will ensure the ongoing liveability and sustainability of local communities. It will help the region become more prosperous and plan for housing, jobs, infrastructure, a healthy environment and connected communities.

The first Far West Regional Plan – which looked forward to 2036– was released in 2017. The Department of Planning and Environment reviews and updates regional plans every 5 years to make sure they are relevant for the next 20 years.

The Department has consulted with councils, agencies, and other stakeholders over the past 12 months to build on the first plan and extend it to 2041.

The Far West is NSW's largest region and one of the most geographically and environmentally diverse. The next 20 years will be an exciting period of change.

The draft plan's 20-year vision is that the region's communities will be able to adapt to change, supported by a diverse economy, the right infrastructure and an exceptional natural environment.

Key parts of the plan are helping local councils to deliver the planning system and local Aboriginal land councils achieve their aspirations for their land.

The draft plan supports the region's natural environment. The draft plan aims to protect and harness it to support ongoing prosperity and to improve communities' ability to adapt to a changing climate and withstand and recover from natural hazards.

As the future of energy is renewable, the draft plan supports NSW's transition to net zero emissions by 2050.

### **PROCESS:**

Council reviewed the draft plan and summarises the main objectives for the Far West plan.

Far West Region issues:

1. Adapt to hotter drier climate.
2. Providing services to the region with dispersed aging population.
3. Create better inter regional transport and housing choices.
4. Stronger agricultural, extractive resource, renewable energy and government services and tourism opportunities.
5. Growth pressures along border communities and riverine corridors.
6. Assisting Local Aboriginal land councils,
7. Water security and planning,
8. Declining population in some areas,
9. Population change and demand for housing including workers housing and tourist accommodation.

Key priorities for Far West which are directly applicable to Central Darling Shire Council area.

1. Strategic planning for housing.
2. LEP reviews and amendments
3. Flood management strategic works
4. Local Strategic planning statement and reviews.
5. Standard development and engineering controls
6. Reclassification of land.

The Draft Far West Regional Plan 2041 does align the objectives of the Far West Regional Plan to the Central Darling Shire Council objectives and issues.

The recommendation is for Council to endorse the Draft Far West Regional Plan 2041.

### **Further Actions by Department of Planning and Environment**

The objectives of the Far West Regional Plan 2041 and actions and outcomes of the plan were discussed at the meeting with Rebecca Martin from the Department of Planning and Environment on Thursday 24 November 2022.

The issues discussed are as follows:

1. The Department of Planning and Environment (DPE) will process with a consultant the large list of council land that is required to be reclassified (approx. 240 lots). This is a more efficient method than small amounts of land being reclassified.
2. The DPE will also engage a consultant to review the *Central Darling Local Environmental Plan 2012* (CDLEP 2012) to look at issues such as amendments to the minimum lot size, expansion of residential land around the towns, flooding and lack of housing.
3. The reclassification work and the review of the LEP will be done with other far west councils as this is more efficient.

4. The Department of Planning and Environment will contact Council in December after the consultants have been selected.

These actions assist with the aims and objectives of the Draft Far West Regional Plan 2041.

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

Community Plan Strategic Plan Outcomes	Delivery Outcomes
GOAL 1: A healthy and cohesive community receiving recognition and supported by coordinated, appropriate and affordable services.	<u>Objectives</u> 1.3 Enhanced community spirit, cultural and arts awareness and pride. 1.4 Improved opportunities for our communities.
GOAL 2: A strong regional economy supported by developing industries, strong businesses and increased employment.	<u>Objectives</u> 2.1 Expansion of industries and growth in businesses. 2.2 Employment growth. 2.3 Improved infrastructure across the Shire.
GOAL 3: A protected and supported natural environment and a sustainable and well maintained built environment.	<u>Objectives</u> 3.1 Collaborative approach to environmental management and protection. 3.4 Improved infrastructure across the Shire.
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.	<u>Objectives</u> 4.1 Effective communication and consultation with Shire communities. 4.3 Skilled and informed Councillors and staff.

