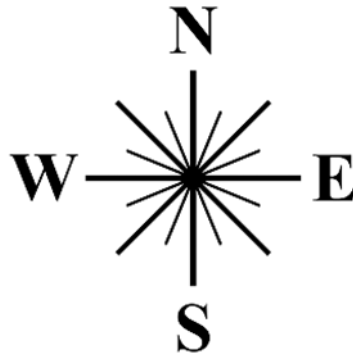


CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

BUSINESS PAPER

20 MARCH 2024

The Meeting will be held at 10:30 AM in the
Council Chambers, 21 Reid Street, Wilcannia

MISSION STATEMENT

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

RECORDING AND WEBCAST OF COUNCIL MEETINGS

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

PUBLIC RECORDING PROHIBITED WITHOUT COUNCIL AUTHORITY

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

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

PHOTOGRAPHY PROHIBITED WITHOUT PERMISSION

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

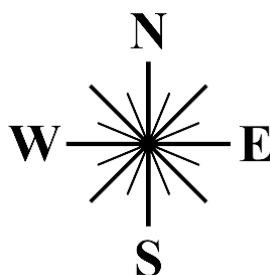
PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees of the Council.
2. Public forums are to be chaired by the Mayor or their nominee.
3. To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by same day 8.50am before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
4. A person may apply to speak on no more than two (2) items of business on the agenda of the Council meeting.
5. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
6. The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
7. No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
8. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
9. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the

- Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
10. Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.
 11. The General Manager or their delegate is to determine the order of speakers at the public forum.
 12. Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
 13. Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
 14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
 15. Speakers are under no obligation to answer a question put under Clause 4.14. Answers by the speaker, to each question are to be limited to three (3) minutes.
 16. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
 17. The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to three (3) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
 18. Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
 19. When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct, or making other potentially defamatory statements.
 20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in Clause 4.19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
 21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
 22. Where a speaker engages in conduct of the type referred to in Clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.

23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict-of-interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

Wednesday, 20 March 2024

10:30 AM

Council Chambers, 21 Reid Street, Wilcannia

BUSINESS PAPER AGENDA

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1 OPENING OF MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

4 DISCLOSURES OF INTEREST

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

RECOMMENDATION:

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

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 28 February 2024 be received and confirmed as an accurate record.

Attachments:

1. [Ordinary Council Meeting - 28 February 2024](#)

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

Nil

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - FEBRUARY 2024

FILE NUMBER: GD24/3490

REPORT AUTHOR: MANAGEMENT ACCOUNTANT

RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report is to provide a summary of Council’s cash and investments as at 29th February 2024.

RECOMMENDATION:

That Council

1. receive and note the report.

REPORT:

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

Cash and Investment Accounts:

CASH AND INVESTMENT ACCOUNTS	CURRENT MONTH	LAST MONTH	MOVEMENT	INTEREST RATE	CURRENT MONTH INTEREST	YTD INTEREST
WESTPAC 11AM INVESTMENT ACCOUNT	\$5,790,000.00	\$5,800,000.00	(\$10,000.00)	1.35%	\$6,215.17	\$48,829.65
OPERATING ACCOUNT	\$3,596,239.35	\$2,670,484.81	\$925,754.54	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 29 TH FEBRUARY 2024					\$9,433,226.65	

Commentary:

The net movement of cash for the month of February 2024 was an increase of \$915,754.54.

Payments for wages and creditors for the month of February 2024 totalled \$ 4,171,431.55.

Receipts for the month of February 2024 totalled \$5,096,326.32 with major receipts being:

- Pooncarrie Road expenditure refund \$2,000,000.00
- Department of Regional NSW \$882,469.95
- Australian Taxation Office \$256,175.00

Receipts expected in March 2024 are:

- DPE Water \$33,075.00
- Transport for NSW \$2,000,000.00

Restrictions:

Restricted Cash and Investments	
	Feb-24
Externally Restricted ⁽¹⁾	(\$000's)
Specific purpose unexpended grants	10,526
Water supplies	-
Sewerage services	193
Domestic waste management	488
Total Externally Restricted	11,207
<small>(1) Funds that must be spent for a specific purpose</small>	
Internally Restricted ⁽²⁾	
Employees Leave Entitlements	935
Plant and vehicle replacement	8
Other Waste Management Reserve	122
Total Internally Restricted	1,065
<small>(2) Funds that Council has earmarked for a specific purpose</small>	
Total Restricted Funds	12,272
Total Cash & Investments	9,433
Unrestricted Funds (ie. available after the above Restrictions)	(2,839)
Outstanding Grants Debtors	3,788

Commentary:

The level of unrestricted funds required by Council is generally \$1,000,000. Currently Council’s unrestricted funds are below this level. This has occurred due to timing differences between when funds are received and when they are spent, for example, some grants require Council to spend the money first and then apply for reimbursements, other grants are milestone driven and are dependent on Council completing certain tasks, meaning that some money is received in advance and other money is received after the completion of the work. The over-restriction of funds is offset by outstanding grant debtors.

Attachments:

NIL

8.2 GRANTS REGISTER - FEBRUARY 2024

FILE NUMBER: GD24/3491
REPORT AUTHOR: MANAGEMENT ACCOUNTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to provide a summary Council’s current year grant funding applications status as of 29th February 2024.

RECOMMENDATION:

That Council will:

1. Receive the report and note the report.

BACKGROUND:

To deliver Council’s commitment to transparency and improved financial management, Council has developed a Grants and Contributions Register, to provide information on grants applied for and received.

REPORT:

For the months of January and February 2024, scheduled acquittals were completed in line with the reporting requirements of the funding deeds and any approved variations to those deeds.

Morris & Piper continue to assist with grant submissions, approvals and acquittals. Their monthly report for February 2024, including a work plan up to March 2024, is attached to this report.

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	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

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

Policy, Legal and Statutory Implications:

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

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

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

(b) render all practicable assistance to the mayor, responsible accounting officer, general manager, auditor, the Director-General, or such a delegate or subdelegate with respect to those records.

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

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

OPTIONS:

Nil.

COUNCIL SEAL REQUIRED:

No

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

Not Required

External Exhibition:

Not Required

Attachments:

1. [Grants Status Report at 29th February 2024](#) ↓ 
2. [Morris & Piper Grants Update Report for 29th February 2024](#) ↓ 

9 GOVERNANCE REPORTS

9.1 NEW POLICY - LEGISLATIVE COMPLIANCE

FILE NUMBER: GD24/3416
REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is for Council to consider the adoption of the draft Legislative Compliance Policy (Version One).

RECOMMENDATION:

That Council will:

1. Receive the report.
2. Adopt the Legislative Compliance Policy.

BACKGROUND:

Central Darling Shire Council (CDSC)'s lack of a Legislative Compliance Policy has been noted by both our Internal Audit function and the Audit Office of NSW as a matter of medium risk to the organization. Management agreed with the recommendations to develop and implement a formal Legislative Compliance Policy.

REPORT:

As part of effective corporate governance, it must be ensured that CDSC complies with the legislation under which it operates. The Audit Office of NSW has identified one of the key components of good corporate governance to be compliance management, which requires policies and procedures to be in place.

CDSC currently subscribes to the RelianSys Legislative Compliance Database. When legislation is enacted, amended, or repealed updates are published to the database and responsible officers are notified of amendments. In addition, CDSC may also identify new or amended legislation via the NSW Government Gazette, Office of Local Government, regular circulars from NSW departments and Local Government NSW, and special interest groups and networking.

The draft policy is supported by CDSC's Risk Management Framework.

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	2.1.3 Manage governance of the Central Darling region in co-operation with other existing governance systems including those provided by Local Area Land Councils and the Murdi Paaki Regional Assembly and Community Working Parties

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	NA
Governance	Positive

Financial and Resource Implications:

There are no financial implications, and the implementation of the new policy will be managed within existing staff resources.

Policy, Legal and Statutory Implications:

This is a strategic policy which has been recommended for prioritisation by the NSW Audit Office.

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

Without a formal policy in place, CDSC may be exposed to a greater risk of non-compliance and issues with governance.

OPTIONS:

That Council adopt the draft Legislative Compliance Policy as presented, or recommend options for enhancement before adoption.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

The draft policy has been reviewed by the Management/Executive (ManEx) group.

External Exhibition:

The draft policy represents formalisation of operational processes which do not require public input.

Attachments:

1. [Legislative Compliance Policy \(Version One\)](#) ↓ 

9.2 PRODUCTIVITY COMMISSIONER- FUNDING MODELS FOR LOCAL WATER UTILITIES

FILE NUMBER: GD24/3440
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

At the Western Alliance of Council Board meeting, held on Friday 15 March, the Administrator presented to the Productivity Commissioner, Central Darling Shire Council current situation with water utilities.

Overall, the presentation to the Commissioner spelled out that Council is not in financial position based on model of revenue collected by users to fully operate and maintain local water utilities, without financial assist from State and Federal Governments.

Historically, any capital improvements to water and sewer assets have been funded by other tiers of governments, due to council inability raise revenue.

Council water charges would be the highest priced currently in New South Wales; prices are at saturation point where it has become unaffordable by residents.

Council is seeking an alternative model for Council water assets. To dispose all Council owned water assets to the State Government to rid the financial burden. However, continue to operate and maintain these water assets on behalf of the State Government on contractual arrangement.

RECOMMENDATION:

That Council will:

1. Receive and note the report.

REPORT:

Central Darling Shire Council provides a water service to the towns of Wilcannia, Ivanhoe and White Cliffs. The town of Menindee does have a water service; however, it is provided by another authority; Essential Water.

The town of Wilcannia sources its water from the Darling River. The raw untreated water is filtered and treated at Council's water treatment plant, prior to reticulation to the community. Bore water is utilised during drought and when the river runs dry.

The town of Ivanhoe sources its water supply from the Willandra Creek 30km south of town, when available it is pumped into a storage dam. Bore water is utilised during drought and when the river runs dry.

White Cliffs sources water from overland storage dams, from which water is pumped into the town. Each household has a piped water supply, however, the water is classified as non-potable because of limited treatment infrastructure and class of reticulation pipes. The old poly pipes providing reticulation are classified as not suitable for potable water.

The village of Tilpa has a supply of raw water by main to households from the Darling River or bore when the river is dry.

Council major Water Assets are:

- 3 Water Treatment plants.

- 7 intake pumping stations.
- 35 km’s potable water mains
- 72 km’s raw water mains
- 8 Bores
- 6 Dams

Wilcannia Sewage Assets are:

- 14.2km’s Reticulations system
- 40 manholes
- 260 House pumps
- 2 Treatment plants (pump stations)
- Evaporation pond

Note: Council does not provide a sewage disposal to any other towns or villages in the shire.

2022/23 Water infrastructure assets have an estimated total replacement value of \$43,426,000 and Sewage network \$6,786,000. Council total asset value is \$301,259,000.

Council own source operating revenue ratio 2022/23 was 23%, well under 60% Benchmark set by the Audit Office.

2022/23 income from Rates and annual charges \$2,439,000.

Water supply charges \$673,000 & Sewage Charges \$278,000.

2022/23 Depreciation and amortisation for water assets:

- \$591,000 -Water supply network
- \$138,000 -Sewage Network

Council does not allocate enough budget to sustain these services at the proposed standard or to provide all new services being sought. Works and services that cannot be provided under present funding levels are:

- Renew all assets at the optimal time or before they reach end of life.
- Renew rising and trunk mains that are nearing end of useful life without grant funding.

Council has received \$11.5m for the upgrade of 3 Water Treatment Plants, White Cliffs, Ivanhoe, and Wilcannia. Work has commenced on White Cliffs WTP and new reticulation system. Council is seeking additional \$10m to complete Ivanhoe and Wilcannia WTP’s.

The service is provided to supply both filtered and raw water to residents in the township of **Ivanhoe** and a rural water supply.

