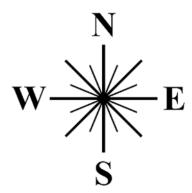
CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

BUSINESS PAPER

24 MAY 2023

The Meeting will be held at 9am 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.

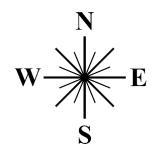
PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

- 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, 24 May 2023 9am 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

- 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 19 April 2023 be received and confirmed as an accurate record.

RECOMMENDATION:

That the Minutes of the Extraordinary Council Meeting held on 28 April 2023 be received and confirmed as an accurate record.

Attachments:

- 1. Ordinary Council Meeting 19 April 2023
- 2. Extraordinary Council Meeting 28 April 2023

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE -

FILE NUMBER: GD23/7279

REPORT AUTHOR: ADMINISTRATOR

RESPONSIBLE DIRECTOR: ACTING GENERAL MANAGER

DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

RECOMMENDATION THAT:

1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member Roy Butler;

- a. Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time when Council is about to publicly advertise its Operational Plan and annual budget to the community;
- b. Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been completely eroded.
- c. Advising that the Government's decision will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;
- d. Calling on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy in 2023/24
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
- 2. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.
- 3. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of councils' emergency services contribution.

REPORT

The ESL is a cost imposed on councils and insurance policy holders to fund the emergency services budget in NSW. The majority is paid as part of insurance premiums, with a further 11.7 per cent funded by councils and 14.6% by the NSW Government. The ESL represents cost shifting at its worse, as it is imposed on councils without any mechanism for councils to recover costs.

The levy increase for the State's 128 councils in 2023/24 amounts to almost \$77 million, with the total cost imposed on the local government sector increasing from \$143 million in the current financial

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year to \$219 million next year. This represents a 53.1% increase, completely dwarfing the IPART baseline rate peg of 3.7% for 2023/24, and Council's rate increase of 3.7%.

Reporting suggests that the increase in costs this year reflects a 73% increase in the State Emergency Service budget and an 18.5% funding increase to Fire and Rescue NSW. The impact of these large increases on Councils' finances will be particularly severe in 2023/24 as a result of the NSW Government deciding to scrap the subsidy for council ESL payments.

For many councils, the unexpected cost hit will absorb almost all of their IPART-approved rate rise for this year and in some cases absorb more than 100%. This is placing local government budgets under enormous pressure as they struggle from the combined impact of the pandemic, extreme weather events, high inflation and wage increases.

IPART-approved rate rises are intended to compensate for the impacts of inflation and increases in council costs. Instead, the rate increase will have to be largely diverted to the significantly higher ESL payments this year. NSW councils will have no option other than to make cuts to infrastructure and services expenditure.

For Council, the ESL has increased by \$70,000 for 2023/24, bringing the total Council contribution to \$318,989. The increase is some \$70,000 which is more than double the increase in rates due to rate pegging.

The timing of this development is particularly challenging for councils as it comes so late in the local government budgeting cycle, well after IPART's rate determination for the coming financial year. All councils strongly support a well-funded emergency services sector and the critical contribution of emergency services workers and volunteers (many of whom are councillors and council staff). However, it is essential that these services be supported through an equitable, transparent and sustainable funding model.

Local Government NSW has raised the serious concerns of the local government sector with the NSW Government and is seeking the support of councils across NSW in amplifying this advocacy.

This Mayoral (Administrator) Minute recommends that Council call on the NSW Government to take immediate action to:

- a. restore the ESL subsidy,
- b. decouple the ESL from the rate peg to enable councils to recover the full cost
- c. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services.

The Mayoral (Administrator) Minute also recommends that Council write to IPART advising of the financial sustainability impacts on of the ESL.

Attachments:

NIL

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8 FINANCIAL REPORTS

8.1 OUTSTANDING RATES AND CHARGES UPDATE

FILE NUMBER: GD23/7201

REPORT AUTHOR: ACTING RATES OFFICER

RESPONSIBLE DIRECTOR: ACTING GENERAL MANAGER

EXECUTIVE SUMMARY:

This report provides an update on efforts to recover and reduce outstanding rates and charges.

RECOMMENDATION:

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 23 August 2023.

BACKGROUND:

At Council's Ordinary Meeting on 20 May 2021, Council considered the report Outstanding Rates, Charges and Other Debts and resolved

"That the General Manager bring forward an action plan to reduce outstanding debt".

Council has since received a series of reports on this topic at its Ordinary Meetings generally on a quarterly basis, the last being at the Ordinary Meeting of Council on 22 February 2023 where Council resolved

"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 24 May 2023.

REPORT:

Outstanding Rates and Charges Position Comparison

Position 30 April 2022

Overdue Amount Range	Number of Properties	Percentage of Properties in Arrears	Total Overdue \$000's	Percentage of Total \$ Overdue
\$10K plus	29	5.5%	\$523	52.1%
\$5K to <\$10K	31	5.9%	\$222	22.1%
\$2K to <\$5K	49	9.3%	\$151	15.0%
\$1K to <\$2K	41	7.8%	\$59	5.9%
\$500 to <\$1K	42	8.0%	\$30	3.0%
\$250 to <\$500	28	5.3%	\$10	1.0%
\$100 to <\$250	44	8.3%	\$7	0.7%
<\$100	263	49.9%	\$2	0.2%
Totals	527	100%	\$1,004	100%

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Position 30 April 2023

Overdue Amount Range	Numb Prope	·· ··	Percentage of Properties in Arrears	Total Overdue \$000's		Percentage of Total \$ Overdue
\$10K plus	33	(4)	6.3%	\$662	(\$139)	57.0%
\$5K to <\$10K	30	(-1)	5.7%	\$208	(\$-14)	17.9%
\$2K to <\$5K	48	(-1)	9.1%	\$153	(\$2)	13.2%
\$1K to <\$2K	47	(6)	9.0%	\$66	(\$7)	5.7%
\$500 to <\$1K	54	(12)	10.3%	\$40	(\$10)	3.4%
\$250 to <\$500	57	(29)	10.9%	\$21	(\$11)	1.8%
\$100 to <\$250	55	(11)	10.5%	\$9	(\$2)	0.8%
<\$100	201	(-62)	38.3%	\$2	(\$0)	0.2%
Totals	525	(-2)	100%	\$1,161	(\$157)	100%

The tables above reflect a deterioration in outstanding amounts over the past 12 months, predominantly in the \$10,000 and over range. Debts in this range can generally be deemed "hardcore". Analysis of this over \$10K group discloses:

- \$43K increase on properties withdrawn from sale for unpaid rates (\$40K of which relates to occupied dwellings)
- \$25K increase on properties sold for unpaid rates (clearance expected by 30/6/2023)
- \$21K increase on Government owned properties
- \$7K increase on deceased estate properties (without active estate management)

Action/Status	No. of Properties	Amount Overdue \$000's
Arrangement - Current	22	\$72
Deceased Estate	13	\$111
Future Recovery Action	182	\$359
Future Sale for Unpaid Rates	11	\$13
Hardship Application Pending	2	\$30
Hardship Arrangement - Current	4	\$58
Sale of Land for Unpaid Rates Deferred	8	\$222
Sold at Sale of Land for Unpaid Rates – full clearance pending	22	\$221
Unsold at Sale of Land for Unpaid Rates	2	\$34
Under Review	4	\$30
Under \$250	255	\$11
Totals	525	\$1,161

The key issues impacting the efficient and improved collection of unpaid rates include.

- Staff shortages, particularly a lack of locally based staff with higher levels of the skills and experience in credit management.
- Relatively expensive levels of rates and charges due to the legislative and funding framework within which Council is required to operate.

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- Lower than average socio-economic demographic of our ratepayer base.
- A legacy attitude toward non-payment having little consequence.

These issues are widely known and understood, with strategies in place to address them, nonetheless these issues exist now and the impacts are evident in this space.

The report which Council considered at its ordinary meeting on 22 February 2023 indicated the return to a regular, timely and cyclical debt recovery program in conjunction with the engagement of an external mediation specialist. These actions have not been undertaken at this stage due to resource /staff shortages and a focus on the sale of land for unpaid rates auction conducted 4 May 2023.