## SUSTAINABILITY ASSESSMENT:

	Assessment
<b>Social</b>	Positive
<b>Environmental</b>	Positive
<b>Economic</b>	Positive
<b>Governance</b>	Positive

**Financial and Resource Implications:**

The Department of Planning and Environment is assisting council is engaging planning consultants to undertake the strategic planning work in preparing a planning proposal to reclassify Council owned land, and to review and propose amendments to the *Central Darling Local Environmental Plan 2012*. Therefore the Department acknowledges Councils lack of resources, and the need to reclassify Council owned land and to undertake the mandatory review of the *Central Darling Local Environmental Plan 2012*.

**Policy, Legal and Statutory Implications:**

Council is required to review the *Central Darling Local Environmental Plan 2012*, therefore the Department assisting Council to do this work, assists in Council meeting the statutory requirements under the *Environmental Planning and Assessment Act 1979*.

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

Council is required to undertake amendments and review of the *Central Darling Local Environmental Plan 2012*.

**OPTIONS:**

N/A

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:****Internal Exhibition:**

None

**External Exhibition:**

The Department of Planning and Environment undertook the exhibition of the draft Far West Regional Plan 2041 and held information sessions for the public to attend.

**Attachments:**

NIL

**11.2 SERVICES REPORT FOR THE MONTH OF NOVEMBER 2022****FILE NUMBER: GD22/20578****REPORT AUTHOR: SENIOR PLANNER****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES****EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on the Shire Services for Planning, Building, Animal Control and Water quality for the month of November 2022.

**RECOMMENDATION:****That Council will:**

1. Receive and Note the report.

**REPORT:**

<b><u>Statistics for November 2022</u></b>		
Development	Number of DAs Approved – New Dwellings	0
	Number of DAs Approved – Renovation	0
	Number of DAs Approved – Commercial/ Industrial	0
	Number of DAs Approved – Other	4
	Total Value of DAs Approved	\$800,000.00
	Number of Construction Certificates Issued	0
	Number of LGA S68 Approvals	2
	Number of Complying Development approvals	0
	Number of Occupation Certificates issued	0
	Number of Section 10.7 Planning Certificates issued	15
	Number of other approvals under Local Government Act 1993 ( S138, S123 etc)	1
Food Safety	Food Premises Inspected	4
Animal Control Activities	Animals in and arriving at Council's facilities	
	Seized	5 dogs
	Impounded	9 Dogs 0 Cats
	Rehomed	9 Dog 0 Cats
	Returned to Owner	1 Dog 0 Cats
	Surrendered	2 dogs

	Died at Council facility (other than euthanized)	0 Dogs 0 Cats
	Other – transferred to Wilcannia Pound or other regional facility	4
	Registrations	0 Dog
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	12 (including 10 drinking water samples and 2 pool tests)
	Chemistry Samples Collected	0
	Raw water / pesticide sample	0
	Non Compliant samples	0

**Attachments:**

NIL

### 11.3 UPDATE ON THE PROPOSED EMPLOYMENT ZONES IMPLEMENTATION BY THE DEPARTMENT OF PLANNING AND ENVIRONMENT

**FILE NUMBER:** GD22/20632

**REPORT AUTHOR:** SENIOR PLANNER

**RESPONSIBLE DIRECTOR:** DIRECTOR SHIRE SERVICES

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#### EXECUTIVE SUMMARY:

The Department of Planning and Environment commenced the amendments to the Standard Instrument LEP Order and Transport and Infrastructure SEPP amendment on 30 November 2022.

This amendment changes the type of employment zones within all Local Environmental Plans. The effect on the *Central Darling Local Environmental Plan 2012* is that the current Wilcannia B2 Local Centre and R1 General Residential zones will become a RU5 Village Zone. A further change is that current Wilcannia IN2 Light Industrial zone and IN1 General Industrial zones become an E4 General Industrial zone.