Service Charge	Charge Unit	2023/24	No Services	Income
Filtered Water connection	Connection	\$300	136	\$40,800
Non- Potable/Raw Water Connected	Connection	\$503	137	\$68,911
Filtered Water Availability	Property	\$224	40	\$8,960
Non Potable/Raw Water Availability	Property	\$224	41	\$9,184
Filtered Water Usage	Kilolitre (kL)	\$4.08		
Non Potable/Raw Water Usage – Rateable Properties	Kilolitre (kL)	\$1.77		
Filtered Water Usage – Metered Non Rateable Properties	Kilolitre (kL)	\$4.91		
Non Potable/Raw Water Usage – Metered Non Rateable Properties	Kilolitre (kL)	\$4.08		

The Service is provided to supply both filtered and raw water to residents in the township of **Wilcannia** and a rural water supply. Raw water connections to rateable properties are unmetered.

Service Charge	Charge Unit	2023/24	No Services	Income
Filtered Water connection	Connection	\$271	271	\$69,647
Non- Potable/Raw Water Connected	Connection	\$1011	250	\$252,750
Filtered Water Availability	Property	\$169	102	\$17,238
Non Potable/Raw Water Availability	Property	\$169	104	\$17,576
Filtered Water Usage	Kilolitre (kL)	\$3.66		
Non Potable/Raw Water Usage – Rateable Properties	Kilolitre (kL)	N/A		
Filtered Water Usage – Metered Non Rateable Properties	Kilolitre (kL)	\$3.66		
Non Potable/Raw Water Usage – Metered Non Rateable Properties	Kilolitre (kL)	\$3.66		

Council is working towards bringing the **White Cliffs** water supply up to a potable standard.

Service Charge	Charge Unit	2023/24	No Services	Income
Non- Potable/Raw Water Connected	Connection	\$974	169	\$164,606
Non Potable/Raw Water Availability	Property	\$852	32	\$27,264
Non Potable/Raw Water Usage – Rateable Properties	Kilolitre (kL)	\$3.98		
Non Potable/Raw Water Usage – Metered Non Rateable Properties	Kilolitre (kL)	\$3.98		

Sewerage Services – Wilcannia

Service Charge	Charge Unit	2023/24	No Services	Income
Sewerage Service Charge	Property up to 2 connections	\$915	253	\$231,495
Sewerage Service Additional Charge	Property up to 2 connections	\$315	146	\$45,990

Comparison of charges to neighbouring Councils

Service Charge	Charge Unit	2023/24
Bourke Shire Council -Raw water 20mm	Connection	\$559
Bourke Shire Council -Filtered water 20mm	Connection	\$222
Bourke Shire Council Metred Filtered Water	Kilolitre (kL)	\$2.40
Cobar Shire Council -Filtered water 20mm	Connection Residential	\$665
Cobar Shire Council -Filtered water 20mm	Kilolitre (kL) 0-550KI	\$3.50
Cobar Shire Council -Filtered water 20mm	Kilolitre (kL) over 550KI	\$7.00
Essential Water -Menindee-Filtered water 20mm	Connection	\$385.61
Essential Water -Menindee-Filtered water	Kilolitre (kL)	\$2.12
Essential Water -Menindee-raw water	Kilolitre (kL)	\$1.38

Below is a summary from tables above for water charges:

- Central Darling Shire Council filtered water charge at Ivanhoe is \$4.91/KI
- Central Darling Shire Council filtered water charge at Wilcannia is \$3.66/KI
- Essential Water filtered water charge at Menindee is \$2.12/KI
- Bourke Shire Council filtered water charge is \$2.40/KI
- Cobar Shire Council filtered water charge up to 550KI is \$3.50/KI

- Cobar Shire Council filtered water charge over 550KI is \$7.00/KI

In Summary

Central Darling Shire population would be considered as low social economic. Household Median weekly income for the shire is \$988, in comparison to NSW \$1,829 and Australia \$1,746.

Council 2022/23 audited Statement of Performance Measures -Rates and annual charges outstanding percentage was 12.12%, above the benchmark of 10%. This reflects a low social economic community, and any increase of fees and charges are now at saturation point.

The increase in fees and charges to recover cost for water services would only increase Council's Rates and Annual Charges outstanding percentage, as consumers wouldn't be able to pay. A realistic possibility of going backwards in debit collection and less revenue received by Council.

Council ability to renew and upgrade water assets is solely dependent on grant funding from State and Federal governments, as Council does not have the financial capacity with its own revenue income.

Water infrastructure assets represents 15% of all assets owned and maintain by Council. This has a considerable impact to raise revenue and the depreciation which is needed to be found by Council.

Council would like to dispose all water assets to the State Government to rid the financial burden. However, continue to operate and maintain these water assets on behalf of the State Government on contractual arrangement. This solution would be like the partnership which Council has with Transport NSW in maintaining their road network in the shire.

Attachments:

NIL

10 CUSTOMER SERVICE REPORTS

Nil

11 SHIRE SERVICES REPORTS

11.1 ROADS AND AERODROMES

FILE NUMBER: GD24/3510
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 is engaged by Transport for NSW (TfNSW) to maintain the State Highway network within the Shire boundaries. The two State Highways are the Barrier Highway and the Cobb Highway.

Council is 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).

2023/24 RMCC Routine Maintenance allocation is: \$1,200,506.

2023/24 RMCC Works Orders value is \$1,812,802.

Works Description	Original Budget	% Expended	Remaining budget
Routine	\$1,200,506	67%	\$398,226
WO	\$1,812,802	96%	\$67,601

Regional Roads

Council maintains 790km of Regional Roads throughout the Shire.

2023/24 Regional Road Block Grant amount (including roads, traffic and supplementary components) is \$2,919,000

2022/23 Regional Roads Repair Program was successful with \$400,000 funding of the \$800,000 total cost. MR68C Pooncarie Rd, reconstruct and seal 2.64km of failed pavement which is programmed for completion by November 2023. Wet weather and flooding delayed construction for several months.

The Regional and Local Roads Repair Program allocation is programmed for completion by June 2024 with \$1,960,000 allocated for unsealed formation improvements for Regional Roads.

The Pooncarie Rd Initial Seal Project is programmed for completion by June 2024. 54km have now been sealed of the 61km. The remaining earthworks, including Karoola realignment, are in progress. The structures are now programmed for completion first quarter of 2024. The pavement and verge damage sustained as part of the earlier flood events have now been approved by TfNSW and are in progress

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,919,000	71%	\$854,517
Regional Roads Repair Program 2022/23	\$800,000	99%	\$7,821
RLRRP – Regional Roads	\$1,960,000	55%	\$883,116
Pooncarie Rd IS project	\$39,600,000	91%	\$3,525,298

Local Roads

Council maintains 1600km of Local Roads throughout the Shire.

2023/24 Operating budget is \$1,994,730 funded from the Financial Assistance Grant (FAG) – Local Roads Component.

2022/23 Roads to Recovery (R2R) allocation is \$1,001,818. Two capital improvement projects were carried over to this financial year due to flooding and construction delays.

2023/24 Roads to Recovery (R2R) allocation is \$1,001,818. Three capital improvement projects are programmed for completion by June 2024.

The Regional and Local Roads Repair Program allocation is programmed for completion by June 2024 with \$2,314,021 allocated for unsealed formation and pavement improvements for Local Roads.

An additional \$6,113,728 granted under the Regional and Local Roads Repair Funding has been received. A report to Council detailing works program and funding allocations is presented to this meeting for consideration.

Fixing Local Roads (FLR Rd 3) 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. Completion programmed for December 2023

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. Completion programmed for December 2023

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.

Fixing Local Roads (FLR Rd 4) Program was successful for funding of \$2,343,471 with contribution amount of 10% to complete the realignment, construction, and seal of the Racecourse Road Menindee. Initial survey and Environmental works have commenced.

Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,994,730	86%	\$277,805
Mandalay Rd Floodways (R2R)	\$750,000	49%	\$385,742
Wilc-Menindee East Rd Formation (R2R)	\$251,818	100%	\$0
Ivanhoe-Menindee Rd RCBC (R2R)	\$400,000	5%	\$378,124
Wilc-Menindee East Rd RCBC (R2R)	\$201,818	0%	\$182,258
Teryawynia-Ashmont Rd RCBC (R2R)	\$400,000	1%	\$397,969
Smith's Hill White Cliffs (FLR Rd 3)	\$1,860,000	100%	\$0

Turley’s Hill White Cliffs (LRCI Rd 3)	\$1,600,000	78%	\$347,156
Racecourse Rd (FLR Rd 4)	\$2,343,471	3%	\$2,270,407
Fixing Local Roads – Pothole Repair Round	\$821,414	100%	\$0
RLRRP – Local Roads	\$2,314,021	4%	\$2,241,031
Regional & Local Roads Repair Funding	\$6,113,728	0%	\$6,113,728

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	\$246,000	34%	\$161,350

Attachments:

NIL

11.2 SERVICES

FILE NUMBER: GD24/3511
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:

The table below reflects budgets and expenditure to date for each operational area.

Works Description	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$137,500	120%	-\$27,502
Ancillary Works	\$226,000	22%	\$176,338
Street Cleaning/Bins	\$280,000	81%	\$53,501
Buildings	\$312,550	71%	\$91,472
Swimming Pools	\$331,400	99%	\$1,724
Domestic Waste	\$202,500	133%	-\$67,380

Note:

That extensive landfill remediation works were necessary at Ivanhoe, Wilcannia and Menindee. A large portion of expenditure has been incurred as part of D10 Dozer works in this regard. Waste budget will be reviewed and any necessary changes reported as part of quarterly budget reviews.

Services Capital:

There are a variety of capital services infrastructure improvements programmed this year which are detailed in the Grants Register section of this Agenda.

Attachments:

NIL

11.3 WATER AND SEWER

FILE NUMBER: GD24/3513
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 and all assets within the Central Darling Local Government Area

RECOMMENDATION:

That Council will:

1. Receive and note the report

REPORT:

Water & Sewerage Operations:

- Wilcannia’s potable water supply is sourced from the Darling River Weir Pool. Estimated supply once weir stops flowing is 6 months. There are three emergency bores equipped for use for town supply, one of which is in poor condition due to iron and manganese corrosion of bore casing and headworks. Repairs have now been completed
- White Cliffs town water supply is sourced from Wakefield Tank. Wakefield Tank and other smaller catchments were replenished by recent rainfall events, storage supply is estimated 12 months’ supply remaining. There is no emergency supply for White Cliffs, water carting is necessary in the event of nil rainfall and depleted catchments.
- Ivanhoe town water supply is currently being sourced from Morrison’s Tank. Morrison’s Tank capacity, 250 megalitres. 10 months’ supply remaining. Ivanhoe has 5 emergency bores equipped for use for town supply.
- 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	\$479,500	78%	\$107,149
Wilcannia Sewer	\$230,000	55%	\$103,643
White Cliffs Water	\$181,200	45%	\$98,816
Ivanhoe Water	\$335,700	57%	\$144,629
Tilpa Water	\$23,000	206%	-\$24,311
Aboriginal Communities Water and Sewer program	\$144,770	38%	\$88,993

Water and Sewer Capital Works

- Sewer Pump Well Upgrade Works have been completed in Wilcannia. The new diesel generator pump units are designed to automatically start if existing pump infrastructure fails, reducing the risk of an overflow event.

The works were completed by Pensar, a company engaged by DPE Water Group as part of the new Wilcannia Weir Project

- Council resolved to award tender to SNG Engineering to complete the White Cliffs WTP project. Initial civil works have been completed by Council including site clearing and shaping, lagoon excavations, tank pads, building slabs and associated plumbing works.

SNG Engineering have commenced works March 2024 and completion is forecast for November 2024.

- The White Cliffs Reticulation works commenced 22 May 2023 and have been in progress to December 2023. Approximately 60% of the town reticulation upgrade length have been completed.

Council is liaising with both Federal and State funding agencies to source additional funding to enable Council to complete the White Cliffs original funding deed scope of works and the new Water Treatment Plants at Ivanhoe and Wilcannia.

White Cliffs WTP, Reticulation, Rising Main and Reservoir Augmentation works are currently funded by Restart NSW. Ivanhoe and Wilcannia WTP's are funded by the Safe and Secure Water Program.

- Tilpa Village emergency water supply works including a 17km pipeline and bore were completed by June 2023. Further water quality testing is required and possible water treatment and storage options are being investigated
- Smart meters and valve replacements are scheduled for 2023/24 in Ivanhoe and Wilcannia.
- Asbestos Cement (AC) mains replacement works have been completed in Wilcannia
- Electrical switchboards at Ivanhoe, Morrisons Lake inlet and storage, have been replaced and be upgraded. The table below reflects expenditure for Capital Projects.