A separate report on the outcome of the sale of land for unpaid rates auction held 4 May 2023 is included in this business paper.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional	2.1 Shire	2.1.4 Ensure that governance of the
Governance	governance	shire is focused on the effective
		planning and delivery of adequate and
		appropriate services and facilities to
		local communities

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	Positive
	Address negative impacts on cashflow
Governance	Positive
	Addresses Council's Outstanding Rates Ratio which remains outside guidelines

Financial and Resource Implications:

There is a potential for additional costs associated with possible engagement of a mediation specialist.

Policy, Legal and Statutory Implications:

Local Government Act 1993

Civil Procedure Act 2005

Council's Debt Recovery Policy

Council's Economic Hardship Policy

The Office of Local Government's Debt Management and Hardship Guidelines

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

There is an ongoing business risk to Council's financial sustainability through increased doubtful debt exposure and adverse impacts on cashflow resulting from non-payment of rates and charges.

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OPTIONS:

None identified.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

None applicable.

External Exhibition:

None applicable.

Attachments:

NIL

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8.2 SALE OF LAND FOR UNPAID RATES UPDATE

FILE NUMBER: GD23/7202

REPORT AUTHOR: ACTING RATES OFFICER

RESPONSIBLE DIRECTOR: ACTING GENERAL MANAGER

EXECUTIVE SUMMARY:

This report provides an update on the outcome of the sale of land for unpaid rates auction held 4 May 2023.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Receive bi-monthly reports until such time that the contracts of sales have been completed and the sale processes finalised.

BACKGROUND:

At the Ordinary Meeting of Council on 23 November 2022, Council resolved to sell 38 properties for unpaid rates and authorised the General Manager to carry out the relevant steps necessary to undertake the sale.

REPORT:

The auction was held on 4 May 2023 where 24 properties were offered under 21 contracts (2 contracts included 2 or 3 properties in one line).

In the period between the abovementioned Council resolution of 13 November 2022, until the auction was held, 14 properties were withdrawn for the reasons summarised below:

Reason	Number of properties withdraw
Paid in full or paid in part by agreement	3
Payment arrangement *	3
Technical issue with sale process	2
Legal representations that occupants were "vulnerable"	6

All properties were sold at auction except for 66 Woore Street Wilcannia (former church hall building) and 50 Reid Street Wilcannia (heritage listed butcher shop building). These properties are now listed for sale by private treaty through the appointed agent/auctioneer, Ray White Rural Broken Hill.

All contracts were signed and deposits equal to 100% of the purchase price were paid on the day. The contracts provide for settlement within 42 days i.e. by 15 June 2023, although it is likely that some settlements may occur sooner.

Council purchased 8 properties (under 7 contracts, including 2 properties in one line). A separate report regarding those purchases is included in the Business Paper for this meeting.

Of the remaining 14 sales (covering 16 properties and excluding those purchased by Council), the reserve prices were met or exceeded on all but 3.

The auction results are summarised in the attachment to this report.

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All sales (including of properties purchased by Council) will result in a shortfall which will require write-off, as purchasers are not liable for outstanding rates. In total write-offs are estimated at \$206,000. Write-offs will be processed individually upon settlement of each contract.

Council's doubtful debt provision calculations at 30 June 2022, for the properties which sold, totals \$202,000, which reflects a minor shortfall of \$4000 which is less than 2%, to be addressed when Council's overall doubtful debt provision is reviewed at 30 June 2023.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and appropriate services and facilities to local communities

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	Positive
	Improved cashflow and crystallisation of some doubtful debt exposure
Governance	NA

Financial and Resource Implications:

A minor increase in Council's doubtful debt provision may be required at 30 June 2023.

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:

Proceeding with the sales was necessary to reduce further negative impacts on Council's cashflow and Doubtful Debt Exposure.

OPTIONS:

None identified.

COUNCIL SEAL REQUIRED:

No

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COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Regular liaison with the appointed agent/auctioneer will continue in effort to secure purchasers of the 2 unsold properties, and with Outstanding Collections (Council's agent) regarding the conveyancing on the sales.

External Exhibition:

The proposed sales were advertised in the NSW Government Gazette (as required under the Local Government Act 1993), through appropriate local media and on Council's website and social media page(s).

Where contact was possible, all affected owners, occupants and other known interested parties were directly notified in writing of Council's decision.

Various public notices were issued by Council in the lead up to the sale and a list of properties was available on Council's website (updated as and when properties were withdrawn).

Commercial marketing of the proposed sales occurred in the 3 weeks leading to the auction on 4 May 2023.

Attachments:

1. Results - Sale of Land for Unpaid Rates Auction 4 May 2023

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8.3 CASH AND INVESTMENTS – APRIL 2023

FILE NUMBER: GD23/8193

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 30th April 2023.

Council's total cash assets as at 30th April is: \$7,429,662.14

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	\$6,500,000.00	\$6,500,000.00	NIL	1.25%	\$6,567.80	\$37,860.92	
Operating Account	\$882,674.84	\$3,442,403.18	(\$2,559,728.34)	N/A	NIL	NIL	
Post Office Clearing Account	\$46,987.30	\$46,987.30	NIL	N/A	NIL	NIL	
	Total Cash at bank as of 30 th April \$7,429,662.14						

Commentary:

The net movement of cash for the month of April 2023 was a decrease of \$2,559,728.34.

Payments for wages and creditors for the month of April 2023 totalled \$3,366,349.82.

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Receipts and transfers for the month of April 2023 totalled \$ with major receipts being: \$806,621.48

• RMS Ordered Works

\$468,694.36

Restrictions:

Restricted Cash and Investments	
	(\$000's)
Externally Restricted (1)	
Specific purpose unexpended grants	3,354
Water supplies	985
Sewerage services	998
Domestic waste management	428
Total Externally Restricted	5,765
(1) Funds that must be spent for a specific purpose	
Internally Restricted (2)	
Employees Leave Entitlements	1,032
Plant and vehicle replacement	8
Waste management Reserve	124
Total Internally Restricted	1,164
(2) Funds that Council has earmarked for a specific purpose	
Total Restricted Funds	6,929
Total Cash & Investments	7,430
Unrestricted Funds (ie. available after the above Restrictions)	501

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

Attachments:

NIL

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8.4 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2023

FILE NUMBER: GD23/8195

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 31st March 2023. This report also recommends amendments to Council's budget.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Adopt the variations to Council's 2023 Annual Budget.
 - (a) Note that the projected operating surplus for the financial year 2022/23 is \$360,000.
 - (b) Note that the projected capital works budgeted expenditure for the financial year 2022/23 is \$25.555 million

BACKGROUND:

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

- (1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.

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

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

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

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REPORT:

Operational Budget Result:

The March Quarterly Budget review shows an increase in the projected 2022/23 operating surplus (before capital items) of \$146,000 to an overall projected operating surplus as at 30 June 2023 of \$360,000.

This result reflects the following movements:

Income

1. User Charges and Fees:

Unbudgeted Private Works - APA Gas Pipeline engagement

Total adjustment to Operating Grants Budget - \$1,100,000 increase

Expenditure

2. Materials and Contracts Expense

Unbudgeted Expense re: Private Works - APA Gas Pipeline engagement: \$900,000

Additional Expense Street Maintenance: \$40,000

Additional expense purchase and conveyancing costs associated with sale of land for unpaid rates: \$13,600

Total adjustment to Materials & Contracts Budget - \$953,000 increase

Capital Budget Result:

Budgeted capital expenditure will remain at \$25.555 million.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and appropriate services and facilities to local communities

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA

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Economic	Positive	
Governance	Positive	

Financial and Resource Implications:

Monitoring of the Quarterly Budget Review enables timely financial management.

Policy, Legal and Statutory Implications:

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

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

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

OPTIONS:

NIL

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

N/A

External Exhibition:

N/A

Attachments:

- 1. RAO Statement
- 2. Income & Expense by Type
- 3. Income & Expense by Activity
- 4. Income & Expense Variations
- 5. Capital Budget
- 6. Cash & Investments
- 7. KPI's
- 8. Other Expenses

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9 GOVERNANCE REPORTS

9.1 CORPORATE CREDIT CARD POLICY REVIEW

FILE NUMBER: GD23/7652

REPORT AUTHOR: GOVERNANCE OFFICER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is for the Council to adopt the Draft Corporate Credit Card Policy Version 2, which has been updated in line with the Office of Local Government (OLG) Guideline on the use and management of credit cards.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Adopt the Draft Corporate Credit Card Policy Version 2.