The proposed amendment to the *Central Darling Local Environmental Plan 2012* will be made through a Land use SEPP which amends 134 Local Environmental Plans, the proposed date for the amendment is approximately **16 December 2022**.

This amendment/ modification to the *Central Darling Local Environmental Plan 2012* will be made by the Department of Planning and Environment. The proposed commencement of the new RU5 Village zone and the new E4 General Industrial zone for Wilcannia, is **26 April 2023**.

#### RECOMMENDATION:

That Council will:

1. Receive and note the report
2. Notes the change in commencement dates for the amendments proposed by the Department of Planning and Environment to the *Central Darling Local Environmental Plan 2012* on **16 December 2022** and the proposed **commencement of these amendments on 26 April 2023**.

#### REPORT:

These legislative amendments follow the May 2022 public exhibition of an Explanation of Intended Effect and detail how LEPs will be amended to include employment zones. The department in discussion with councils considered all exhibition submissions. Where required, submissions were addressed through amendments to the Amending Order or as part of the drafting of individual LEP amendments.

The Amending Order makes the following key changes:

- defer the repeal date of the business and industrial zones from **1 December 2022 to 26 April 2023**.
- provide until **26 April 2025**, the continuation of existing land use permissibility under the previous business and industrial zones.
- continue for up to two years, business and industrial zones for limited areas that are the subject of a separate site-specific planning process or comprehensive local environmental

plans that are soon to be finalised. That separate planning process will apply employment zones and repeal business and industrial zones in those LEPs.

- make minor updates to land use tables including land uses and objectives to address public submissions.
- provide for equivalent zone references to manage the transition to the new zones where previous zones are referenced in plans and policies.

### **The Prescribed Zones SEPP makes the following key changes**

- amend the Transport and Infrastructure SEPP and Housing SEPP to include the employment zones as 'prescribed zones', to continue land use permissibility under these SEPPs.
- require a development application where land use permissibility is continued for two years because of a savings provision to enable land use conflicts to be assessed.
- LEPs are being amended to introduce employment zones by way of self-repealing SEPPs. Six self-repealing SEPPs are proposed to amend 134 LEPs intended to be made on **16 December 2022**.
- These amendments will not commence until **26 April 2023** to enable time for the instruments to be individually updated on the legislation website.
- It is envisaged that a Housekeeping SEPP will be prepared for February 2023 to capture minor consequential changes across various instruments and to update certain LEP maps including to reflect changes to the State cadastre.

### **Determining DAs under the new zones**

- Proponents can lodge a development application under an employment zone from 16 December 2022, however a consent authority **cannot determine the development application until the employment zones commence on 26 April 2023**.

### **Attachments:**

NIL

**11.4 ROADS AND AERODROMES****FILE NUMBER: GD22/20744****REPORT AUTHOR: DIRECTOR SHIRE SERVICES****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES****EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on road and aerodrome maintenance and capital works expenditure 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).

2022/23 RMCC Routine Maintenance preliminary allocation is: \$972,884

2021/22 RMCC Works Orders issued last financial year which are in progress include:

HW21 Kerpa St North IS Final seal	111.22.13	\$224,143.35
HW21 Mt Manara Sth IS Final Seal	111.22.14	\$235,509.20
HW21 Springdale IS Final Seal	111.22.15	\$339,003.50
HW21 Springdale South IS Final Seal	111.22.16	\$151,826.50
HW21 Bushley IS	111.22.17	\$1,218,598.73
HW21 Slamannon IS Borrow Pits and 2 groundwater tanks	111.22.18	\$58,416.00
HW21 Mt Manara crush and stockpile gravel	111.22.20	\$769,500.00
HW8 Alma Park Culvert Replacement	111.22.21	\$144,181.94
	Total WO	\$3,141,179.22

2022/23 RMCC Works Orders issued last financial year which are in progress include:

HW21 Mt Manara North IS Project	111.23.01	\$1,180,110.38
HW21 Mt Manara North IS Seal	111.23.02	\$308,421.02
	Total WO	\$1,488,531.40

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining budget</b>
RMCC Routine	\$972,884	32%	\$658,511
WO 2021/22	\$3,141,179	31%	\$2,166,298
WO 2022/23	\$1,488,531	43%	\$855,591

### **Regional Roads**

Council maintains 790km of Regional Roads throughout the Shire.