Works Description	Original Budget	% Expended	Remaining Budget
White Cliffs WTP and Retic	\$5,500,000	79%	\$1,180,571
Wilcannia WTP	\$3,500,000	48%	\$1,830,220
Ivanhoe WTP	\$2,500,000	47%	\$1,326,806
Smart Meters	\$50,000	0%	\$50,000
AC Main Replacements	\$150,000	100%	\$0
Tilpa Reservoir	\$50,000	0%	\$50,000

Ivanhoe Raw Water Switchboard Upgrades	\$75,000	1000%	\$0

Attachments:

NIL

11.4 REGIONAL EMERGENCY ROAD REPAIR FUND**FILE NUMBER: GD24/3547****REPORT AUTHOR: DIRECTOR SHIRE SERVICES****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

EXECUTIVE SUMMARY:

The purpose of this report is to provide information on the Regional Emergency Road Repair Fund and inform Council of the proposed allocation of funding to road infrastructure

RECOMMENDATION:

That Council will:

1. Receive the report
2. Endorse the funding allocations listed in this report and submit the Detailed Works Plan as required by Funding Deed requirements.

BACKGROUND:

At the Ordinary meeting of Council, June 2023, Council allocated funding amounts under the Regional and Local Roads Repair (RLRRP) program to the value of \$4,361,246.

In October 2023 Council received additional funds under a Deed of Variation to the value of \$6,113,246. The combined amounts are included in the Deed of Variation which was renamed Regional Emergency Road Repair Fund (RERRF)

The Background section of the Funding Deed is deleted and replaced as follows:

(a) The Regional Emergency Road Repair Fund (**Fund**) has been developed to provide funding for local and regional roads across NSW. This funding is to support councils to undertake urgent repairs to their road network, which have been significantly impacted by severe flooding, storm damage and persistent wet weather events during 2022.

(b) The Grantee has been allocated Funding to address urgent road repairs, priority corrective maintenance works and repair of potholes on regional and local roads within their applicable road network. The Works will be carried out by the Grantee as the asset owner in accordance with the terms of the Program Guidelines and this Deed.

(c) The Regional and Local Roads Repair Program (RLRRP) forms part of the Fund.

(d) The Deed sets out the terms on which the Grantee has agreed to carry out the Work and TfNSW has agreed to contribute Funding for the Work.

The combined funding amounts are summarised below:

Item 2 (clause 1.1)	Funding			
	Application ID	1st payment of Funding - paid in accordance with clause 3(a)(i)	2nd payment of Funding – paid in accordance with clause 3(a)(ii)	Total Funding
	RLRR00121	\$4,361,246 based on 2392 kms	\$6,113,728 based on 2392 kms	\$10,474,974

REPORT:

Under the Deed of Variation, Council is required to:

- Submit a monthly Work Status Report which is being completed by Engineering staff
- Submit a Program Work Plan no later than 3 months after the commencement date. Council submitted the document following original commencement of RLRRP works.
- Submit a Detailed Works Plan no later than 30 April 2024.

The information presented in this report seeks to allocate total funding amounts to enable the Detailed Works Plan to be submitted pursuant to clause 10 (a) (A) (iii) of the funding deed.

Works commenced July 2023, expenditure to date is \$2,850,451 and is summarised below:

Road or/Suburb Name	Work Activity Type	RLRRP Expenditure to Date
MR433 Ivanhoe-Menindee Rd	Reshaping	\$616,792
MR68A Wilcannia-Tilpa West Rd	Reshaping	\$8,106
MR68B Menindee-Wilcannia West Rd	Reshaping	\$200,385
MR428 Kayrunnera Rd	Reshaping	\$5,848
MR7522 Cobar-Ivanhoe Rd	Reshaping	\$245,751
SR2 Tilpa-Louth Rd	Reshaping	\$73,425
SR3 Tilpa-Tongo Rd	Reshaping	\$376,149
SR3 Tilpa-Tongo Rd (Paroo Xings)	Rehabilitation	\$694,230
SR5 Wanaaring Rd	Reshaping	\$48,940
SR6 Mandalay Rd	Reshaping	\$205,924

SR10 Wilcannia-Menindee Rd	Reshaping	\$374,901
	Total	\$2,850,451

Works completed to date were in accordance with the original funding deed for RLRRP. Changes to the Deed of Variation enable Council’s to complete some, but not all, renewal works. The scope of works to be delivered is summarised below.

Eligible works under the program	Ineligible works under the program
<p>Corrective Maintenance (scope outlined below)</p> <ul style="list-style-type: none"> • Renewals (scope outlined below) • Upgrades (scope outlined below) <p>Corrective Maintenance</p> <ul style="list-style-type: none"> • Patching • Heavy Patching • Smoothing or reshaping (unsealed roads) • Drainage and Culverts • Bridge maintenance <p>Renewal works that are covered</p> <p>Rehabilitation works including:</p> <ul style="list-style-type: none"> • Applying a partial asphalt overlay on top of the deteriorated road surface; • Improving the existing pavement with the addition of new material; or • Removal of the old pavement and replacement with new pavement. • Resealing/ resurfacing • Gravel resheeting <p>Upgrade works that are covered</p> <ul style="list-style-type: none"> • Sealing shoulders: • Widening shoulder/ carriageway <p>Timing of works</p> <ul style="list-style-type: none"> • Works underway on or after 1 January 2023 • All works are to be completed and open to traffic by 31 October 2027. 	<p>Renewal works (scope outlined below)</p> <ul style="list-style-type: none"> • Upgrade works (scope outlined below) • Replacement or strengthening of bridges <p>Renewal works</p> <ul style="list-style-type: none"> • Culverts and drainage replacements <p>Upgrade works</p> <p>Works creating new assets or significantly enhancing the asset in place including:</p> <ul style="list-style-type: none"> • carriageway duplication, • drainage system upgrades, • sealing gravel roads, • building kerb and gutter, and footpaths.

The proposed allocation of funding is aimed at improving our unsealed Regional and Local Road network over the next 3 years. Councils sealed road network is in fair to good condition and can be maintained with renewal allocations each year from the Regional Road Block Grant and Local Roads Component of the Financial Assistance (FAG) Grant.

The details included in the works plan are further to infrastructure condition assessments by staff, community needs as identified in the Community Town Plans and Transport Asset Management Plan review.

The table below includes expenditure to date and forecast expenditure to complete identified priority areas.

Detailed Planned Work Activities and Output			
Road or/Suburb Name	Area of proposed work activities (m2)	Work Activity Type	Expected Cost
MR433 Ivanhoe-Menindee Rd	783,889	Reshaping	\$1,411,000
MR433 Ivanhoe-Menindee Rd	290,556	Resheeting	\$523,000
MR68A Wilcannia-Tilpa West Rd	261,111	Reshaping	\$470,000
MR68A Wilcannia-Tilpa West Rd	20,000	Resheeting	\$261,500
MR68B Menindee-Wilcannia West Rd	261,111	Reshaping	\$470,000
MR68B Menindee-Wilcannia West Rd	26,567	Resheeting	\$347,500
MR428 Kayrunnera Rd	130,556	Reshaping	\$235,000
MR7522 Cobar-Ivanhoe Rd	136,111	Reshaping	\$245,000
MR7522 Cobar-Ivanhoe Rd	20,000	Resheeting	\$261,500
		Regional Road Sub-Total	\$4,224,500
SR1 Wilcannia-Bourke Rd	273,333	Reshaping	\$492,000
SR2 Tilpa-Louth Rd	58,333	Reshaping	\$105,000
SR3 Tilpa-Tongo Rd	382,500	Reshaping	\$688,500
SR3 Tilpa-Tongo Rd (Paroo Xings)	40,000	Rehabilitation	\$695,000
SR4 Monolon Rd	193,056	Reshaping	\$347,500
SR5 Wanaaring Rd	216,667	Reshaping	\$390,000
SR5 Wanaaring Rd	20,000	Resheeting	\$261,500
SR6 Mandalay Rd	116,667	Reshaping	\$210,000
SR7 Dry lake Rd	68,333	Reshaping	\$123,000
SR9 Norma Downs Rd	136,667	Reshaping	\$246,000
SR10 Wilcannia-Menindee Rd	426,097	Reshaping	\$766,974
SR12 Teryawynia Rd	136,667	Reshaping	\$246,000
SR13 Teryawynia-Ashmont Rd	341,667	Reshaping	\$615,000
SR16 Tasman Rd	20,000	Resheeting	\$261,500
SR18 Trida Rd	68,333	Reshaping	\$123,000
SR20 Baden Park Rd	20,000	Resheeting	\$216,750
SR22 Cultowa Rd	20,000	Resheeting	\$216,750

SR40 Carney Rd	68,333	Reshaping	\$123,000
SR49 Yancannia Rd	68,333	Reshaping	\$123,000
		Local Road Sub-Total	\$6,250,474
		Grand Total	\$10,474,974

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

Focus/Goals/Objectives	Strategic Area	Actions
6 Infrastructure and Services	6.3 Local and regional roads	6.3.1 Ensure ongoing rural and regional equity of access
		6.3.3 Maintain an annual schedule of road works according to the Asset Management Plan
		6.3.4 Ensure ongoing funding to provide road maintenance and upgrade services across the shire

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

The works are 100% funded and have been paid in advance. There is no anticipated impacts on cashflow if the funds received are restricted for intended use.

Administration and/or management costs are eligible up to 2%. If the Detailed Works Plan requires these costs to be detailed the figures will be adjusted to reflect these costs.

Council’s Transport Asset Management Plan will be reviewed and updated this year. This program will be included for financial information and pavement asset renewals

Delivery will be staged over a 3 year period utilising local, experienced contractors.

Policy, Legal and Statutory Implications:

Council is the Roads Authority for Local and Regional Roads.

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

Monthly reporting requirements will closely monitor expenditure and progress. Any expected changes will be addressed in change requests through TfNSW processes.

Works will be conducted in accordance with Council’s WHS, Environmental and Quality systems.

OPTIONS:

Do not endorse the funding allocations and submit any suggested changes to the Ordinary meeting of Council April 2024.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Nil

External Exhibition:

Nil

Attachments:

1. [RERRF Funding Deed](#)  

12 MINUTES OF COMMITTEE MEETINGS

12.1 AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING 28/02/2024

FILE NUMBER: GD24/3560

REPORT AUTHOR: EXECUTIVE ASSISTANT

RESPONSIBLE DIRECTOR: GENERAL MANAGER

RECOMMENDATION:

1. That the Minutes of the ARIC Committee held on 28/02/2024 be received and noted.

Attachments:

1. [ARIC Minutes 28.02.2024](#) ↓ 

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER - FEBRUARY 2024

FILE NUMBER: GD24/3553
REPORT AUTHOR: EXECUTIVE ASSISTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RECOMMENDATION:

1. That the Resolution Tracker from the Ordinary Council Meeting held on 28/02/2024 be received and noted and any amendments be noted.

Attachments:

1. [RESOLUTION TRACKER FEBRUARY 2024](#) ↓ 

14 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.

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, 17 April 2024 in Council Chambers, 21 Reid Street, Wilcannia at 10:30 AM.

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 28 FEBRUARY 2024**

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE: Greg Hill (General Manager)
Reece Wilson (Director Shire Services)
Glenda Dunn (Senior Planning Officer)
John Carleton (Operations Manager)
Evelyn Pollard (Human Resource Officer)
Kara Mohr (Risk & WHS Officer)
Natalie Batson (Executive Assistant)
Nerida Carr (Governance Officer)
Gabrielle Johnston (Community Engagement)
Uday Mamidala (Finance Officer)
Jane McEwan (Customer service Manager)
Shirley Burraston (Management Accountant)

1 OPENING OF MEETING

The meeting was declared open at 10:27am

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Pursuant to the 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 01-02-2024

Mover: Administrator Bob Stewart

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

CARRIED

No declarations were received.