BACKGROUND:

At the Ordinary Council Meeting on 22 March 2023, Council approved the Draft Corporate Credit Card Policy Version 2, and also resolved to place the policy on Public Exhibition for a period of 28 days.

REPORT:

The draft policy has been displayed on Council's website for the required time, with submissions on it's content invited from the public. No comments or requests for variations were received, so the Draft Corporate Credit Card Policy Version 2 is now ready for adoption by Council.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.2 Undertake ongoing engagement with shire Communities to ensure their input in the design of local governance structures and services

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Nil

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Policy, Legal and Statutory Implications:

The Local Government Act 1993 (Section 8B) and the Local Government Regulation 2021 (clause 209) require all Councils to establish effective internal control mechanisms for financial management, expenditure and accounting records.

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

The revised Corporate Credit Card Policy enforces best practice credit card management and details the responsibilities of individual cardholders, including risk management, preventative controls and detective controls.

OPTIONS:

That Council:

Adopts the draft policy as presented, or makes recommendations for any changes needed before adoption.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

To all Central Darling Shire Council (CDSC) corporate credit card holders, the Finance Team, and ManEx group.

External Exhibition:

On CDSC's website.

Attachments:

Draft Credit Card Policy V2_2023

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9.2 CENTRAL DARLING SHIRE COUNCIL WORKFORCE MANAGEMENT PLAN 2023 TO 2027

FILE NUMBER: GD23/7838

REPORT AUTHOR: HUMAN RESOURCE OFFICER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to seek endorsement and adoption of the Central Darling Shire Council Workforce Management Plan 2023 to 2027.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Adopt the Central Darling Shire Council Workforce Management Plan 2023 to 2027.
- 3. Display the Central Darling Shire Council Workforce Management Plan 2023 to 2027 on Council's website.

BACKGROUND:

At the Ordinary Council Meeting on 22 March 2023, Council endorsed the public exhibition of the Central Darling Shire Council Workforce Plan 2023 to 2027 for a minimum period of 28 days. Further, that a report be provided to Council at its May meeting on the outcome of the public exhibition.

REPORT:

The Central Darling Shire Council Workforce Management Plan (Plan) was developed as part of a suite of documents forming part of Council IP&R (Integrated Planning and Reporting) documents. The suite of documents consists of:

- Community Strategic Plan overarching the entire Shire.
- Place based Town and Village plans for White Cliffs, Wilcannia, Menindee Ivanhoe, Sunset Strip and Tilpa.
- Advocacy Plan
- Disability Inclusion Action Plan
- Tourism Action Plan

The Plan was placed on public exhibition with feedback to be received by 4pm on Wednesday 10 May 2023.

As at the closing date, no feedback and/or comments were received from the community and is now ready for adoption by Council.

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

Focus/Goals/Objectives Strategic Area Actions	Focus/Goals/Objectives	Strategic Area	Actions
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4 Local Economy	4.1 Employment	4.1.1 Develop training and
		employment opportunities for local
		Aboriginal people to ensure that
		council staffing reflects the cultural
		demographics of the shire
		4.1.4 Identify and establish
		employment paths for local young
		people and others of employment
		age.

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

The Workforce Management Plan addresses opportunities and challenges identified in ensuring adequate resourcing levels to deliver the Community Strategic Plan.

Policy, Legal and Statutory Implications:

The Workforce Management Plan is a requirement under the Integrated Planning and Reporting Framework.

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

The Workforce Management Plan addresses the employee and business risks identified in addressing a sustainable workforce.

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Consultation with internal staff has been undertaken.

External Exhibition:

External Exhibition for 28 days has been undertaken.

Attachments:

1. Central Darling Shire Council Workforce Management Plan 2023 to 2027

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9.3 SIX-MONTHLY DELIVERY AND OPERATIONAL PLAN PROGRESS REPORT (JULY TO DECEMBER 2022)

FILE NUMBER: GD23/8095

REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

Council's combined Delivery Program (2022-2026) and Operational Plan (2022-2023) outlines activities that Council is committed to undertaking to accomplish the community priorities identified in the Community Strategic Plan 2022-2032.

Council is required, under the Integrated Planning and Reporting Guidelines for Local Government in NSW prescribed in the *Local Government (General) Regulation 2021* (196A), to provide a report that details progress every six months.

This progress report demonstrates the status of actions for the period ending 31 December 2022.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Endorse the 2022-2023 Six-monthly Delivery Program and Operational Plan Progress Report (July to December 2022).

BACKGROUND:

The Operational Plan update provides Council with the opportunity to report to the community and government stakeholders on its progress and accomplishments over the past six (6) months against objectives contained in the Delivery Program.

REPORT:

Central Darling Shire Council's Six-Monthly Delivery Program / Operational Plan Progress Report has been prepared in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government's Integrated Planning and Reporting Guidelines.

In 2021, Council adopted a Ten (10) year Community Strategic Plan including Town Improvement Plans for the towns and villages in the shire. Those plans have been imported into a strategic planning software module called CSP PULSE. This module allows ongoing dynamic commentary for all of the community improvement actions in the plans. The accumulated narrative will improve transparency and communication regarding councils' operations.

The use of the module is a work in progress which has been somewhat delayed by staff shortages and vacant positions. Procedures are being developed to ensure the continuous improvement of the module's capability and a more timely and comprehensive update commentary. The module will be used to prepare future annual operational plans and provide regular community updates.

The Six-Monthly Delivery Program / Operational Plan Progress Report includes (but is not limited to) the progress reports on Capital projects, and notable highlights achieved during the six-month period against the Delivery Program such as:

Smiths Hill Roadworks, White Cliffs

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- Wilcannia Skate Park
- Sunset Strip Playground
- Wilcannia Post Office Flooring
- Tilpa Village Pipeline designed and construction commenced
- Developing a Customer Service Charter for Council
- Office of Local Government statutory reporting requirements completed
- Annual Financial Statements submitted on time and signed off by the Audit Office as Unqualified
- Completion of emergency bores to ensure secure water supplies in Wilcannia and Ivanhoe
- MOU in place with Local Land Services for Biosecurity assistance
- Design completed for White Cliffs reticulation system
- Footpaths completed in White Cliffs
- Wilcannia Pump Track completed, and materials ordered for Pump Tracks in Menindee, Ivanhoe and White Cliffs
- Menindee Art Trail signs installed

Successful grant applications have been the driving factor behind many capital work projects.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.1 Design and implement governance systems within the shire that are culturally responsive and ensure communities have effective local democratic structures and representation

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

The activities and initiatives contained in the 2022-2023 Delivery and Operational Plans are funded in the corresponding 2022-2023 Operational Annual Budget.

Policy, Legal and Statutory Implications:

- Local Government Act 1993 Section 406
- Local Government (General) Regulation 2021 Section 196A
- Under the Integrated Planning & Reporting guidelines for Local Government in NSW (Section 4.9), the General Manager must ensure that progress reports are provided to the Council, with respect to the principal activities detailed in the Delivery Program, at least every six months.

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

Delivery and Operational Plan reporting keeps Council and the community informed of the operational progress achieved.

OPTIONS:

Provision of options is not considered necessary as six-monthly reporting of the Delivery Program / Operational Plan is a legislated requirement.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Relevant information regarding the progress of Council's Operational Plan actions has been collated from Central Darling Shire Council management and key responsible Council officers.

External Exhibition:

The Six-Monthly Delivery Program and Operational Plan progress report, once endorsed by Council, will be made available to the community through Central Darling Shire Council's Council website and promoted to the community for Public Exhibition and comment.

Attachments:

NIL

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10 CORPORATE SERVICES REPORTS

10.1 PURCHASE OF PROPERTIES BY COUNCIL AT SALE OF LAND FOR UNPAID RATES

FILE NUMBER: GD23/7203

REPORT AUTHOR: ACTING RATES OFFICER

RESPONSIBLE DIRECTOR: ACTING GENERAL MANAGER

EXECUTIVE SUMMARY:

This report provides Council with an update regarding properties purchased at the auction sale of land for unpaid rates on 4 May 2023 and proposes to classify those properties as Operational Land.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Give public notice, in accordance with the Local Government Act 1993 (NSW) s 34, providing not less than 28 days during which submissions may be made to Council, of a proposed resolution to classify the properties listed in Attachment 1 to this report, as operational land in accordance with the Local Government Act 1993 (NSW) s 26.
- 3. Receive a further report after submissions have closed, consider classifying the properties listed in Attachment 1 to this report, as operational land in accordance with the Local Government Act 1993 (NSW) s 31(2).