2022/23 Regional Road Block Grant amount (including roads, traffic and supplementary components) is \$2,863,000

2021/22 Regional Roads Repair Program was successful with \$400,000 funding of the \$975,000 total cost. The remaining funds to be sourced from the Regional Roads Block Grant which is reflected in the table below. MR433 Ivanhoe-Menindee Rd, 3km reconstruction and seal completion was delayed due to rain events and will continue into the second quarter of 2022/23

2022/23 Regional Roads Repair Program was successful with \$400,000 funding of the \$800,000 total cost. The remaining funds to be sourced from the Regional Roads Block Grant which is reflected in the table below. MR68C Pooncarie Rd, reconstruct and seal 2.64km of failed pavement which is programmed for completion by May 2023

The table below reflects expenditure to mid Sep 2022.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Regional Road Block Grant	\$2,863,000 – \$575,000 – \$400,000 = \$1,888,000	51%	\$916,798
Regional Roads Repair Program 2021/22	\$975,000	85%	\$149,168
Regional Roads Repair Program 2022/23	\$800,000	0%	\$799,272

**Local Roads**

Council maintains 1600km of Local Roads throughout the Shire.

2022/23 The Financial Assistance Grant (FAG) – Local Roads Component, has not been confirmed. Estimated on last year's allocation as \$1,655,000

2022/23 Roads to Recovery (R2R) allocation is \$1,001,818. Two capital improvement projects are proposed to be delivered this year.

Water NSW have engaged Council to undertake Upgrade works to Union Bend Rd, Wilcannia. The project aims to provide all weather access for the new weir construction traffic scheduled for commencement 2022. The project will be delivered in 3 stages, stage 1 is programmed to commence Tuesday 7 December 2021. High Darling River Levels has delayed this project due to inundation.

Fixing Local Roads (FLR) Program was successful for funding of \$1,860,000 with contribution amount of 10% to complete the realignment, construction and seal of the ring road around Smiths Hill, White Cliffs

The Local Roads and Community Infrastructure Program Phase 3 (LRCI Rd 3) included allocation of \$1,600,000 to complete the realignment, construction and seal of the ring road around Turleys Hill, White Cliffs

The Fixing Local Roads Pothole Repair Round (Program) has been developed to provide funding for local and regional roads across regional and rural NSW.

Council applied to TfNSW for funding to address priority potholes on local roads and regional roads. The application for funding has been successful and the pothole repair work will be carried out by Council as the asset owner in accordance with the terms of the Program and the Deed received Mon 5 December 2022.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Local Roads Component (FAG)</b>	\$1,655,000	30%	\$1,154,062
<b>Mandalay Rd Floodways (R2R)</b>	\$750,000	0%	\$747,090
<b>Wilc-Menindee East Rd Formation (R2R)</b>	\$251,818	0%	\$251,818
<b>Smiths Hill White Cliffs (FLR)</b>	\$1,860,000	21%	\$1,470,389
<b>Turleys Hill White Cliffs (LRCI Rd 3)</b>	\$1,600,000	4%	\$1,530,904

<b>Union Bend Rd, stage 1</b>	\$559,474	40%	\$336,717
<b>Fixing Local Roads – Pothole Repair Round</b>	\$821,414	0%	\$821,414