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RESOLVED: OCM 02-02-2024

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 13 December 2023 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE - FEBRUARY 2024

RESOLVED: OCM 03-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

7.2 MAYORAL MINUTE -COST SHIFTING ONTO LOCAL GOVERNMENT

RESOLVED: OCM 04-02-2024

Mover: Administrator Bob Stewart

THAT:

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. A copy of the cost shifting report be placed on Council's website so that our communities can access it; and
3. Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

CARRIED

8 FINANCIAL REPORTS

8.1 2024-25 OPERATIONAL PLAN AND LONG TERM FINANCIAL PLAN TIMELINE**RESOLVED: OCM 05-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.2 CASH AND INVESTMENTS - DECEMBER 2023**RESOLVED: OCM 06-02-2024**

Mover: Administrator Bob Stewart

That Council will

1. receive the report and note the report.

CARRIED

8.3 CASH AND INVESTMENTS - JANUARY 2024**RESOLVED: OCM 07-02-2024**

Mover: Administrator Bob Stewart

That Council will

1. receive the report and note the report.

CARRIED

8.4 QUARTERLY BUDGET REVIEW - DECEMBER 2023 QUARTER**RESOLVED: OCM 08-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the second Quarterly Budget Review report as at 31st December 2024.
2. Adopt the variations to Council's 2023/24 Annual Budget.
3. Note that the projected operating surplus for the financial year 2023/24 is \$2.313 million.
4. Note that there are no further changes to projected capital works budgeted expenditure for the financial year 2023/24 per the December Quarter Review.

CARRIED

8.5 GRANTS REGISTER - JANUARY 2024**RESOLVED: OCM 09-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

CARRIED

9 GOVERNANCE REPORTS

9.1 UPDATE ON THE WILCANNIA WEIR PROJECT

RESOLVED: OCM 10-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. The Administrator to address DPIE representatives on Wednesday afternoon, 28 March, the issues outlined in the report.
3. Pending the outcomes from the meeting, the Administrator to meet with the Minister for Water to raise community concerns of the redesign of the Wilcannia Weir.

CARRIED

9.2 HUMAN RESOURCE POLICIES

RESOLVED: OCM 11-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Endorse the Respectful Workplace Behaviour Policy for placement on Council's website.
3. Endorse the Workplace Diversity Policy for placement on Council's website.

CARRIED

9.3 HUMAN RESOURCE MANAGEMENT ACTIVITIES

RESOLVED: OCM 12-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.
2. Endorse the 0.42 FTE increase for the Biosecurity Officer (Weeds) position.

CARRIED

10 CUSTOMER SERVICE REPORTS

10.1 GENERAL SERVICE REQUEST AND COMPLAINTS OVERVIEW FOR 2023**RESOLVED: OCM 13-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

11 SHIRE SERVICES REPORTS**11.1 ENVIRONMENTAL SERVICES UPDATE****RESOLVED: OCM 14-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.2 UPDATE ON FINALISATION OF URBAN AND RURAL ADDRESSING PROJECT**RESOLVED: OCM 15-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse the submission of the new urban and rural street addresses and the draft road, street and lane names to the NSW Geographical Names Board.
3. Endorse the submission of the new urban and rural street addresses to be sent to all Commonwealth and State Government agencies and other community and industry stakeholders.

CARRIED

11.3 ALLOCATION OF NAMES FOR UNNAMED ROADS FOR THE CENTRAL DARLING SHIRE COUNCIL AREA**RESOLVED: OCM 16-02-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Endorse community consultation for the allocation of 24 names to the roads, streets and lanes, referred in the attachment of this report.

3. Following Public consultation and no comments received, endorse the allocation of names to the unnamed roads, streets and lanes across the Central Darling Shire Council to The Geographical Names Board (GNB).
4. Further endorse the future gazettal of the 42 new names for councils' roads, streets and lanes across the Local Government area, referred in the attachment of this report.

CARRIED

11.4 ROADS AND AERODROMES

RESOLVED: OCM 17-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 SERVICES

RESOLVED: OCM 18-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.6 WATER AND SEWER

RESOLVED: OCM 19-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.7 SEWER DIESEL PUMPS - ASSET ASSIGNMENT AND HANDOVER

RESOLVED: OCM 20-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Agree in Principle to the assignment and asset handover of two (2) new diesel pumps for sewer infrastructure and proceed with documentation for assignment and asset handover with the Department of Climate Change, Energy, the Environment and Water (DCCEEW), and the department's Water Group.

3. Delegate authority to the General Manager to sign all documentation required to enable the transfer of assets.
4. Affix the Common Seal of Council, if required, for final agreement
5. Appoint DCCEEW – Water Group as its agent to manage the warranty periods under the Supply Contract and Construction Contract

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

12.1 WCCA MINUTES FOR 12TH JANUARY AND 12 FEBRUARY 2024

RESOLVED: OCM 21-02-2024

Mover: Administrator Bob Stewart

1. That the Minutes of the White Cliffs Community Association 355 Committee (WCCA) held on 12/01/2024 be received and noted.
2. That the Minutes of the AGM White Cliffs Community Association 355 Committee (WCCA) held on 12/02/2024 be received and noted.

CARRIED

12.2 MENINDEE COMMON TRUST

RESOLVED: OCM 22-02-2024

Mover: Administrator Bob Stewart

1. That the Minutes of the Menindee Common Trust (355 Committee) held on 3 February 2024 be received and noted.
2. That the Minutes of the AGM for Menindee Common Trust (355 Committee) held on 3 February 2024 be received and noted.
3. That applications for Menindee Common Trust (355 Committee) volunteer applications and enrolment for commoner be received and noted.

CARRIED

12.3 WHITE CLIFFS HALL COMMITTEE AGM

RESOLVED: OCM 23-02-2024

Mover: Administrator Bob Stewart

1. That the Minutes of the White Cliffs Hall Committee held on 02/12/2023 be received and noted.

CARRIED

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER - JANUARY 2024

RESOLVED: OCM 24-02-2024

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 13/12/2023 be received and noted and any amendments be noted.

CARRIED

14 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 11:05am.

RESOLVED: OCM 25-02-2024

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.:

14.1 Transfer of Land and Payment

Item 14.1 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.

14.2 Plant Hire Rates 2024 - 2026

Item 14.2 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.

14.3 Cyber Security

Item 14.3 is confidential under the Local Government Act 1993 Section 10A(2) - (a) and (f) as it relates to personnel matters concerning particular individuals (other than councillors) and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

CARRIED

RESOLVED: OCM 26-02-2024

Mover: Administrator Bob Stewart

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

CARRIED

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

14.1 TRANSFER OF LAND AND PAYMENT

RESOLVED: OCM 27-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Accept the payment of \$25,000 and transfer ownership of Lot 5 DP662567 and Lot 1 DP906901 in full in full satisfaction of the rates, charges and accrued interest outstanding on those parcels subject to each party paying their respective costs to affect the land transfer.
3. Authorise the General Manager to execute all necessary documents to fulfil acceptance of the offer and facilitate the transfer of land.
4. Publicly exhibit for a period of not less than 28 days that upon transfer of Lot 5 DP662567 and Lot 1 DP906901 to Council's ownership, Council intends to classify that land as operational under the *Local Government Act 1993 (NSW) S 27 (2) and 31 (2)*.

CARRIED

14.2 PLANT HIRE RATES 2024 - 2026

RESOLVED: OCM 28-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the Plant Hire Rates Schedule 2024 - 2026
3. Delegate Authority to the General Manager to add new Contractors to the Standing Order Deed Plant Hire Rates if deemed appropriate.

CARRIED

14.3 CYBER SECURITY

RESOLVED: OCM 29-02-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **11:21am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 20 March 2024.

.....
ADMINISTRATOR

Grant Status Register

31 January 2024

Grants - Draft Applications				
Program	Funding Level	Project	Amount (GST Exc.)	Note
Winter and Spring 2024 Holiday Break	State	White Cliffs Holiday Break Activity	\$10,000	Draft of grant application commenced
Total			\$10,000	

Grants - Pending				
Program	Funding Level	Project	Amount (GST Exc.)	Note
Regional Housing Strategic Planning Fund Round 2	State	Central Darling Shire Council Local Housing Strategy	\$61,270	
2023-24 Crown Reserves Improvement Fund	State	Menindee Commons replacement and repair of flood damaged fencing	\$25,894	
Community Building Partnership 2023	State	Ivanhoe Campdraft Grounds Improvements	\$14,043	Applied for on behalf of the ICDC with CDCS permission and support.
Growing Regions Program	State	White Cliffs Caravan Park Redevelopment	\$1,080,000	
2023-24 Crown Reserves Improvement Fund	State	Infrastructure and Amenity Improvements at the White Cliffs Gymkhana Grounds	\$437,870	
Get NSW Active 2024-25	State	Wilcannia Shared Paths and Lighting Upgrades	\$217,226	
Remote Airstrips Upgrade Program Rd 10	Federal;	Wilcannia Aerodrome Water and Amenities Upgrade	\$80,000	
NSW Severe Weather & Flood Grant	State	Various Projects	\$1,000,000	Additional information supplied
Connellan Airways Trust	Other	White Cliffs Gymkhana Club 'Mini Bulls' Competition	\$11,500	Finalised and submitted
Total			\$2,927,803	

Grants - Approved				
Program	Funding Level	Project	Amount (GST Exc.)	Note
Local Roads and Community Infrastructure Program Phase 4 Part A	Federal	1. Menindee streetscape improvements 2. Wilcannia streetscape improvements 3. Ivanhoe streetscape improvements 4. Tilpa playground Improvements	\$1,001,818	
Local Roads and Community Infrastructure Program Phase 4 Part B	Federal	1. Columbus / Behring Streets drainage improvements 2. Menindee Road Reseal 3. White Cliffs Road Reseal 4. Ivanhoe Road Reseal.	\$577,871	
Regional Drought Resilience Planning Program 2023-25	State	RDRP for the Central Darling Shire Council, Broken Hill City Council and Unincorporated NSW (Far West area).	\$450,000	\$200,000 for Planning and \$250,000 for implementation.

Summer 2023/24 and Autumn 2024 Holiday Break	State	Summer Fun With A Colour Run – Central Darling (Wilcannia, Menindee & Ivanhoe) White Cliffs Gymkhana	\$17,315	Summer Break Only
Total			\$ 2,047,004.00	

Grants - Unsuccessful Applications				
Program	Funding Level	Project	Amount (GST Exc.)	Note
Youth Opportunities Program	State	Central Darling Youth Leadership Program	\$50,000	Not approved
Community Improvement District Pilot Program	State	Wilcannia Business District Tourism Strategic Placemaking Plan	\$225,000	EOI Stage
Clubgrants Category 3	Other	Refurbishment of Ivanhoe Community Golf Course Clubhouse	\$211,293	On behalf of Ivanhoe Community Golf Club Inc
Regional Housing Strategic Planning Fund Round 2	State	Central Darling Shire Council Local Housing Strategy	\$61,270	
Total			\$547,563	

Grants - Acquittals				
Program	Funding Level	Project	Amount (GST Exc.)	Note
Murray Darling Basin Economic Development Program Round 3		Victory Caravan Park Amenity Block Upgrade		Waiting on independent report
Community Events Program - LSP- 0137	State	Mari Maa		Continued work on acquittals
Covid-19 Impacted Communities				Continued contact with department and project manager
Baaka Cultural Centre	State			Assisted with reporting
NSW Flood Response Report	State			Submitted
Stronger Country Communities	State	Various		Drafting of next milestone reports commenced
LSP-041	State	Various		Outstanding issue to be resolved
SCCF3-0448	State			Outstanding issue to be resolved
NSW Sever Weather & Flood	State	Various		December Quarterly Report submitted
Total			\$0	

Central Darling Shire Council
MONTHLY REPORT FEBRUARY 2024

Morris & Piper

Monthly Report

216/15 Irving Street
Phillip, ACT, 2606
Email: office@morrispiper.com
ABN: 58646584616

INTRODUCTION

This monthly report is prepared for the Central Darling Shire Council (CDSC) under the current 2023-24 Service Agreement. The report captures work completed in February 2024 and sets out a proposed detailed work schedule for the month of March 2024. The report will also look forward to potential activities to be undertaken in the final three months 2023-24.

FEBRUARY 2024 UPDATE

Finalised and submitted the following applications:

- Connellan Airways Trust – White Cliffs Gymkhana Club 'Mini Bulls' Competition - \$11,500 (ex GST) on behalf of the White Cliffs Gymkhana Club.