BACKGROUND:

At the Ordinary Meeting of Council on 19 April 2023, Council resolved to

- authorise the Acting General Manager to purchase certain properties at Council's sale of land for unpaid rates on 4 May 2023.
- to execute contracts and all other documentation necessary to complete the transfer of properties purchased.
- receive a further report at its Ordinary Meeting scheduled for 24 May 2023 detailing any properties purchased and to consider classifying those properties operational in accordance with the *Local Government Act 1993 (NSW) Section 34*.

REPORT:

Council purchased seven (7) properties at the sale of land for unpaid rates auction on 4 May 2023 for a total purchase price of \$5,900.00. Each property was purchased for either the reserve price or less than the reserve price set prior to the auction and well below the maximum bid amounts resolved by Council on 19 April 2023.

All purchased properties are vacant parcels with one exception being 40 Paringa Street Menindee, upon which is situated a dilapidated dwelling which is earmarked for demolition under Flood Recovery funding.

This report proposes to classify all purchased properties as operational land as this will enable Council to put the land to an operational use and/or dispose of the land if and as need or demand arises in the future.

To classify land acquired after 1 July 1993, either before its acquisition or within 3 months after it acquires land, Council may resolve that the land be classified as community land or operational land. However, before it resolves to classify land, Council must give public notice of its intent to do so, providing a period of no less than 28 days during which it may receive submissions of the proposal.

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Should Council adopt the recommendations in this report, the public exhibition period is anticipated to run from 26 May 2023 until 24 June 2023, and a further report will be provided on the proposed classification at Council's Ordinary meeting on 28 June 2023.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional	2.1 Shire	2.1.4 Ensure that governance of the
Governance	governance	shire is focused on the effective
		planning and delivery of adequate and
		appropriate services and facilities to
		local communities

SUSTAINABILITY ASSESSMENT:

	Assessment	
Social	Positive	
	Several parcels purchased are suited to social housing purposes.	
Environmental	Positive	
	One property purchased is flood affected. In Council's ownership and once demolished, this property will no longer present a risk to the environment or community.	
Economic	Positive	
	Removal of low demand properties from a recurring cycle of annual rates and increased doubtful debt.	
Governance	Positive	
	Appropriate use of Council resources to assist improved delivery of adequate and appropriate services and facilities to local communities.	

Financial and Resource Implications:

Purchase costs, including conveyancing fees, is estimated at \$13,600, provision for which will be made from within existing Administration budget items in the March 2023 Quarterly Budget Review.

Policy, Legal and Statutory Implications:

The Local Government Act 1993 (NSW) Div 1 S 25 to 34 set out requirements to classify public land.

Specifically, Local Government Act 1993 (NSW) S 31 provides that, for land acquired after 1 July 1993, Council effectively has up to 3 months after it acquires land to classify it as operational otherwise it will be taken to have been classified as community land.

In accordance with the Local Government Act 1993 (NSW) S 34

- (1) A council must give public notice of a proposed resolution to classify or reclassify public land.
- (2) The public notice must include the terms of the proposed resolution and a description of the public land concerned.
- (3) The public notice must specify a period of not less than 28 days during which submissions may be made to the council.

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

None identified.

OPTIONS:

Resolve to or allow, by default, land to be community land. This option is not recommended as community land cannot be sold.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

None undertaken

External Exhibition:

A public exhibition period of not less than 28 days is required.

Attachments:

1. Properties purchased at sale of land for unpaid rates auction 4 May 2023

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10.2 DRAFT 2023-24 INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR PUBLIC EXHIBITION

FILE NUMBER: GD23/7295

REPORT AUTHOR: FINANCE MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

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

This report presents the Draft Operational Plan (2023-2024) Incorporating, Draft Fees and Charges (2023-2024) and Draft Operational Budget (2023-2024), Draft Delivery Program (2023-2027), Draft Long-Term Financial Plan (2024-2033) to the community for review and feedback ahead of adoption.

The documents must be adopted before 1 July 2023.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Endorse the DRAFT 2023-24 Integrated Planning and Reporting documents incorporating:
 - (a) Draft 2023-24 Operational Plan and 2023-2027 Delivery Program
 - (b) Draft 2023/24 -2032/-33 Long-Term Financial Plan
 - (c) Draft 2023-24 Revenue Policy
 - (d) Draft 2023-24 Fees and Charges Schedule
 - (e) Draft 2023-24 Operational Budget
- 3. Place the Draft documents on public exhibition for 28 days, seeking community submissions for consideration prior to adopting the documents at the June 2023 Council meeting.

BACKGROUND:

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

- A ten-year Community Strategic Plan.
- A four-year Delivery Program.
- An annual Operational Plan.
- A Resourcing Strategy including an Asset Management Plan, a Long Term Financial Plan, and a Workforce Management Plan.

In line with the Legislation, Council needs to provide an annual Operational Plan, Delivery Program, Fees and Charges and Operational Budget that can be shared in Draft form with the community for feedback ahead of adoption by 1 July 2023.

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

REPORT:

The Draft Operational Plan 2023-2024 supports the Delivery Program 2023-2027 and specifies the actions of Council's key functional and operational areas that will be conducted in the coming year, funded through the 2023-2024 budget.

The Draft Operational Plan has been developed by Council staff in conjunction with the Administrator. As a result, it is anticipated that throughout 2023-2024, Council will be required to assess the need for changes to budget allocations and priorities.

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

- 1. Operational Plan 2023-24 -
 - This document covers the six key focus areas of Council's normal strategic planning framework
 - It describes the annual operational responsibilities of Council and where possible the relevant expenditure amounts from the annual budget
 - The programs and activities described in the plan cover Council's "business as usual" and include traditional expenditure in the areas of road maintenance, water and sewerage supply, general infrastructure, and service delivery.
- 2. Statement of Revenue -
 - Ordinary rates have been increased by the approved IPART rate peg of 3.7%
 - An increase of 3.7% has been applied to water, sewerage, and waste collection
 - No increase has been applied to general fees and charges other than statutory fees and charges if required.
- 3. Income and Expense Statement -
 - The income component was calculated using the assumptions above
 - Where relevant, new grants have been recognized
 - The expenditure items were based on previous years expenditure and where applicable zero-based budget principles.
- 4. Capital Works Program 2023/24 -
 - Major capital works include:
 - Initial Seals Pooncarie Road: \$8.0 M
 - Reseals and Gravel Resheets: \$3.13M
 - Fixing Local Roads :\$1M
 - White Cliffs Water Plant and Reticulation System: \$4M
 - Ivanhoe and Wilcannia Water Treatment Plants: \$3M

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- 5. Fees and Charges 2023-24 -
 - As mentioned in point 2 above no increases to General Fees and Charges have been applied, except for statutory fees and charges if required.

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

The Operating Budget indicates that Central Darling Shire Council will have an Operating Surplus (after Capital Grants) of \$21,000.

The total 2023-2024 budgeted operating expenditure will be \$22.307 Million, Capital Expenditure will be \$28.276 Million, with total revenues expected to be \$45.842 Million.

The Draft Operational Plan for 2023-2024 continues the keys focus areas of Council's updated Community Strategic Plan which has ensued from the extensive review conducted in 2021-22. The review focused on validating the previous specific needs already noted plus capturing any new items identified by the community as part of the review consultation process. Any new Programs and Activities identified were included in the draft Operational Plan to be further assessed and refined throughout 2023-2024. These programs include Housing, Water Security, Employment, Telecommunications and Electricity Infrastructure.

Further information relating to the Draft 2023-2024 Budget can be found in the attached documents.

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

Community Plan Strategic Plan Outcomes	Delivery Outcomes
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SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

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

Policy, Legal and Statutory Implications:

Council is required to adopt a full suite of Integrated Planning and Reporting documents before 01 July 2023.