### **Aerodromes**

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

Council's application under the Remote Aerodrome Upgrade Program (RAUP) Rd 9 was successful. Emmdale aerodrome bore supply and grading works will receive \$52,750 being 50% of the project costs will be funded by the Federal Govt. The remaining 50% will be funded by Council.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Aerodromes R&amp;M</b>	\$210,500	18%	\$171,689
<b>RAUP Rd 9</b>	\$105,500	4%	\$101,216

### **Attachments:**

NIL

**11.5 SERVICES****FILE NUMBER: GD22/20745****REPORT AUTHOR: 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:

1. Receive and note the report

**REPORT:****Services Operational:**

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Parks & Gardens/ Sporting Facilities	\$196,000	55%	\$87,832
Ancillary Works	\$194,000	21%	\$153,966
Street Cleaning/Bins	\$193,000	49%	\$98,317
Buildings	\$431,000	29%	\$304,417
Swimming Pools	\$423,500	19%	\$342,538
Domestic Waste	\$204,000	33%	\$137,655

**Services Infrastructure Capital Works**

Council has received funding to improve facilities throughout the Shire through the Building Stronger Country Communities Funds Round 3, Local Roads and Community Infrastructure Program Round 2 and 3, Far West Joint Organisation Funding, DSP Local Drought Support, Crown Reserves Improvement Funding, Murray Darling Basin Economic Development Program

The infrastructure projects included in each funding stream are detailed below

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
BSCCF Rd 3 – Wilcannia Skate Park	\$260,000	82%	\$45,866
BSCCF Rd 3 - Playgrounds	\$188,340	39%	\$115,506
BSCCF Rd 3 – Sunset	\$85,000	100%	\$0

Strip Playground			
LRCI Rd 2 – Wil Post Office Flooring	\$100,000	52%	\$48,182
LRCI Rd 3 – Ivanhoe Oval Upgrade	\$200,000	0%	\$199,602
LRCI Rd 3 – Tilpa Park Playground	\$203,636	0%	\$203,636
MDBEDP – Victory Park Amenities	\$489,665	11%	\$434,281
DSP Drought – Addressing Project	\$300,000	68%	\$96,846
DSP Drought – Building demolitions Wilcannia	\$300,000	71%	\$86,955
DSP Drought – Minor Playground Upgrades	\$100,000	9%	\$90,976
DSP Drought – Streetscape Iv/Wilc	\$160,000	10%	\$142,761
DSP Drought – Community Hall Upgrades	\$20,000	29%	\$14,208
CRIF – Tilpa Electrical Upgrade	\$103,714	0%	\$103,714
CRIF – Victory Park Electrical Upgrade	\$130,000	0%	\$130,000

### **Waste Services – Landfill Operations**

Further to a motion raised by the Administrator at the Ordinary meeting of Council in October 2022, staff will prepare a Landfill Options report for the February 2023 meeting. The report requires detailed estimates and information that staff have been unable to collate due to urgent operational works in progress currently.

### **Attachments:**

NIL

**11.6 WATER AND SEWER****FILE NUMBER: GD22/20746****REPORT AUTHOR: DIRECTOR SHIRE SERVICES****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES****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 is sourced from the Darling River Weir Pool
- White Cliffs town water supply is sourced from Wakefield Tank. Wakefield Tank storage supply is 8.0m, 11 months' supply remaining.
- Ivanhoe town water supply is currently being sourced from Morrison's Tank. Morrison's Tank capacity, 400 megalitres. 20 months' supply remaining
- The Aboriginal Communities Water and Sewer Program contributes to Councils operational costs for services supplied to the Wilcannia Mallee and Waralli precincts.