Notified that the following grant applications were successful:

- N/A

Notified that the following grant applications were unsuccessful:

- Regional Housing Strategic Planning Fund Round 2 - Central Darling Shire Council Local Housing Strategy - \$61,270 (Ex GST).

Drafting the following applications:

- Winter and Spring 2024 Holiday Break – White Cliffs Holiday Break Activity - \$10,000 (ex GST).

CDSC grant program contract management support, reporting and acquittal of all CDSC grant funding, including the following updates:

- Continued to work on Community Events Program – 0137 acquittal.
- Continued work on milestone reports for LSP-041 and SCCF3-0448. Outstanding issue is with the stat dec from Council not being appropriately witnessed. This still needs to be resolved and is with Council. A number of stat decs are ready for signing and witnessing once this issue is resolved. Other stat decs waiting for expenditure figures from council.
- Working on Final Report for the Murray Darling Basin Economic Development Program – Victory Caravan Park Amenity Block Upgrade Project. Waiting on Independent Audit Report from Brett Hanger.
- Acquittal report for the Wilcannia Accommodation Business Case grant underway.
- Working on the acquittal reports for the CRIF (Tilpa Hall and Victory Park Caravan Park) grants. Council yet to confirm expenditure figures.
- Project Variation Request - SCCF5 - 0420 Delivery of Four Stronger Country Community Fund Projects – seeking letters of support from Ivanhoe community.
- Submitted additional information for the NSW Severe Weather and Flood (OLG00028) projects, noting project 5, White Cliffs Community Hub Activation needs to be replaced.

Provided general grant and project management advice, including:

- Regional Drought Resilience Plan project management:
 - Contract and RFQ development and support, engagement of Meridian Urban.
 - Meetings with CDSC, BHCC & Department of Regional NSW on 15 and 27 February 2024.
- Central Darling Shire Floodplain Risk Management Study and Plan project management.
- Attend the Future Drought Fund information session and reported back to CDSC.
- Participated in the information session for the Community Energy Upgrade Fund grant program.
- Confirmed Michael Williams (RDAFWBSW) is a JP and is willing to witness stat decs for CDSC.

- Supporting CDSC with grants advice and planning.

PROPOSED MARCH 2024 WORK SCHEDULE

- Acquit the Wilcannia Accommodation Business Case project (delayed due to outstanding Council payments to providers).
- Preparing and finalising applications for the following project (s):
 - Community Energy Upgrades Fund – Projects to be determined – Approximately \$200,000 (ex GST).
 - Winter and Spring 2024 Holiday Break – White Cliffs Holiday Break Activity – \$10,000 (ex GST).
- Continue with project management of both Central Darling Shire Floodplain Risk Management Study and Plan and Regional Drought Resilience Plan, including assisting Council with procurement of consultants for both projects.
- Exploring Regional Precincts and Partnerships Program as a possible application for a Wilcannia Tourism project masterplan.
- Pursue outstanding acquittals, including issue of appropriate signatory to witness stat decs.
- Provide further information to Department of Regional NSW regarding Project Variation Request - SCCF5 - 0420 Delivery of Four Stronger Country Community Fund Projects.
- CDSC grant programs support including tracking, reporting and acquittal grant funding.
- Continue to explore and research grant funding opportunities to meet Council priorities.
- Support for Baaka Culture Centre as agreed with CDSC.

PROPOSED SCHEDULE TO JUNE 2024

- Continue to work on and submit new grant applications due to March 2024, including matching CDSC project priorities with grant opportunities as they become available with a focus on funding for:

– Capital funding for Ivanhoe childcare start-up	– Ivanhoe Community Golf Club (applications pending). Sound Dome Beautification – White Cliffs
– Streetscapes	– Landfill improvements (Litter fencing, CCTV, operational)
– Review of the EMPlan.	– Water Security for White Cliffs
– Roads and Airstrips	– Ivanhoe RSL Tennis Court Resurface / Multipurpose Courts
– Council cemeteries (fencing/plaques)	
– Menindee Street Art	
– Solar Panels for Council buildings Ivanhoe	
– Swimming Pool heating	

- Continued grants administration advice and support (including reporting and acquittals).

SUMMARY OF DAYS WORKED

Total Days under Service Agreement (to end June 2024)	Rolling Total Days Used	February 2024 Days Used	Days Remaining at 29 February 2024 ¹
84	57.25	6	28.25

¹ Includes carry over of 7.5 days from 2022-23.

Please contact me if there is anything you would like to discuss regarding the above report.

Prepared by:



Andrew Morris

Director, Morris & Piper Advisory

5 March 2024

Email: andrew@morrispiper.com

Mobile: 0427 015 580



LEGISLATIVE COMPLIANCE POLICY

Document Reference No:	GD/	Version:	One
Service Unit:	Governance		
Author:	Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	20 March 2024	Review Date:	March 2025
Minute No:			

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Legislative Compliance Policy

Purpose

Councils are guided by a range of laws, regulations, and policies to support them to make good decisions that will create positive outcomes for their local communities. The purpose of this policy is to stipulate the systems and operating environment ensuring Central Darling Shire Council (CDSC) complies with legislative requirements.

A fundamental principle of good public administration is that Council Officials comply with both the letter and the spirit of the law. CDSC has an obligation and expectation to ensure that legislative requirements are met and will take all appropriate measures to ensure this. All Council Officials shall ensure they are informed of the relevant legislative provisions prior to making decisions and providing recommendations to the Management/Executive (ManEx) Group and Council.

This policy is supported by CDSC's Risk Management Framework.

Application

This policy applies to all people acting as Council Officials including Councillors and all staff, volunteers, consultants, contractors, and any other service providers involved in exercising a Council function.

Definitions

For the purposes of this policy:

Council Official – includes full-time, part-time, casual, temporary, and fixed-term employees, agency staff and contractors.

Councillor/s – means a person elected to civic office as a member of the governing body of Council who is not suspended, including the Mayor/Administrator.

General Manager – means the General Manager of Central Darling Shire Council and includes their delegate or authorised representative.

ManEx – the Management/Executive Group.

Provisions

CDSC will:

- Maintain a system for identifying and updating the legislation that applies to CDSC's activities.
- Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented in CDSC with appropriate delegations and controls.
- Provide training for relevant Council Officials, Councillors and other relevant people in the legislative requirements that affect them.
- Provide people with the resources to identify and remain up to date with new legislation.
- Conduct audits to ensure there is compliance.
- Establish a mechanism for reporting non-compliance.
- Review accidents, incidents, and other situations where there may have been non-compliance.
- Review audit reports, incident reports, complaints, and other information to assess how the systems of legislative compliance can be improved.

Legislative Compliance Policy

- Identify the costs associated with new legislative requirements and determine future policy, resource and or workload/skills implications.

CDSC has a system in place to ensure that when legislation changes, steps are taken to ensure that actions comply with the amended legislation.

Obtaining Advice on Legislative Provisions

Council Officials can obtain advice on matters of legislation and compliance when this is needed. Contact can be made with the following for advice:

- Local Government NSW
- Office of Local Government (OLG)
- Legal Services provider – with prior approval from the relevant Director or Manager.

Informing Council of Legislative Change

If needed the General Manager or delegated officer will, on receipt of advice, submit a report to Council on new or amended legislation detailing its impact on CDSC's activities, or circulate appropriate communications.

Review of Incidents and Complaints Regarding Non-Compliance

CDSC will review all incidents and complaints in accordance with the Incident Reporting Procedure and Complaints Policy. Reviews and investigations will assess compliance with legislation, standards, policies, and procedures that are applicable.

Reporting and Monitoring

All instances of non-compliance with legislation must be reported immediately to the relevant Manager. The Manager will determine the appropriate response and advise the General Manager of the actions taken.

The General Manager may investigate reports of significant non-compliance and if required report the matter to the Council and/or the Office of Local Government. The General Manager will also take steps to improve compliance systems.

Legislative compliance is included in CDSC's Internal Audit function and reviewed externally by the Audit Office of NSW. The Audit reports include recommendations for action and are monitored by the Audit and Risk Improvement Committee (ARIC).

Roles and Responsibilities

Councillors and Committee Members

- Have a responsibility to be aware of, and abide by, the legislation applicable to their role.

ManEx

- Must ensure that directions relating to compliance are clear and that legal requirements which apply to each activity for which they are responsible are identified.
- Have systems in place to ensure that all Council Officials are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

Managers and Supervisors

- Have a duty of care to ensure that all operations applicable to their area of responsibility comply with the current legislation. This involves staying up to date with legislative

Legislative Compliance Policy

changes, reviewing and updating their team's operations, policies and procedures and actioning improvements when non-compliance is identified or reported.

All Council Officials

- Have a duty to ensure advice to management, ManEx and CDSC is founded on accurate legislative and statutory requirements applicable to their area of work.
- Must comply with legislation, CDSC policies and procedures.
- Will report through their Manager to ManEx any areas of non-compliance that they become aware of.

Legislation

Local Councils must comply with many Acts and Regulations. The OLG administers or shares responsibility for administering many, available at <https://www.olg.nsw.gov.au/councils/policy-and-legislation/>.

NSW Local Government Act, 1993

Local Government (General) Regulation, 2021

Related Documents

Risk Management Framework

Complaints Management Policy

Incident Reporting Procedure

Monitoring and Review

This policy will be monitored and reviewed by the General Manager to ensure compliance. Once adopted, it remains in force until it is reviewed by Council. It is to be reviewed approximately every two (2) years to ensure that it meets requirements, or sooner if the General Manager determines appropriate.

Transport for NSW

Deed of Variation

for Regional and Local Roads Repair
Program Funding Deed



OFFICIAL - Sensitive - NSW Government

Details

Parties		Transport for NSW and Grantee
TfNSW	Name	Transport for NSW (ABN 18 804 239 602) (TfNSW)
	Address	231 Elizabeth Street, Sydney NSW 2000
	Attention	Ms Holly Davies, Director, Regional Community Partner
Grantee	Name	Central Darling Shire Council
	ABN	65 061 502 439
	Address	21 Reid Street, WILCANNIA, NSW
	Attention	Mr Greg Hill, General Manager
Background	A.	TfNSW and the Grantee are parties to the Regional and Local Roads Repair Program (RLRRP) Funding Deed dated Friday, February 17, 2023 (Funding Deed).
	B.	The RLRRP forms part of the Regional Emergency Road Repair Fund (Fund). Further Funding has been allocated to the Grantee under the Fund and the parties agree to vary the Funding Deed to document these changes.
	C.	TfNSW and the Grantee have agreed to vary the Funding Deed from the Effective Date in accordance with the terms of this Deed.
Date of this Deed		The date on which the last party signs this Deed.
Effective Date		31 October 2023

Terms

1. Definitions and Interpretation

1.1 Definitions

The following words have the following meanings in this document unless the context requires otherwise.

Funding Deed means the Regional and Local Roads Repair Program Funding Deed entered into between the parties and dated 17 February 2023.

Deed means this Deed of Variation and includes all schedules and annexures to it.

Effective Date means 31 October 2023.

Government Agency means any public authority, government, government department, government agency, semi-governmental or local government authority, commission, Minister, statutory corporation, administrative or judicial body or tribunal, or person (whether autonomous or not) charged with the administration of any applicable Law.

Law means:

1. any applicable law including legislation, ordinances, rules, regulations, by-laws, other subordinate legislation, common law and rules of equity; and
2. any approval, including any condition or requirement under it.

Schedule means the Schedule setting out the variations to the Funding Deed as attached to this Deed.

1.2 Definitions in the Funding Deed

The definitions in the Funding Deed apply in this Deed unless the context requires otherwise.