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

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

OPTIONS:

- 1. Council endorses the Plans as presented and places them on public exhibition.
- 2. Council may opt to amend the Plans and place them on public exhibition.
- 3. Council may opt not to endorse any of the Plans presented at this time, being aware that councils are mandated to have the plans adopted by 1 July 2022.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

A review of the 2023-2027 Delivery Program commitments, the current 2022-2023 Operational Plan progress and priority organisational projects was undertaken by the Management Executive team to develop and confirm the priorities in the 2023-2024 Operational Plan.

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

External Exhibition:

The Operational Plan reflects the upcoming year's actions in order for Council to deliver on its commitments in the Delivery Program 2023-2027.

Formal public exhibition of the Draft Operational Plan 2023-2024 incorporating the Draft Operational Budget 2023-2024, Draft Fees and Charges 2023-24 will be conducted in accordance with the requirements of the Local Government Act 1993.

Public exhibition will include the documents being available electronically on Council's website and advertisements in local newspapers and electronic media. Viewing of hardcopies at customer service counters may also take place.

Community feedback from the public exhibition period will be considered by Council before the final document is adopted at the June 2023 Ordinary Council meeting.

Attachments:

- CDSC Operational Plan 2023-24 DRAFT
- 2. DRAFT LTFP 2024-33
- 3. 2023-24 Fees draft
- 4. Budgeted Capital Works 2023-24
- Budgeted Cashflow Statement 2023-24
- 6. Budgeted Income and Expenses 2023-24
- 7. Budgeted income Statement 2023-24
- 8. Statement of Reserves

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11 SHIRE SERVICES REPORTS

11.1 PLANNING PROPOSAL – RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND

FILE NUMBER: GD23/7276

REPORT AUTHOR: SENIOR PLANNER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

For Council to endorse the Planning Proposal for the reclassification of 232 Council owned sites from community land to operational land and seek a Gateway Determination from the Department of Planning and Environment (see Attachment 1).

Also, for Council to endorse the preparation of a second (stand-alone) Planning Proposal for Lot 8 DP1182315 (Beth Street, White Cliffs) as it may have been dedicated as a public reserve requiring the consent of the Minister to achieve reclassification.

RECOMMENDATION:

That Council will:

- 1. Endorse the submission of the Planning Proposal at Attachment 1 and supporting documentation to the Department of Planning and Environment through the Planning Portal to seek a Gateway Determination.
- 2. Endorse the preparation of a second Planning Proposal for Lot 8 DP1182315 (Beth Street, White Cliffs) as it may have been dedicated as a public reserve requiring the consent of the Minister to achieve reclassification.
- 3. Subject to the receipt of a gateway determination from the Department of Planning and Environment, proceed with both Planning Proposals and consultation is undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the *Environmental Planning and Assessment Act* 1979 and any directions of the Gateway Determination.
- 4. Endorse Council staff organising a Public Hearing pursuant to Section 29 of the Local Government Act 1993 at the end of the public exhibition period of both the Planning Proposals.
- 5. Should no objections be received, a copy of this report and any other relevant information (including the Planning Proposal(s)) is sent to the NSW Department of Planning and Environment and/or NSW Parliamentary Counsels Office, in accordance with the *Environmental Planning & Assessment Act 1979* to request the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the Amendment to the *Central Darling Local Environmental Plan 2012*.

BACKGROUND:

Public land in NSW is defined in the *Local Government Act 1993* (LG Act) as any land (including a public reserve) vested in or under the control of the council. All public land must be classified by Council as either 'community' or 'operational'. The LG Act describes public land as follows:

Community land would ordinarily comprise land such as a public park. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the

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carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage.

Public land is initially classified through one of three means:

- by resolution of council, prior to or when the land is acquired; or
- by a Local Environmental Plan ("LEP") prepared under the EP&A Act 1979; or
- by operation of the Local Government Act 1993 (applies to certain land controlled by council at 1 July 1993, or where council has since acquired land and there is no resolution to classify the land);

Initial classification is usually initiated by a resolution of Council within three months of acquiring the land. Should a resolution of Council not occur, the land is automatically classified as community land.

The classification of land as community land reflects the importance of the land to the community because of its use or special features. Community land is classified as such because it is intended for public access and use (Department of Local Government, 2000). The LG Act heavily restricts Council's from dealing with community land including it cannot be sold, leased or licenced and there is a requirement that a Plan of Management be prepared for each site.

In 2012 the Central Darling Local Environmental Plan (2012) (LEP) was made. At the time, several Council owned lands were erroneously classified as community land. Central Darling Shire Council also owns several portions of land which have been classified as community land due to a lack of Council resolution to classify the land as operational land after the land was acquired. Several portions of land in the Central Darling LGA were acquired by Council over the years due to non-payment of rates. These sites are generally vacant residential allotments in Wilcannia, Ivanhoe, Menindee and White Cliffs. Other sites which are classified as community land include water supply and treatment infrastructure, a solar power station, various Council offices, Council depots, Council staff accommodation, community buildings, aerodromes, RFS Sheds, the Wilcannia Athenaeum and SES Depots.

It is important that Council owned land which does not meet the definition of community land in the LG Act is classified as operational land to permit Council to lease, transfer, or sell the land if it is surplus to the needs of the Council or otherwise continue to operate the asset without the need to prepare a Plan of Management.

A Planning Proposal is required to amend the *Central Darling Local Environmental Plan 2012* and reclassify Council owned sites from community land to operational land.

REPORT:

SKM Planning (SKM) has been procured by the Department of Planning and Environment (DPE) to assist Central Darling Shire Council with the reclassification of Council owned land from community land to operational land including the assessment of sites, preparation and processing of a Planning Proposal and facilitation of a Public Hearing.

Council staff provided SKM a list of 239 sites to assess in accordance with the requirements of the EP&A Act 1979 and the LG Act including DPE Practice Note 16-001 – Classification and reclassification of public land through a local environmental plan and the Department of Local Government Practice Note 1 – Public Land Management.

From the results of this assessment, it is recommended that 233 Council owned sites should be considered for reclassification from operational to community land (see Attachment 1 – Appendix 1). Sites which could not be reclassified include:

- A Council owned Swimming Pool at White Cliffs
- Federation Park located on Church Street in White Cliffs and containing a picnic shelter (Lot115 DP757488)
- Sites which are not owned by Council and are Crown Land which Council is the Crown land manager.

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The assessment also looked at any interests in the land that may impact the proposed reclassification. After reviewing the Certificate of Titles (CT) of each site it was determined that one site, Lot 8 DP1182315 (Beth Street, White Cliffs) included a public reservation on the CT:

THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989 AND THERE ARE RESTRICTIONS ON TRANSFER AND OTHER DEALINGS IN THE LAND UNDER THAT ACT, WHICH MAY REQUIRE CONSENT OF THE MINISTER. OF THE PART DESIGNATED (Y) IN THE TITLE DIAGRAM

This site forms part of a council owned water storage dam and is not considered to represent community land which should be open to the public. Rather it is a Council asset which should be restricted from the public for safety reasons.

To ensure the efficient and timely reclassification of the other 232 sites, it is recommended that a second Planning Proposal is prepared for this site and submitted separately to DPE to seek a Gateway Determination.

PROCESS:

The Planning Proposal process must be carried out in accordance with the *Environmental Planning* and Assessment Act 1979 and NSW Government guidelines. The steps in the process include:

- 1. Council endorses the Planning Proposal at an Ordinary Meeting of Council.
- 2. The Planning Proposal is submitted to the Department of Planning & Environment (DPE) for a Gateway Determination (permission to commence the process).
- 3. Council implements the requirements of the Gateway Determination e.g. provision of additional information, stakeholder engagement.
- 4. Public exhibition of the proposal for a minimum of 28 days.
- 5. A Public Hearing conducted by an independent and suitably qualified person (after the close of the public exhibition period).
- 6. Council consideration of all submissions received during the exhibition period and the report from the Public Hearing.
- 7. Submission of the outcomes of public exhibition and public hearing are sent (and any changes to the Planning Proposal) to DPE to finalise the amendments to the LEP.
- 8. Should no submissions be received, the Planning Proposal (Attachment 1) can be submitted directly to the NSW Department of Planning and Environment and/or NSW Parliamentary Counsels Office, in accordance with the *Environmental Planning & Assessment Act 1979*, to request the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the Amendment to the *Central Darling Local Environmental Plan 2012*.