The table below reflects expenditure to mid Nov 2022

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Wilcannia Water	\$340,000	49%	\$172,168
Wilcannia Sewer	\$115,000	41%	\$68,158
White Cliffs Water	\$205,750	23%	\$158,574
Ivanhoe Water	\$326,500	29%	\$230,772
Tilpa Water	\$22,500	0%	\$22,500
Aboriginal Communities Water and Sewer program	\$144,770	37%	\$91,792

**Water and Sewer Capital Works**

- Council awarded the contract for new Water Treatment Plants at Wilcannia, Ivanhoe and White Cliffs on 1 July 2021 to Membrane Systems Australia. Council received Section 60 approval on 10 August 2022.

MSA have now been procured by Enviro Pacific. The company brings further resources and expertise to the contract and staff are working with management to finalise Construction Certificate requirements.

Offsite fabrications and equipment purchases are in progress. Site works are now programmed to commence January 2023. The current program aims to complete all 3 Water Treatment by September 2024

- The White Cliffs Reticulation design has been completed, Environmental inspections including Aboriginal Cultural Heritage Assessment have been completed and Aboriginal Heritage Impact permit (AHIP) was received June 2022. Tenders closed 27/9/2022. Public Works Advisory have been engaged to manage the design and tender process and Council were involved in the tender review process October 2022.

Non-price and price criteria have been assessed and an updated report is included in the Confidential section of this agenda.

Council have submitted application for additional funding to complete the works in White Cliffs. Since time of funding awarded construction prices, materials, fuel etc have all increased resulting in higher than anticipated tendered prices.

- Tilpa Village emergency water supply works via a 17km pipeline and bore are in progress. The projects stage 2 works are funded through Local Roads and Community Infrastructure Program Phase 2. The works have been delayed due to high Darling River flows and route inundation, completion was forecast for Dec 2022 but is now postponed until the village can be accessed
- Smart meters and valve replacements are scheduled for 2022/23 in Ivanhoe and Wilcannia.
- Tilpa Village Solar Array and pump at the weir pool pump station will be upgraded
- Electrical switchboards at Ivanhoe, Morrisons Lake inlet and storage, will be replaced.

The table below reflects expenditure 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	22%	\$4,267,112
Wilcannia WTP	\$3,500,000	43%	\$1,998,297
Ivanhoe WTP	\$2,500,000	40%	\$1,495,626
Smart Meters	\$50,000	0%	\$50,000
Valve Replacements	\$150,000	5%	\$142,900

Tilpa Village Pipeline	\$318,750	97%	\$8,060
Tilpa Solar Array/ Pump	\$25,000	0%	\$25,000
Ivanhoe Raw Water Switchboard Upgrades	\$75,000	0%	\$75,000

**Attachments:**

NIL

**12 MINUTES OF COMMITTEE MEETINGS**

Nil

## **13 CONFIDENTIAL MATTERS**

Nil

## **14 RESOLUTION TRACKER**

### **14.1 RESOLUTION TRACKER**

**FILE NUMBER:** GD22/20741  
**REPORT AUTHOR:** EXECUTIVE ASSISTANT  
**RESPONSIBLE DIRECTOR:** GENERAL MANAGER

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### **RECOMMENDATION:**

1. That the Resolution Tracker from the Ordinary Council Meeting held on 23 November be received and noted and any amendments be noted.

### **Attachments:**

1. [Resolution Tracker](#)

## **15 MEETING CLOSE**

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

The next Ordinary Council Meeting will be held on 22 February 2023.

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA  
ON WEDNESDAY, 23 NOVEMBER 2022**

**PRESENT:** Administrator, Bob Stewart

**IN ATTENDANCE:** Greg Hill (General Manager)  
Reece Wilson (Director Shire Services)  
Glenda Dunn (Senior Planning Officer)  
Kevin Smith (Finance Manager)  
Gemma Dillon (Senior Finance Officer)  
Darryl Telfer (Acting Rates Officer) – video  
Gabrielle Johnstone (Community Engagement Officer) - video  
Janette Bussell (Minutes Secretary)  
Joyanne Williams (Minute Taker)

## **1 OPENING OF MEETING**

The meeting was declared open at 9.00am

## **2 ACKNOWLEDGEMENT OF COUNTRY**

An acknowledgement of the traditional custodians of the land was delivered by the Administrator, Bob Stewart.