1.3 Interpretation

The following apply in the interpretation of this Deed, unless the context requires otherwise:

- (a) a reference to this agreement, this Deed, this document or a similar term means either the agreement set out in this document or the document itself, as the context requires;
- (b) a reference to any statute, regulation, rule or similar instrument includes any consolidations, amendments or re-enactments of it, any replacements of it, and any delegated legislation, including regulations, rules, by-laws and ordinances, or other statutory instrument issued under it;
- (c) a reference to a party means a person who is named as a party to this Deed;
- (d) any obligation or liability assumed by, or a right conferred on, two or more persons binds or benefits them jointly and severally;
- (e) a person includes a firm, corporation, body corporate, unincorporated association and a Government Authority;

- (f) a reference to a party or a person includes that party's or person's executors, legal personal representatives, successors, liquidators, administrators, trustees in bankruptcy and similar officers and, where permitted under this Deed, their substitutes and assigns;
- (g) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (h) "includes" in any form is not a word of limitation;
- (i) a reference to \$ or dollar is a reference to Australian currency and, unless stated otherwise, all monetary amounts are exclusive of GST; and
- (j) no term or provision of this deed shall be construed against a party on the basis that the deed or the term or provision was put forward or drafted by that party.

2. Variation to the Funding Deed

2.1 Variation

The parties agree that, in accordance with clause 8 of the Funding Deed, on and from the Effective Date, the Funding Deed is varied as set out in Schedule 1.

2.2 Confirmation of the Funding Deed

Subject only to the variations referred to in Schedule 1, the parties acknowledge that they are, and continue to be, bound by the terms of the Funding Deed, which will remain in full force and effect as varied by this Deed.

2.3 No other variation

The parties further agree that, other than as outlined in this Deed, there are no other variations to the Funding Deed.

3. Representations and warranties

Each party represents and warrants for the benefit of the other party that:

- (a) **(authority)** it has full power and authority to enter into and perform its obligations under this Deed;
- (b) **(authorisations)** it has taken all necessary actions to authorise the execution, delivery and performance of this Deed in accordance with its terms; and
- (c) **(binding obligations)** this Deed constitutes its legal, valid and binding obligations and is enforceable in accordance with its terms.

4. General

4.1 Further action

Each party agrees, at its own cost, to promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the variations, covenants and arrangements recorded in this Deed.

4.2 Further variation

A provision of this Deed can only be amended, varied or replaced by a later written document executed by or on behalf of each party.

4.3 Confidentiality

- (a) Subject to clause 4.3(b), the contents of this Deed are confidential and are not to be disclosed by the either party without the written consent of the other party.
- (b) Clause 4.3(a) does not apply in the following circumstances:
 - (i) any disclosure required by Law;
 - (ii) any disclosure required pursuant to an order of a court of competent jurisdiction;
 - (iii) any disclosure required by any applicable stock exchange listing rules;
 - (iv) disclosures to auditors, insurers, and lawyers or other professional advisers on terms which preserve confidentiality;
 - (v) disclosure to any consultant engaged by a party in connection with the proper performance of that party's obligations under this Deed on terms which preserve confidentiality; or
 - (vi) disclosure to any Government Agency or other competent authority.

4.4 Severability

A term or part of a term of this Deed that is illegal or unenforceable may be severed from this Deed and the remaining terms or parts of the term of this Deed continue in force.

4.5 Entire Agreement

- (a) This Deed and the Funding Deed constitute the entire agreement between the parties and supersede and extinguish all previous agreements, promises, assurances, warranties, representations and understandings between them, whether written or oral, relating to the subject matter of this Deed and the Funding Deed.
- (b) Each party agrees that it shall have no remedies in respect of any statement, representation, assurance or warranty (whether made innocently or negligently) that is not set out in this Deed or the Funding Deed.

4.6 Costs

Each party must pay for its own legal costs and disbursements of and incidental to the negotiation, preparation, completion and signing of this Deed.

4.7 No waiver

The failure of a party at any time to insist on the performance of this Deed is not a waiver of that party's right at any time later to insist on the performance of that or any provision of this Deed.

4.8 Counterparts

- (a) This Deed may be executed in any number of counterparts and by the parties on separate counterparts. Each counterpart constitutes the agreement of each party who has executed and delivered that counterpart.

- (b) No counterpart shall be effective until each party has executed at least one counterpart.
- (c) A party who has executed a counterpart of this Deed may exchange that counterpart with another party by emailing the counterpart executed by it to that other party and, upon request by that other party, will thereafter promptly deliver by hand or post to that party the executed counterpart so exchanged by email, but delay or failure by that party to so deliver a counterpart of this Deed executed by it will not affect the validity of this Deed.

4.9 Governing law

This Deed and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the laws of New South Wales.

4.10 Jurisdiction

Each party irrevocably agrees that the courts of New South Wales shall have exclusive jurisdiction to settle any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with this Deed or its subject matter or formation.

4.11 Electronic signatures

The parties acknowledge and agree that:

- (a) this deed, including any counterpart, may be electronically signed, including by using software or a platform for the electronic execution of deeds; and
- (b) any electronic signatures of or on behalf of the parties in this deed are intended to authenticate this deed and to have the same legal force and effect as if they were handwritten signatures on this deed.

4.12 Consents

A consent or approval required under this deed from a party may be given or withheld, or may be given subject to any conditions, as that party (in its absolute discretion) thinks fit, unless this deed expressly provides otherwise.

4.13 Assignment

- (a) The Grantee must not assign, novate or otherwise transfer any right or interest under this deed without TfNSW's prior written consent, which may be given or withheld at TfNSW's absolute discretion.
- (b) TfNSW may at any time, without notice and in its absolute discretion, assign, novate or otherwise transfer its rights and obligations under this deed to any Authority and the Grantee must execute any document reasonably required to give effect to the assignment, novation or transfer.

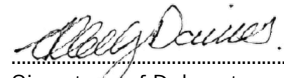
4.14 No representation or reliance

- (a) Each party acknowledges that no party (nor any person acting on a party's behalf) has made any representation or other inducement to it to enter into this deed, except for representations or inducements expressly set out in this deed.
- (b) Each party acknowledges and confirms that it does not enter into this deed in reliance on any representation or other inducement by or on behalf of any other party, except for any representation or inducement expressly set out in this deed.

Executed as a deed:

SIGNED, SEALED AND DELIVERED for and on behalf of **Transport for NSW (ABN 18 804 239 602)** by its authorised delegate in the presence of:


.....
Signature of Witness


.....
Signature of Delegate

Katy Gillogly
.....
Full name of Witness

Holly Davies
.....
Full name of Delegate

08.11.2023
.....
Date


Director, Regional Community Partnering
.....
Position/Title of Delegate

08.11.2023
.....
Date

If ticked, the witness confirms that they witnessed the signatory sign this document over audio visual link in accordance with section 14G of the Electronic Transactions Act 2000, and the witness affixed their electronic signature to a counterpart of this document.

If ticked, the witness confirms that they witnessed the signatory sign this document in the physical presence of the witness, and the witness affixed their signature to either the same or a counterpart copy of this document.

SIGNED, SEALED AND DELIVERED for and on behalf of **Central Darling Shire Council (ABN 65 061 502 439)** by its authorised officer in the presence of:


.....
Signature of Witness


.....
Signature of Authorised Officer

Natalie Batson
.....
Full name of Witness

Gregory Hill
.....
Full name of Authorised Officer

25/10/2023
.....
Date

General Manager
.....
Position/Title of Authorised Officer

25/10/2023
.....
Date

If ticked, the witness confirms that they witnessed the signatory sign this document over audio visual link in accordance with section 14G of the Electronic Transactions Act 2000, and the witness affixed their electronic signature to a counterpart of this document.

If ticked, the witness confirms that they witnessed the signatory sign this document in the physical presence of the witness, and the witness affixed their signature to either the same or a counterpart copy of this document.

Schedule 1 – Variations to the Funding Deed

On and from the Effective Date, the Funding Deed is varied as set out below and the Funding Deed and this Deed are to be read together:

1.1 Amendment of the title of the Funding Deed

The title of the Funding Deed is deleted and replaced as follows:

Regional Emergency Road Repair Fund Funding Deed

1.2 Amendment of Background section of the Funding Deed

The Background section of the Funding Deed is deleted and replaced as follows:

- (a) The Regional Emergency Road Repair Fund (**Fund**) has been developed to provide funding for local and regional roads across NSW. This funding is to support councils to undertake urgent repairs to their road network, which have been significantly impacted by severe flooding, storm damage and persistent wet weather events during 2022.
- (b) The Grantee has been allocated Funding to address urgent road repairs, priority corrective maintenance works and repair of potholes on regional and local roads within their applicable road network. The Works will be carried out by the Grantee as the asset owner in accordance with the terms of the Program Guidelines and this Deed.
- (c) The Regional and Local Roads Repair Program (RLRRP) forms part of the Fund.
- (d) This Deed sets out the terms on which the Grantee has agreed to carry out the Work and TfNSW has agreed to contribute Funding for the Work.

1.3 Amendment to Item 2 (Funding) of the Key Details

Item 2 (Funding) of the Key Details is deleted and replaced as follows:

Item 2 (clause 1.1)	Funding			Total Funding
	Application ID	1 st payment of Funding - paid in accordance with clause 3(a)(i)	2 nd payment of Funding – paid in accordance with clause 3(a)(ii)	
	RLRR00121	\$4,361,246 based on 2392 kms	\$6,113,728 based on 2392 kms	\$10,474,974

1.4 Amendment to Item 3 (Reports) of the Key Details

Item 3 (Reports) of the Key Details is deleted and replaced as follows:

Item 3 (clause 10)	Reports	
	Reports required	Report due
	1) Work Status Report Ref: Clause 10(a)(A)(i)	Monthly Note: Report is required even if no work is achieved in that month.
	2) Program Work plan Ref: Clause 10(a)(A)(ii)	No later than 3 months after the Commencement Date.* <i>* It is noted that as at 31 October 2023, the Grantee has already provided this report.</i>
	3) Detailed Work Plan Ref: Clause 10(a)(A)(iii)	No later than 30 April 2024.
	4) Revised detailed Work Plan Ref: Clause 10(a)(A)(iv)	Within one month of receiving notice from TfNSW that a revised detailed Work Plan is required.
	5) Annual Certificate of Expenditure Ref: Clause 10(a)(A)(v)	No later than 1st of September each year.
	6) Annual Breakdown of Work Activities and Output Report (including photographs showing sites before and after Work is undertaken) Ref: Clause 10(a)(A)(vi)	No later than 1st of September each year.
	7) Final Certificate of Expenditure Ref: Clause 10(a)(B)(i)	No later than 3 months after completion of the Work.
	8) Final Breakdown of Work Activities and Output Report (including photographs showing sites before and after Work is completed) Ref: Clause 10(a)(B)(ii)	No later than 3 months after completion of the Work.

1.5 Amendment of Clause 1.1 - Definitions

- (a) The following definition in clause 1.1 of the Funding Deed is deleted and replaced as follows:

Work means all acts of construction, maintenance and related planning, design, and environmental surveys to undertake Eligible Work as described in Schedule 2 and all incidental on-site acts in any way related to such activities.

- (b) The following new definitions are inserted into clause 1.1 of the Funding Deed as follows:

Background Intellectual Property means pre-existing or independently developed Intellectual Property Rights belonging to or vesting in or licensed (outside of this deed) to a Party which a Party has a right to use at the Commencement Date of this Deed.

Intellectual Property Rights means all present and future industrial and intellectual property rights conferred by statute, common law or equity and includes copyright, trademarks, patents, designs, circuit layout rights, trade secrets, inventions and other results of intellectual activity in the industrial, commercial, scientific, literary and artistic fields whether non-registrable, registered or patentable.

Program means the Regional Emergency Road Repair Fund.

Program Guidelines means the Regional Emergency Road Repair Fund Guidelines available at the Regional Emergency Road Repair Fund webpage.

1.6 Amendment of clause 2.1 - Term

Clause 2.1 of the Funding Deed is deleted and replaced as follows:

2.1 Term

This Deed commences on the Commencement Date and will continue until 31 October 2027, unless extended under clause 14, or terminated earlier in accordance with this Deed.

1.7 Addition of new clause 2.3 – Resolution of ambiguity

Clause 2.3 is added to the Funding Deed and reads as follows:

2.3 Resolution of ambiguity

- (a) If either party discovers any inconsistency, discrepancy or ambiguity between any of the documents which forms this Deed and the Guidelines, then it must promptly give written notice of that view to the other party.
- (b) Following receipt of any notice under clause 2.3(a), TfNSW must direct the Grantee as to the interpretation to be adopted. In considering the appropriate direction, the greater, higher or more stringent requirement, standard, or scope (as applicable) will be applied.