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

Focus/Goals/Objectives	Strategic Area	Actions	
1 Community and Culture	1.1 Housing	1.1.1 Complete a condition assessment of existing housing stock	
		in Wilcannia and Menindee	
		1.1.2 Undertake a gap analysis to	
		assess existing housing stock in Wilcannia and Menindee and identify	
		current and future housing needs	
		including diversity of housing stock	
		1.1.3 Identify and secure necessary	
		funding to improve and add to existing	
		housing stock with the construction of	
		sustainable, environmentally	
		appropriate and culturally responsive	
		houses in Wilcannia and Menindee	

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		1.1.4 Identify and pursue opportunities such as 'rent-to-buy' programs and favourable loan structures to facilitate greater home ownership in local Aboriginal communities 1.1.5 Establish an ongoing schedule
		of maintenance to ensure that existing and future housing stock is in livable condition
		1.1.6 Advocate for increased Aboriginal housing in Ivanhoe through repurposing of disused houses
		1.1.7 Monitor the quality of contractors building and maintaining houses 1.1.8 Establish housing maintenance
		and repair contracts with local service providers in Wilcannia, Menindee and Ivanhoe
		1.1.9 Ensure that the design and construction of all future social housing is sustainable and environmentally sensitive and responsive to cultural needs
4 Local Economy	4.1 Employment	4.1.3 Identify and expand employment opportunities in local tourism, home services, maintenance, etc
5 Rural and Urban Land Use	5.1 Land availability for housing	5.1.1 Ensure the Local Environment Plan is developed to reflect local housing needs
		5.1.2 Identify land areas in Wilcannia, Menindee and Ivanhoe for new housing development
		5.1.3 Identify land areas in Wilcannia, Menindee and Ivanhoe for further development of social and community housing

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

The preparation of the Planning Proposal and all corresponding processes to achieve the reclassification of land has been funded by the Department of Planning and Environment. The reclassification of the 233 sites would avoid the requirement to prepare and administer Plan of Management's for the sites in accordance with section 36 of the *Local Government Act 1993* which would have immense financial and resource implications for Council. The reclassification of these

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site would also permit Council to further deal with the land in terms of transferring, selling or leasing sites to third parties and thus avoid the financial burden of maintaining the sites.

Policy, Legal and Statutory Implications:

The reclassification of the 233 sites would avoid the requirement to prepare and administer Plan of Management's for the sites in accordance with section 36 of the *Local Government Act 1993*.

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

The reclassification of these site would also permit Council to further deal with the land in terms of transferring, selling or leasing sites to third parties and thus avoid the financial burden of maintaining the sites.

OPTIONS:

Not endorsing the Planning Proposal – continued financial burden of managing these sites as community land

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

N/A

External Exhibition:

External exhibition of the Planning Proposal would be carried out in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993* and any Gateway Determination

Attachments:

1. Planning Proposal - Central Darling Shire Council- Reclassification of Land

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11.2 ENIVRONMENTAL SERVICES UPDATE

FILE NUMBER: GD23/7277

REPORT AUTHOR: SENIOR PLANNER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

This report is to provide a summary of Council's Environment Services statistics for the month of April 2023.

RECOMMENDATION:

That Council will:

1. Receive and note the report

BACKGROUND:

Statistics for April 2023			
Development approvals / final certificates issued under Part 4, Part 5 of the <i>Environmental</i>	Number of DAs Approved – New Dwellings	3	
	Number of DAs Approved – Renovation	0	
Planning and Assessment Act 1979.	Number of DA s approved – Commercial/ Industrial	0	
Number of Certificates issued under the Local Government Act	Number of DA s approved – Rural Industry/ Agriculture	0	
1993.	Number of DAs Approved – Other	0	
	Total Value of DAs Approved	\$2,141,646.00	
	Number of Construction Certificates / Crown Construction Certificates Issued	0	
	Number of Complying Development Certificates issued	0	
	Number of LGA S68 Approvals	0	
	Number of Occupation Certificates Issued	1	
	Number of Building Information Certificates issued	1	
	Number of Section 10.7 Planning Certificates issued (S68)	5	
	Number of other approvals or certificates issued under the Local Government Act 1993 (S138, S123 etc)	0	
Animal Control Activities -	Animals in and Arriving at Council's Facility		
	Seized	0	
	Returned to Owner	1	
	Transferred to - Council's Facility from Seizure Activities	0	
	Animals in and arriving at council's facility		
	Surrendered	8	
	Animals leaving council's facility	ı	
	Released to organizations for rehoming	2	

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	Unable to rehome	0
	Total in council facility	10
	Nuisance dog	0
	Incident dog attack	1
Water Sampling	Microbiology Samples Collected	13
	Chemistry Samples Collected	0
		0 project finished in December 2022
	Microbiology Pool samples	3

Attachment: Nil

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPEARTIONAL 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.	Objectives 1.2 Improved community services and facilities.

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Nil

Policy, Legal and Statutory Implications:

NII

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

Nil

Attachments:

NIL

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11.3 ROADS TO RECOVERY 2023/24 ALLOCATIONS

FILE NUMBER: GD23/8187

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

EXECUTIVE SUMMARY:

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

Council is required to submit at least 12 months of rolling program works to the Roads to Recovery Infrastructure Management System. Projects may be entered from 1 July 2023 to 31 July and the first payment for the new program will be made in August 2023 pending program of works.

RECOMMENDATION:

That Council will:

- 1. Receive the report
- 2. Allocate the 2023/2024 Roads to Recovery funding to the following projects:
 - MR433 Menindee-Ivanhoe Rd, New Culverts
 - SR10 Wilcannia-Menindee East Rd, New culverts
 - SR13 Teryawynia-Ashmont Rd, New Culverts
- 3. Utilise the Reinforced Concrete Box Culvert sections originally purchased for the Yampoola Crossing upgrade works, Pooncarie Rd, Menindee.
- 4. Use the selective tendering method for the procurement of services for the installation of the culverts

BACKGROUND:

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

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

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

Council's allocation for the 2019-20 to 2023-24 period is \$6,010,909Insert background

REPORT:

Council's allocation for the 2023/24 year is \$1,001,818.

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The following projects have been identified as priorities following recent flooding events and road condition assessments.

Location	Issue	Solution	Cost
Menindee, MR433 Ivanhoe-Menindee Road, Talyawalka Creek.	Complete road loss due to water retention and pressure from Talyawalka Creek flows.	Installation of new Reinforced Concrete Box Culverts	\$335,000
Menindee, SR10 Wilcannia-Menindee East Road, Talyawalka Creek	Complete road loss due to water retention and pressure from Talyawalka Creek flows.	Installation of new Reinforced Concrete Box Culverts	\$335,000
Wilcannia, SR13 Teryawynia-Ashmont Road, Teryawynia Creek	Complete road loss due to water retention and pressure from Teryawynia Creek flows.	Installation of new Reinforced Concrete Box Culverts	\$335,000

The three locations listed have had emergency works completed earlier this year to enable the roads to be opened and made safe for the travelling public. Restoration works that are eligible under the natural disaster guidelines enable Council to reinstate the roads to pre-existing condition. Any capital upgrade costs to mitigate future impacts are not eligible.

The recommendations above seek to allocate funds to enable these works to be completed.

Reinforced Concrete Box Culverts (RCBC)

At the Ordinary meeting of Council, December 2022, Council resolved to award tender to Murray Constructions to build a new bridge across the Yampoola Crossing, Pooncarie Rd. The RCBC sections that were originally purchased for this works are still on site and suitable for use at the three locations listed above.

Recommendation 3. Above seeks to utilise these RCBC cells for use at each of the three locations. The number of cells to be used at each site will be subject to further hydraulic design and engineering recommendations.

The cost of the RCBC supplied and delivered by Rocla (now Civilmart) was \$390,000 for 136 units (1800mm x 3600mm x 1200mm). This cost has been allocated to the Pooncarie Rd initial seal project and, if resolved, costs would be journaled to new project costs.

Clause 166 of the Local Government Regulation 2005 requires Council to decide whether tenders are to be by open tendering or selective tendering. The recommendation above seeks to invite tenders by invitation following an expression of interest process. The reasons for this method include:

- Local contractor invitation and local employment opportunities
- Invitation to those contractors who have the capacity to fulfil the requirements of the works and have proven performance in the past.