## **3 APOLOGIES AND LEAVE OF ABSENCE**

### **3.1 APOLOGIES**

Nil

### **3.2 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.

### **RESOLVED: OCM 01-11-2022**

Mover: Administrator Bob Stewart

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

**CARRIED**

No declarations were received.

## **5 CONFIRMATION OF MINUTES**

### **5.1 PREVIOUS MEETING MINUTES**

**RESOLVED: OCM 02-11-2022**

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 19 October 2022 be received and confirmed as an accurate record.

**CARRIED**

## **6 NOTICE OF MOTION**

Nil

## **7 MAYORAL (ADMINISTRATOR) MINUTE(S)**

### **7.1 ADMINISTRATOR'S REPORT NOVEMBER 2022**

**RESOLVED: OCM 03-11-2022**

Mover: Administrator Bob Stewart

Administrator Bob Stewart noted the following in his report:

Acknowledgement of all emergency agencies and volunteers of the LEMC for the outstanding work they are doing in managing the flooding events that will be ongoing for some months yet.

**CARRIED**

## **8 FINANCIAL REPORTS**

### **8.1 OUTSTANDING RATES AND CHARGES UPDATE**

**RESOLVED: OCM 04-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Receive a further report regarding outstanding rates and charges at the Ordinary meeting of Council scheduled for on 22 February 2023.

**CARRIED**

### **8.2 WRITE OFF RATES AND CHARGES - JULIE MARGARET JOHNSTONE - TERMINATED CROWN LICENCE 761869**

**RESOLVED: OCM 05-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Write-off rates and charges of \$6,418.89 outstanding against former Licence 761869 over Crown Land Lot 824 DP 761869 previously held by Julie Margaret Johnstone.

**CARRIED**

### **8.3 COUNCIL 2022-2023 CURRENT GRANTS REGISTER**

**RESOLVED: OCM 06-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

**CARRIED**

### **8.4 1.1 CASH AND INVESTMENTS – OCTOBER 2022**

**RESOLVED: OCM 07-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

**CARRIED**

### **8.5 FINANCIAL PERFORMANCE REPORT OCTOBER 2022**

**RESOLVED: OCM 08-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

**CARRIED**

### **8.6 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2022**

**RESOLVED: OCM 09-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the variations to Council's 2022/23 Annual Budget.

**CARRIED**

## **9 GOVERNANCE REPORTS**

### **9.1 FLOODING IN THE SHIRE**

**RESOLVED: OCM 10-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

**9.2 COMMUNITY ENGAGEMENT REPORT****RESOLVED: OCM 11-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

**9.3 DRAFT ANNUAL REPORT FOR CENTRAL DARLING SHIRE COUNCIL 2021 - 2023****RESOLVED: OCM 12-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Approve the Draft Annual Report for Central Darling Shire Council 2021 – 2023.
3. Approve that the report be sent to the NSW Local Government Association, and published on Council's website, once the financial information is available and this has been added to the report.

**CARRIED**

**10 CORPORATE SERVICES REPORTS**

Nil

**11 SHIRE SERVICES REPORTS****11.1 URBAN AND RURAL ADDRESSING PROJECT PROGRESS REPORT****RESOLVED: OCM 13-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse
  - (a) The draft street addressing, as exhibited.

- (b) The exhibition for 60 days for the community to nominate names for the unknown road, street and lane names.