1.8 Amendment of clauses 3 – Payment and expenditure of the Funding

Clause 3 of the Funding Deed is deleted and replaced as follows:

- (a) Subject to the requirements of the Program Guidelines and this Deed being met, TfNSW will pay the Grantee the Funding for the Work in two payments upfront and in full, as follows:
- (i) the first payment of Funding will be made after this Deed has been fully executed by both parties; and
 - (ii) the second payment of Funding will be made on or about late October 2023, provided that that the variation deed (with effect from 31 October 2023) to this Deed has been fully executed by both parties.
- The Funding will be administered through existing operational processes between TfNSW and the Grantee.
- (b) The Grantee agrees that the Funding must only be used for Work that:
- (i) commences on or after 1 January 2023;
 - (ii) is completed and open to traffic by 31 October 2027; and
 - (iii) is undertaken in accordance with the terms of this Deed and the Program Guidelines.
- (c) The Grantee must use the Funding in accordance with the Program Guidelines and this Deed and only for:
- (i) eligible Work on Regional and Local Roads; and
 - (ii) associated administration and/or management costs incurred by the Grantee to manage, plan and report on the Works (such costs must be less than 2% of the allocated Funding).

1.9 Amendment of clause 4.2(b) – Progress and Timing

Clause 4.2(b) of the Funding Deed is deleted and replaced as follows:

- (b) The Grantee must complete all of the Work by no later than 31 October 2027.

1.10 Amendment of clause 6 – Management of Funding

Clause 6 of the Funding Deed is deleted and replaced as follows:

- (a) The Funding paid by TfNSW to the Grantee, must be spent by the Grantee solely:
- (i) for the Work; and
 - (ii) in accordance with the Program Guidelines and this Deed.
- (b) The salary levels and allowances for any staff involved in the Work are to be based on award rates.

- (c) Any income which is generated through the Funds (including bank interest, revenue from the sale of material, etc) must be applied towards the Work by Council and must be fully disclosed in Council's financial statements and records.
- (d) The Grantee must not use the Funding to:
 - (i) pay any wages or other benefits to the Grantee's employees who do not perform activities for or on the Work;
 - (ii) purchase any plant and/or equipment; or
 - (iii) make a loan, gift or donation.
- (e) The Grantee must:
 - (i) keep full and accurate financial accounts and Records relating to the Work and the Funding that separately identifies the Funds from other income streams (including funding from other programs or initiatives) for the Work, to enable expenditure on the Work to be verified;
 - (ii) all receipts and payments related to the Work and the Funding are to be identified in the Grantee's accounts and reported in accordance with this Deed by reference to the Work so that at all times the Funds and their use are clearly identifiable;
 - (iii) do all things necessary to ensure that all payments from the Funds that the Grantee makes to third parties are correctly made and properly authorised and that the Grantee maintains proper and diligent control over the incurring of all liabilities; and
 - (iv) ensure that Funds provided by TfNSW for the Work are deposited and held in separate accounts in the Grantee's name, and which the Grantee solely controls, with a bank or credit union carrying on banking business in Australia and only withdrawn and applied for liabilities of the Grantee in relation to the Work.
- (f) This clause 6 survives the expiration or termination of this Deed.

1.11 Amendment of clause 7 – Repayment of Funding

Clause 7 of the Funding Deed is deleted and replaced as follows:

- (a) Where the Grantee gives notice that it is unable to perform all or part of the Work, or TfNSW reasonably determines that all or part of the Work is unable to be performed by the Grantee to meet the requirements of the Program Guidelines and/or this Deed, then the Grantee must:
 - (i) refund the Funding to TfNSW (with the exception of Funding that can be evidenced to TfNSW's reasonable satisfaction as having been properly spent or committed for the Work in accordance with this Deed) within 10 Business Days of a written notice from TfNSW; or
 - (ii) otherwise deal with the Funding as directed in writing by TfNSW (in its absolute discretion).

- (b) Where TfNSW reasonably determines that Funds have not been properly spent by the Grantee on the Work in accordance with this Deed, then the Funding must be refunded by the Grantee to TfNSW within 10 Business Days of a written notice from TfNSW.
- (c) Where TfNSW reasonably determines that the Actual Costs of the Work totals less than the Funding provided by TfNSW for the Work, then at TfNSW's absolute discretion that portion of the savings:
 - (i) must be refunded by the Grantee to TfNSW within 10 Business Days of a written notice from TfNSW; or
 - (ii) otherwise dealt with as directed in writing by TfNSW.
- (d) Interest is payable on any amount not paid to TfNSW when due and payable under this clause 7.
- (e) Nothing in this clause affects a party's right to terminate this Deed in whole or in part.
- (f) This clause 7 survives the expiration or termination of this Deed.

1.12 Amendment of clause 10 – Reporting

Clause 10 of the Funding Deed is deleted and replaced as follows:

- (a) At the times specified in item 3 of the Key Details, and at other times when reasonably requested, the Grantee must provide TfNSW with the following reports that include accurate information (each in a form satisfactory to TfNSW):
 - (A) Work status:
 - (i) a monthly Work Status Report - a reporting template will be provided by TfNSW to the Grantee following the Commencement Date;
 - (ii) a Program Work plan for the first payment of Funding is required to be submitted to TfNSW three (3) months after the Commencement Date. The program plan must detail the Grantee's schedule of Works to be undertaken with the first payment of Funding;
 - (iii) a detailed Work plan for all Funding is required to be submitted to TfNSW no later than 30 April 2024. The detailed Work plan must:
 - 1. detail the Grantee's schedule of Works using all the Funding (provided in both the first and second payments) to complete the Works by 31 October 2027; and
 - 2. include a financial breakdown detailing the forecast Works to be completed (with intended Regional and Local Road kilometres respectively and the key roads that will have work undertaken) each financial year;
 - (iv) A revised detailed Work plan is required to be submitted to TfNSW, if the Works completed in any given financial year are less than 80% of the forecasted Works for that financial year (having regard to the

- detailed Work plan, provided under clause 10(a)(A)(iii)). The revised detailed Work plan must demonstrate how the shortfall will be made up so that the Works will all be completed by 31 October 2027. The revised detailed Work plan must be provided to TfNSW within one month of receiving notice from TfNSW that it is required;
- (v) an annual Certificate of Expenditure to be provided no later than 1st of September each year, for the expenditure of Funding in each financial year; and
 - (vi) an annual Breakdown of Work Activities and Output Report (including photographs showing sites before and after Work was undertaken) to be provided no later than 1st of September each year, to evidence the Work undertaken in each financial year.
- (B) Work completion:
- (i) a final Certificate of Expenditure to be provided no later than 3 months after completion of the Work; and
 - (ii) a final Breakdown of Work Activities and Output Report (including photographs showing sites before and after Work was completed) to be provided no later than 3 months after completion of the Work.
- (b) The Grantee must ensure that the above reports do not include any expenditure that has been claimed through any other funding programs or initiatives (including but not limited to the Regional Road Block Grants, Fixing Local Roads Program (including Pothole repair round), and the Disaster Recovery Funding Arrangement).
 - (c) From time-to-time TfNSW may request specific or detailed information from the Grantee on the Work and its progress.
 - (d) The Grantee must promptly notify TfNSW in advance of the date that the Work will be completed and open to traffic.
 - (e) This clause 10 survives the expiration or termination of this Deed.

1.13 Amendment of clause 15 - Termination

Clause 15 of the Funding Deed is deleted and replaced as follows:

- (a) If:
 - (i) the Grantee fails to fulfil, or is in breach of, any of its obligations under this Deed, and does not remedy the failure or breach within 15 Business Days of receiving a notice in writing from TfNSW to do so; or
 - (ii) in relation to this Deed, the Grantee breaches any legislative requirement that the Grantee is unable to remedy within 15 Business Days of the breach; or
 - (iii) an administrator is appointed under Division 6 of Part 2 of Chapter 9 of the Local Government Act 1993 (NSW),

then, in the case of any one or more of these events, TfNSW may immediately terminate this Deed in whole or in part, by giving written notice to the Grantee and in TfNSW's absolute discretion, demand a refund of the Funding by the Grantee (in whole or in part).

- (b) Where TfNSW terminates this Deed in whole or in part, under clauses 15(a) or 15(d), TfNSW will be entitled to recover from the Grantee any part of the Funds which:
- (i) have not been spent or committed for expenditure on the Work in accordance with this Deed and payable by the Grantee as a current liability (written evidence of which must promptly be provided by the Grantee) by the date on which the notice of termination given under clause 15(a) or 15(d) is taken to be received; or
 - (ii) have not, in TfNSW's reasonable opinion, been expended by the Grantee in accordance with the terms and conditions of this Deed.
- (c) If the Grantee does not repay to TfNSW the amount referred to in clause 15 (a) or (b) within 10 Business Days of receipt of the notice of termination (or if a different period is stated in the notice of termination, that period) the Grantee must also pay TfNSW Interest on the outstanding amount. The amount set out in the notice, and Interest owed under this clause will, without prejudice to any other rights available to TfNSW under this Deed or otherwise at law or in equity, be recoverable by TfNSW as a debt due to TfNSW by the Grantee.
- (d) TfNSW may terminate this Deed in whole or in part for convenience by giving not less than 60 days' written notice to the Grantee. If the Grantee is able to demonstrate to TfNSW's reasonable satisfaction that prior to receiving notice of termination under this clause 15(d) the Grantee has spent or committed Funding for the Work in accordance with this Deed, then that amount will not need to be repaid. The Grantee must take all reasonable steps to mitigate the expenditure referred to in this clause 15(d) and will be liable to repay TfNSW to the extent that the expenditure could have been avoided or reduced by taking reasonable steps.
- (e) Clauses 15(b) and 15(c) do not limit or exclude any of TfNSW's other rights, including the right to recover any other amounts from the Grantee on termination of this Deed.

1.14 Amendment of clause 27 – Confidential Information

Clause 27 of Funding Deed is deleted and replaced as follows:

- (a) A party who receives Confidential Information ("**Recipient**") must not disclose the Confidential Information supplied by the other party ("**Discloser**") to any person except:
- (i) its representatives who require the Confidential Information for the purposes of this Deed; or
 - (ii) to enable the Recipient to obtain professional advice in relation to this Deed; or
 - (iii) with the consent of the Discloser; or

- (iv) if the Recipient is required to do so by law or by a lawful requirement of any government or governmental body, authority or agency having authority over the Recipient or by a stock exchange; or
 - (v) if the Recipient is required to do so in connection with legal proceedings relating to this Deed or other agreement between the parties; or
 - (vi) if the Recipient is TfNSW it is disclosed to the Transport Secretary and/or Ministers of the NSW government.
- (b) If the Recipient discloses the Discloser's Confidential Information under clause 27(a)(i) or 27(a)(iii) then:
- (i) it must use its best endeavours to ensure that persons receiving the Confidential Information from it do not disclose the information except in the circumstances permitted in clause 27(a);
 - (ii) the Discloser may at any time require the persons receiving the Confidential Information to give written undertakings relating to the nondisclosure of the Confidential Information and the Recipient must arrange for all such undertakings to be given promptly; and
 - (iii) the Recipient must reserve the right to demand immediate delivery of all documents or other materials in its possession, power or control or in the possession, power or control of the third party who has received Confidential Information from it containing or referring to that Confidential Information.
- (c) The Recipient must not use the Discloser's Confidential Information except for the purpose of exercising the Recipient's rights or performing its obligations under this Deed or any other agreement between the parties.
- (d) On the Discloser's request, the Recipient must immediately deliver to the Discloser or destroy all documents or other materials containing or referring to the Confidential Information which are in its possession, power or control, or in the possession, power or control of persons who have received Confidential Information from the Recipient, except to the extent that:
- (i) the Recipient requires the Confidential Information for the purpose of performing its obligations or exercising its rights under this Deed or other agreement between the parties; or
 - (ii) the Recipient is otherwise entitled to retain the Confidential Information.
- (e) Except as otherwise agreed or required by law, any regulatory authority or stock exchange, neither party may disclose the terms of this Deed to any person other than its Representatives on a confidential basis.