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

Focus/Goals/Objectives	Strategic Area	Actions
6 Infrastucture and Services	6.3 Local and regional roads	6.3.1 Ensure ongoing rural and regional equity of access
	Togistiai Toddo	6.3.4 Ensure ongoing funding to provide road maintenance and
		upgrade services across the shire

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Roads to Recovery budget allocation for Local Roads included.

Council has the contract plant resources and staff resources to deliver the road works component and tenders would be called for RCBC structural works.

Policy, Legal and Statutory Implications:

Council is a Control Authority pursuant to the Roads Act 1993.

Procurement to be conducted in accordance with Councils policy and Local Government Regulation 2005.

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

Business risk exists through budget exceedance and subsequent financial implications. Poor reflection on Council's reputation if works are delivered to a poor standard.

WHS/ Public Risks are identified and controlled through project planning and system documents

OPTIONS:

Do nothing and leave the roads in existing condition. In the event of another flood event, implement mitigation measures as experienced recently.

Allocate the 2023/24 funding to alternate projects.

COUNCIL SEAL REQUIRED:

No

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COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Nil

External Exhibition:

Nil

Attachments:

NIL

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11.4 ROADS AND AERODROME

FILE NUMBER: GD23/8190

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: \$1,027,885

2021/22 RMCC Works Orders issued last financial year which are all completed except Bushley IS include:

HW21 Kerpa St North IS Final seal	111.22.13	\$261,931.36
HW21 Mt Manara Sth IS Final Seal	111.22.14	\$253,742.42
HW21 Springdale IS Final Seal	111.22.15	\$366,500.54
HW21 Springdale South IS Final Seal	111.22.16	\$157,314.50
HW21 Bushley IS	111.22.17	\$1,502,639.25
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	\$3,514,226.01

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

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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
HW8 Heavy Patching	111.23.03	\$306,934.99
HW21 Heavy Patching	111.23.04	\$506,053.58
HW21 Heavy Patching Slamannon	111.23.05	\$235,362.43
Mt Manara Gravel	111.23.06	\$548,576.00
Mt Manara Gravel additional 70k tone	111.23.07	1,455,575.00
	Total WO	\$4,541,033.40

Works Description	Original Budget	% Expended	Remaining budget
RMCC Routine	\$1,027,885.00	77%	\$232,885
WO 2021/22	\$3,514,226.01	62%	\$1,352,539.47
WO 2022/23	\$4,541,033.40	75%	\$1,129,642.00

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 June 2023.

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Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,863,000 - \$575,000 - \$400,000 = \$1,888,000	95%	\$103,148
Regional Roads Repair Program 2021/22	\$975,000	100%	\$0
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 is \$1,815,759

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.

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Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,815,759	31%	\$1,252,150
Mandalay Rd Floodways (R2R)	\$750,000	9%	\$685,855
Wilc-Menindee East Rd Formation (R2R)	\$251,818	0%	\$251,818
Smith's Hill White Cliffs (FLR)	\$1,860,000	64%	\$676,122
Turley's Hill White Cliffs (LRCI Rd 3)	\$1,600,000	37%	\$1,008,236
Union Bend Rd, stage 1	\$559,474	40%	\$335,499
Fixing Local Roads - Pothole Repair Round	\$821,414	19%	\$654,221

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.

Works Description	Original Budget	% Expended	Remaining Budget
Aerodromes R&M	\$210,500	26%	\$155,146

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RAUP Rd 9	\$105,500	95%	\$5,389
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Attachments:

NIL

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11.5 WATER AND SEWER

FILE NUMBER: GD23/8191

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 with 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 estimated 10 months' supply remaining.
- Ivanhoe town water supply is currently being sourced from Morrison's Tank. Morrison's Tank capacity, 350 megalitres. 16 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.

Works Description	Original Budget	% Expended	Remaining Budget
Wilcannia Water	\$340,000	102%	-\$7,691
Wilcannia Sewer	\$115,000	79%	\$23,821
White Cliffs Water	\$205,750	53%	\$97,294
Ivanhoe Water	\$326,500	66%	\$110,752
Tilpa Water	\$22,500	25%	\$16,848
Aboriginal Communities Water and Sewer program	\$144,770	58%	\$60,990

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.

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MSA were procured by Enviro Pacific late 2022 and it was envisaged that the company would bring further resources and expertise to the contract and Council could progress the works. Unfortunately, this was not the case and Enviro Pacific / MSA recently advised Council that costs to construct all three Water Treatment Plants were now \$17M, an increase of over \$10M on contract award sum.

Council and its legal representatives are working with Enviro Pacific / MSA for a pathway forward, to ascertain costs incurred to date and reconcile offsite purchases and fabrication works.

The project has been placed on hold until contract matters are resolved.

Council staff will liaise with the funding bodies to update on project status, legal matters and possible ways forward to deliver the new WTP's to the communities.

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.

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. Unfortunately, no additional funding is available through the RestartNSW program.

Council staff estimated that using internal resources combined with preferred tenderer's capacity, the reticulation works can be completed within original budget. Council sought and obtained competitive quotations for purchasing pipe and equipment in April 2023. Discussion and negotiation with contractors has occurred and groundworks are programmed to start Monday 22 may 2023.

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 is now forecast by June 2023 with essential Energy power
connection required at the new bore site and storage options being considered at the
village.

Further water quality testing is required and possible treatment options are being investigated

- Smart meters and valve replacements are scheduled for 2022/23 in Ivanhoe and Wilcannia. Valve and hydrants replacement works are now completed in Wilcannia. Work is continuing in Ivanhoe. During the project, it is found that there is significant more work needed to be done on the valves and hydrants in both townships to protect the integrity of Council's water reticulation system, provide better equipment for services maintenance as well as essential firefighting assets. It is expected that the project will be continued in next financial year, budget permitted.
- Electrical switchboards at Ivanhoe, Morrisons Lake inlet and storage, will be replaced and be upgraded. This will ensure smooth operation, better control, and proper maintenance of raw water assets for Ivanhoe township. An experienced and well-referenced contractor is engaged to deliver the job.

The table below reflects expenditure for Capital Projects.

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Works Description	Original Budget	% Expended	Remaining Budget
White Cliffs WTP and Retic	\$5,500,000	24%	\$4,171,842
Wilcannia WTP	\$3,500,000	44%	\$1,970,230
Ivanhoe WTP	\$2,500,000	40%	\$1,494,386
Smart Meters	\$50,000	23%	\$38,757
Valve Replacements	\$150,000	106%	-\$10,065
Tilpa Village Pipeline	\$318,750	90%	\$31,813
Tilpa Solar Array/ Pump	\$25,000	100%	\$0
Ivanhoe Raw Water Switchboard Upgrades	\$75,000	0%	\$75,000

Attachments:

NIL

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11.6 SERVICES

FILE NUMBER: GD23/8196

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:

Works Description	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$196,000	83%	\$33,835
Ancillary Works	\$194,000	46%	\$104,228
Street Cleaning/Bins	\$193,000	137%	-\$72,318
Buildings	\$431,000	57%	\$184,885
Swimming Pools	\$423,500	70%	\$128,812
Domestic Waste	\$204,000	86%	\$28,460

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

Works Description	Original Budget	% Expended	Remaining Budget
BSCCF Rd 3 – Wilcannia Skate Park	\$260,000	97%	\$8,859
BSCCF Rd 3 - Playgrounds	\$188,340	95%	\$8,755
BSCCF Rd 3 – Sunset Strip Playground	\$85,000	97%	\$2,549

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LRCI Rd 2 – Wil Post Office Flooring	\$100,000	52%	\$48,182
LRCI Rd 3 – Ivanhoe Oval Upgrade	\$200,000	102%	-\$4,382
LRCI Rd 3 – Tilpa Park Playground	\$203,636	77%	\$47,193
MDBEDP – Victory Park Amenities	\$489,665	100%	\$2,161
DSP Drought – Addressing Project	\$300,000	73%	\$80,580
DSP Drought – Building demolitions Wilcannia	\$300,000	95%	\$16,008
DSP Drought – Minor Playground Upgrades	\$100,.000	49%	\$50,832
DSP Drought – Streetscape Iv/Wilc	\$160,000	84%	\$24,941
DSP Drought – Community Hall Upgrades	\$20,000	29%	\$14,200
CRIF – Tilpa Electrical Upgrade	\$93,342	47%	\$49,657
CRIF – Victory Park Electrical Upgrade	\$117,000	33%	\$77,825

Attachments:

NIL

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12 MINUTES OF COMMITTEE MEETINGS

Nil

13 CONFIDENTIAL MATTERS

The *Local Government Act 1993* provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

RECOMMENDATION:

That Council Meeting 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 Wilcannia Walking Trail Design - Award of Tender

FILE NUMBER: GD23/8194

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

Item 13.1 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RECOMMENDATION:

That Council moves out of Confidential and back into Open Chambers.