**CARRIED**

## **11.2 POONCARIE ROAD – PROGRESS REPORT**

**RESOLVED: OCM 14-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.3 ENVIRONMENTAL SERVICES UPDATE**

**RESOLVED: OCM 15-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.4 WATER AND SEWER**

**RESOLVED: OCM 16-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.5 SERVICES**

**RESOLVED: OCM 17-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.6 ROADS AND AERODROME**

**RESOLVED: OCM 18-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.7 DEVELOPMENT APPLICATIONS FOR THE FOUR (4) PUMP/ BIKE TRACKS FOR WILCANNIA, MENINDEE, IVANHOE AND WHITE CLIFFS**

**RESOLVED: OCM 19-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note Information on the delegated assessment reports by an independent consultant, for development applications D07/2022 PAN 257867 - 96 Hood Street Wilcannia, D11/2022 PAN 267479 - 26 Yartla Street Menindee, D10/2022 PAN 267681 - 42 Leichhardt Street Ivanhoe , and D12/2022 PAN 271813 -20 Ethel Street White Cliffs .
2. Approve the development applications D07/2022 PAN 257867 - 96 Hood Street Wilcannia, D11/2022 PAN 267479 - 26 Yartla Street Menindee, D10/2022 PAN 267681 -42 Leichhardt Street Ivanhoe , and D12/2022 PAN 271813 -20 Ethel Street White Cliffs, for the erection of the four (4) pump/ bike tracks.

**CARRIED**

## **12 MINUTES OF COMMITTEE MEETINGS**

Nil

## **13 CONFIDENTIAL MATTERS**

It was resolved that Council moved into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the *Local Government Act 1993* for the reasons specified. Confidential section was closed to the public and began at 9.43am

**RESOLVED: OCM 20-11-2022**

Mover: Administrator Bob Stewart

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the Local Government Act 1993 for the reasons specified.:

### **13.1 Sale of Land For Unpaid Rates**

Item 13.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b), (c) and (d) as it relates to discussion in relation to the personal hardship of a resident or ratepayer, information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret.

**CARRIED****RESOLVED: OCM 21-11-2022**

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.40am

**CARRIED**

The General Manager reviewed the resolutions of the confidential matters and reported the following for the listed reports:

**13.1 SALE OF LAND FOR UNPAID RATES****RESOLVED: OCM 22-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolve to sell each property listed in Attachment 1 at public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the *Local Government Act 1993*.
3. Resolve to sell each property listed in Attachment 2 at public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the *Local Government Act 1993*, subject to;
  - (a) Council firstly obtaining a valuation for each property listed in Attachment 2 from the Valuer-General of NSW, and;
  - (b) Confirming that the total amount of unpaid rates or charges unpaid for more than one year on each property listed in Attachment 2 exceeds the valuation obtained from the Valuer-General of NSW for each respective property, and;
  - (c) The sale of each property listed in Attachment 2 being effected within 6 months after the date when Council obtains the valuation from the Valuer-General of NSW.
4. Authorise the General Manager or his delegate to perform the necessary actions to facilitate the conduct of such public auctions.
5. Authorise the General Manager to set a reserve price for each property listed on Attachments 1 and Attachment 2.
6. Authorise the General Manager or his delegate authority to negotiate the terms of the sale of each property listed in Attachment 1 and Attachment 2, even if the reserve price is not reached, and to execute all relevant documentation to affect such sales.
7. Authorise the General Manager or his delegate to apply the proceeds of any such sales and to write off any rates, charges or costs incurred through the sale of land process which are not recovered by the sale in accordance with Sections 718 and 719 of the *Local Government Act 1993*.
8. Resolve that this report, relating to the matters specified in Sections 10A (2) (b), (c) & (d) of the *Local Government Act 1993*, be treated as confidential and remain confidential until Council determines otherwise.

**CARRIED**

## **14 RESOLUTION TRACKER**

### **14.1 RESOLUTION TRACKER REPORT**

#### **RESOLVED: OCM 23-11-2022**

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 23<sup>rd</sup> November, 2022 be received and noted and any amendments be noted.

**CARRIED**

## **15 MEETING CLOSE**

There being no further business to discuss, the meeting was closed at **9.58am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on 14<sup>th</sup> December, 2022.

.....  
**ADMINISTRATOR**