14 RESOLUTION TRACKER

Nil

15 MEETING CLOSE

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

The next Ordinary Council Meeting will be held on Wednesday, 28 June 2023 in Council Chambers, 21 Reid Street, Wilcannia at 9am.

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA ON WEDNESDAY, 19 APRIL 2023

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE: Greg Hill (General Manager)

Reece Wilson (Director Shire Services)

Gordon Seeto (Director Business Services)

Glenda Dunn (Senior Planning Officer)

Kevin Smith (Finance Manager)

Darryl Telfer (Acting Rates Officer)

Evelyn Pollard (Human Resource Officer)

Janette Bussell (Minutes Secretary) Kara Mohr (Risk & WHS Officer)

Robert Hunt (Acting General Manager)

1 OPENING OF MEETING

The meeting was declared open at 9am

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

Mr. Greg Hill - General Manager - leave

Mr. Reece Wilson - Director Shire Services - leave

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Pursuant to the Mode 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 01-04-2023

Mover: Administrator Bob Stewart

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

No declarations were received.

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RESOLVED: OCM 02-04-2023

Mover: Administrator Bob Stewart

Note that resolution numbers are missing from the minutes published of 22 March 2023. This has now been rectified and the corrected version will be published.

That the minutes of the Ordinary Council Meeting held on 22 March 2023 be received and confirmed as an accurate record with the above correction made.

CARRIED

RESOLVED: OCM 03-04-2023

Mover: Administrator Bob Stewart

That the minutes of the Extraordinary Council Meeting held on 5 April 2023 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE -

RESOLVED: OCM 04-04-2023

Mover: Administrator Bob Stewart

Been a busy month with the fish kills and all of the meetings involved.

CARRIED

8 FINANCIAL REPORTS

8.1 GRANTS REGISTER - MARCH 2023

RESOLVED: OCM 05-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

8.2 FINANCIAL PERFORMANCE REPORT - MARCH 2023

RESOLVED: OCM 06-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.3 CASH AND INVESTMENTS - MARCH 2023

RESOLVED: OCM 07-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

9 GOVERNANCE REPORTS

9.1 COMMUNITY ENGAGEMENT UPDATE

RESOLVED: OCM 08-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

10 CORPORATE SERVICES REPORTS

Nil

11 SHIRE SERVICES REPORTS

11.1 ROADS AND AERODROMES

RESOLVED: OCM 09-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

11.2 ENIVRONMENTAL SERVICES UPDATE

RESOLVED: OCM 10-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

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

RESOLVED: OCM 11-04-2023

Mover: Administrator Bob Stewart

That Council will:

- 1. Receive and note the report
- 2. Note the commencement dates for the amendments by the Department of Planning and Environment to the *Central Darling Local Environmental Plan 2012* for **26 April 2023**.

CARRIED

11.4 SERVICES

RESOLVED: OCM 12-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 WATER AND SEWER

RESOLVED: OCM 13-04-2023

Mover: Administrator Bob Stewart

That Council will:

Receive and note the report

CARRIED

11.6 POONCARIE RD REALIGNMENTS – COMPULSORY ACQUISITION

RESOLVED: OCM 14-04-2023

Mover: Administrator Bob Stewart

- 1. That Council delegate authority to its General Manager to negotiate with the landowners and other interest-holders of Lots 2 6 in the enclosed plan to acquire their interests in that land for the purpose of public road pursuant to Council's legislative authority under sections 177 and 178 of the *Roads Act 1993* (NSW).
- 2. That, if agreement cannot be reached with the landowners and/or other interest-holders of Lots 2 6 in the enclosed plan, Council approve the compulsory acquisition of those relevant interests in the enclosed plan pursuant to its legislative authority under sections 177 and 178 of the Roads Act 1993 (NSW) and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and delegate authority to its General Manager to make an application to:
 - a. the Minister for Local Government to issue Proposed Acquisition Notice(s) under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) for Council to compulsorily acquire Lots 2 6 in the enclosed plan; and
 - b. the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act* 1991 (NSW) for Council to compulsorily acquire Lots 2 6 in the enclosed plan.
- 3. That Council affix the Common Seal of Council to any documents required to be sealed as part of the process for Council to acquire Lots 2 6 in the enclosed plan.
- 4. That Council delegate authority to its General Manager to execute any documents required to be executed as part of the process for Council to compulsorily acquire Lots 2 6 in the enclosed plan that do not require the Common Seal of Council.

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 9.14am.

RESOLVED: OCM 15-04-2023

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 Purchase of Land By Council - Sale of Land for Unpaid Rates Auction

Item 13.1 is confidential under the Local Government Act 1993 Section 10A(2) - (d) as it relates to 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.

RESOLVED: OCM 16-04-2023

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.17am

CARRIED

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

13.1 PURCHASE OF LAND BY COUNCIL - SALE OF LAND FOR UNPAID RATES AUCTION

RESOLVED: OCM 17-04-2023

Mover: Administrator Bob Stewart

That Council:

- 1. Receive the report.
- 2. Authorise the Acting General Manager to bid, at the sale of land for unpaid rates auction on 4 May 2023, for properties listed in Attachment 1 to this report, up to the maximum amounts indicated in Attachment 1.
- 3. Authorise the Acting General Manager to execute contracts and all other documentation necessary to complete the transfer of properties purchased by Council at the sale of land for unpaid rates auction on 4 May 2023.
- 4. Receive a further report at its Ordinary Meeting scheduled for 24 May 2023 detailing any properties which are purchased at the sale of land for unpaid rates auction on 4 May 2023 and to consider classifying those properties Operational in accordance with the *Local Government Act 1993 (NSW) Section 34*.

CARRIED

14 RESOLUTION TRACKER

Nil

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at 9.20am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 24 May 2023.

ADMINISTRATOR

ADMINISTRATOR

MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA ON FRIDAY, 28 APRIL 2023

PRESENT: Administrator, Bob Stewart - online

IN ATTENDANCE: Kevin Smith (Finance Manager) - online

Darryl Telfer (Acting Rates Officer) - online Janette Bussell (Minutes Secretary) - online

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

It was noted that the acting general manager was on leave.

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Pursuant to the Mode 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: ECM 01-04-2023

Mover: Administrator Bob Stewart

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

CARRIED

No declarations were received.

5 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 9.02am.

RESOLVED: ECM 02-04-2023

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.:

5.1 Offer of Part Payment in Full Satisfaction of Outstanding Rates

Item 5.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b) as it relates to discussion in relation to the personal hardship of a resident or ratepayer.

CARRIED

RESOLVED: ECM 03-04-2023

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.05am

CARRIED

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

5.1 OFFER OF PART PAYMENT IN FULL SATISFACTION OF OUSTANDING RATES

RESOLVED: ECM 04-04-2023

Mover: Administrator Bob Stewart

That Council will:

- 1. Receive the report
- Agree to accept \$8000.00 in full satisfaction of overdue rates and charges outstanding against Lot 83 DP 45059 & Lot 8 DP 725366 Irrigation Road Menindee, Assessment Number 680-60100000-000-000, subject to;
 - (a) Payment of \$8000.00 to Council by close of business 1 May 2023.
 - (b) Arrears on Crown Land Incomplete purchase loan being paid by 1 May 2023.
 - (c) Future rates and charges remaining the responsibility of the ratepayer commencing with quarterly instalment due 31 May 2023.
- 3. Approve the write-off of the residual overdue rates and charges of \$5,413.10 plus interest from 19 April 2023 to date of receipt of payment.

CARRIED

6 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **9.06am.**

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 24 May 2023.

	Ordinary	Council	Meeting	Agenda
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24 May 2023	24	May	2023
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ADMINISTRATOR