1.15 Amendment of clause 28 - Representatives

Clause 28 of the Funding Deed is deleted and replaced as follows:

- (a) The Grantee must always ensure that it has a nominated representative who has full authority to act on behalf of the Grantee. An instruction or direction given to the Grantee Representative will be deemed to be an instruction or direction given to the Grantee.

- (b) The Grantee must deal with TfNSW's Representative, or such other representative as may be notified by TfNSW to the Grantee from time to time.
- (c) At the date of this Deed, the representatives of the parties are the nominated contact persons specified in items 4 and 5 of the Key Details.

1.16 Insertion of new clause 32 – Intellectual Property Rights

Clause 32 is inserted into the Funding Deed and reads as follows:

32 Intellectual Property Rights

- (a) All Intellectual Property Rights of the parties existing before the date of this Deed will be retained by the relevant party.
- (b) Each Party hereby grants to the other Party a royalty-free, non-exclusive and perpetual licence to use its existing Intellectual Property to the extent necessary to carry out the Work.
- (c) In respect of:
 - (i) Intellectual Property Rights in all modifications made to TfNSW existing Intellectual Property Rights made by Council or its subcontractors; and
 - (ii) all other Intellectual Property Rights created by Council or its subcontractors in undertaking the Work,

Council grants TfNSW a non-exclusive perpetual irrevocable and royalty-free licence to:

- (iii) use, reproduce, modify and communicate to the public anywhere in the world and for any purpose connected with the business of TfNSW;
- (iv) permit any person to assist TfNSW to do any of the things referred to in paragraph (iii) above; and
- (v) sublicense any of the rights described in paragraph (iii) or (iv) above to any person.

1.17 Replacement of Schedule 2 – Road Network Details and Scope of Works

Schedule 2 – Road Network Details and Scope of Works is deleted and replaced with the new Schedule 2 - Road Network Details and Scope of Works which is attached and marked as Annexure 1.

1.18 Replacement of Attachment A – Certificate of Expenditure

Attachment A – Certificate of Expenditure is deleted and replaced with the new Attachment A-Certificate of Expenditure which is attached and marked as Annexure 2.

‘Annexure 1’

Schedule 2 –Road Network Details and Scope of Works

Council Name:Central Darling Shire Council

Road Network Details

Length of Regional Road network in kilometres	790 kms
Length of Local Road network in kilometres	1602 kms

Scope of Works to be delivered

All works listed in the table below must be undertaken on Regional or Local Roads to be eligible for funding under the Regional Emergency Road Repair Fund. For more detail on the types of works please refer to the *Regional Emergency Roads Repair Fund Guidelines* available on the TfNSW website.

Eligible works under the program	Ineligible works under the program
<ul style="list-style-type: none"> • Corrective Maintenance (scope outlined below) • Renewals (scope outlined below) • Upgrades (scope outlined below) <p>Corrective Maintenance</p> <ul style="list-style-type: none"> • Patching • Heavy Patching • Smoothing or reshaping (unsealed roads) • Drainage and Culverts • Bridge maintenance <p>Renewal works that are covered Rehabilitation works including:</p> <ul style="list-style-type: none"> • Applying a partial asphalt overlay on top of the deteriorated road surface; • Improving the existing pavement with the addition of new material; or • Removal of the old pavement and replacement with new pavement. • Resealing/ resurfacing • Gravel resheeting <p>Upgrade works that are covered</p> <ul style="list-style-type: none"> • Sealing shoulders: • Widening shoulder/ carriageway <p>Timing of works</p> <ul style="list-style-type: none"> • Works underway on or after 1 January 2023 • All works are to be completed and open to traffic by 31 October 2027. 	<ul style="list-style-type: none"> • Renewal works (scope outlined below) • Upgrade works (scope outlined below) • Replacement or strengthening of bridges <p>Renewal works</p> <ul style="list-style-type: none"> • Culverts and drainage replacements <p>Upgrade works Works creating new assets or significantly enhancing the asset in place including:</p> <ul style="list-style-type: none"> • carriageway duplication, • drainage system upgrades, • sealing gravel roads, • building kerb and gutter, and footpaths.

Audit of Work

An auditor may be appointed by TfNSW to review the Grantees Work and evidence that Funding provided under the Deed has been used appropriately and in accordance with the requirements of the Deed and Fund Guidelines. The audit may occur before or after the completion of the Works.

‘Annexure 2’

Attachment A – Certificate of Expenditure

Certificate of Expenditure – Regional Emergency Road Repair Fund

Council Name: Central Darling Shire Council

To be submitted to Transport for NSW

Total Funding approved:	\$10,474,974
Total Funding paid by Transport for NSW:	\$10,474,974
Amount of Funding expended by Council for completed Works for the approved period dated from _____ to _____	\$ _____

We certify, that in accordance with the terms of the Regional Emergency Road Repair Fund Funding Deed that the :

- a. the expenditure shown in this certificate is true and correct and has been incurred by Council solely for the Eligible Work specified in the Funding Deed;

- b. the Work has been executed in accordance with an appropriate standard as determined by Council in their capacity as a roads authority and conforms with all applicable Laws; and

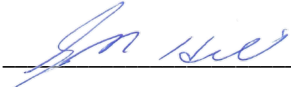
- c. the expenditure shown in this certificate has been expended in accordance with Council's Integrated Planning and Reporting Plans.

Table 1: Regional and Local Road Expenditure Information

Table 1: Regional and Local Road Expenditure Information			
Council Name:	Central Darling Shire Council		
To be submitted to Transport for NSW Regional Office			
Councils are to report all expenditure relating to work outputs for Regional and Local Roads for all Works relating to the Regional Emergency Road Repair Fund, for Works underway during the period 1 January 2023 to 31 October 2027 in accordance with the reporting frequency outlined in clause 10 and from all funding sources, in the format set out in this schedule.			
Councils are to provide a breakdown of the expenditure into key work activities as described below. Each item must record a response. If no data is applicable, please record “Not Applicable” or “N/A”			
	Reporting period dated from	to	:
	Regional Roads (\$)	Local Roads (\$)	Total (\$)

Transport for NSW funds <i>(Regional Emergency Road Repair Fund)</i>			
Council's own funds			
Other funds			
TOTAL FUNDING FOR WORK			

General
 Manager/CEO
 (Print name) Gregory Hill

Signature  Date: 25/10/2023

Council
 Engineer:
 (Print name) _____

Signature _____ Date: _____

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 28 FEBRUARY 2024**

- PRESENT:** Allan Carter
Jay Nankivell - Member
Dave Tanner
- IN ATTENDANCE:** Greg Hill (General Manager)
Bob Stewart (Administrator)
Reece Wilson (Director Shire Services)
Evelyn Pollard (Human Resource Officer)
Manuel Moncada (Member)
Phil Swaffield (Member)
Brett Hanger (Member)
Damien Connell (Member)
Kara Mohr (Risk & WHS Officer)
Natalie Batson (Executive Assistant)
Nerida Carr (Governance Officer)
Shirley Burraston (Acting Finance Manager)

1 OPENING OF MEETING

The meeting was declared open at 11:32am

2 ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the chairperson.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

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.

RECOMMENDATION:

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: ARIC 01-02-2024

Mover: Member Jay Nankivell

Seconder: Member Allan Carter

That the minutes of the Audit Risk and Improvement Committee Meeting held on 22 November 2023 be received and confirmed as an accurate record.

CARRIED

6 REPORTS

6.1 FUTURE MEETING DATES FOR THE AUDIT RISK AND IMPROVEMENT COMMITTEE

RESOLVED: ARIC 02-02-2024

Mover: Member Allan Carter

Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.
2. Hold the meetings in the next 12 months on the following dates:
 - Wednesday 22 May 2024
 - Wednesday 28 August 2024
 - Wednesday 23 October 2024
 - Wednesday 26 February 2025
3. Commencement of meetings at 11.30am

CARRIED

6.2 CHANGES TO LOCAL GOVERNMENT ACT 1993 REGULATIONS FOR AUDIT RISK AND IMPROVEMENT COMMITTEE

RESOLVED: ARIC 03-02-2024

Mover: Member Jay Nankivell

Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.
2. Audit, Risk and Improvement Committee recommends to Council for consideration.
 - (a) Dave Tanner to be appointed as Chairperson commencing at the next ARIC meeting for period of four years.

Audit Risk and Improvement Committee Meeting Minutes

28 February 2024

- (b) appoints Dave Tanner, Allan Carter and Jay Nankivell to continue as Members of ARIC for a period of four years.
- (c) The committee size be reduced to three independent members, comprising of Chairperson and two members. Or- The committee size to continue to comprise of Chairperson and three members.
- (d) Members sitting fee to remain at \$500/meeting and to included Superannuation contributions made by Council.
- (e) The General Manager be authorised to issues appointment letters and undertake any other necessary functions to ensure compliance with “Guidelines for Risk Management and Internal Audit for Local Government in NSW”.
- (f) Dave Tanner will review the ARIC and Internal Audit Charters to ensure they conform with the new Local Government Risk Management and Internal Audit Guidelines and provide a report and draft charters for consideration at the May 24 meeting of ARIC.

CARRIED

6.3 GENERAL MANAGER VERBAL REPORT

RESOLVED: ARIC 04-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

- 1. Receive and note the report.

CARRIED

6.4 MANAGEMENT LETTER 2022-23

RESOLVED: ARIC 05-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

- 1. Receive the report

CARRIED

6.5 2024-25 OPERATIONAL PLAN AND LONG TERM FINICIAL PLAN TIMELINE

RESOLVED: ARIC 06-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

- 1. Receive and note the report

CARRIED

6.6 HUMAN RESOURCE POLICIES

RESOLVED: ARIC 07-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report.

CARRIED

6.7 HUMAN RESOURCE MANAGEMENT ACTIVITIES

RESOLVED: ARIC 08-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.8 CASH AND INVESTMENTS - NOVEMBER 2023

RESOLVED: ARIC 09-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will

1. receive the report and note the report.

CARRIED

6.9 CASH AND INVESTMENTS - DECEMBER 2023

RESOLVED: ARIC 10-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will

1. receive the report and note the report.

CARRIED

6.10 CASH AND INVESTMENTS - JANUARY 2024

RESOLVED: ARIC 11-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will

1. receive the report and note the report.

CARRIED

6.11 WORK HEALTH AND SAFETY – WORKERS COMPENSATION CLAIMS REPORT

RESOLVED: ARIC 12-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report

CARRIED

6.12 WORK HEALTH AND SAFETY PERFORMANCE REPORT

RESOLVED: ARIC 13-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report

CARRIED

6.13 CYBER SECURITY

RESOLVED: ARIC 14-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.14 GRANTS REGISTER - JANUARY 2024

RESOLVED: ARIC 15-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report and note the report.

CARRIED

6.15 QUARTERLY BUDGET REVIEW - DECEMBER 2023 QUARTER

RESOLVED: ARIC 16-02-2024

Mover: Member Allan Carter
Secunder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the second Quarterly Budget Review report as at 31st December 2024.
2. Adopt the variations to Council's 2023/24 Annual Budget.
3. Note that the projected operating surplus for the financial year 2023/24 is \$2.313 million.
4. Note that there are no further changes to projected capital works budgeted expenditure for the financial year 2023/24 per the December Quarter Review.

CARRIED

6.16 UPDATE ON THE WILCANNIA WEIR PROJECT**RESOLVED: ARIC 17-02-2024**

Mover: Member Jay Nankivell
Secunder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report.
2. The Administrator to address DPIE representatives on Wednesday afternoon, 28 March, the issues outlined in the report.
3. Pending the outcomes from the meeting, the Administrator to meet with the Minister for Water to raise community concerns of the redesign of the Wilcannia Weir.

CARRIED

6.17 VICTORY CARAVAN PARK OPERATIONS**RESOLVED: ARIC 18-02-2024**

Mover: Member Allan Carter
Secunder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.18 COST OF CONDUCTIONG LOCAL GOVERNMENT ELECTIONS AND EXPENSES TO MAYOR AND COUNCILLORS**RESOLVED: ARIC 19-02-2024**

Mover: Member Jay Nankivell
Secunder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report.

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2. Note the Administrator and General Manager seek financial assistance from the State Government to support the reintroduction of Elected Members.

CARRIED

6.19 GENERAL SERVICE REQUEST AND COMPLAINTS OVERVIEW FOR 2023

RESOLVED: ARIC 20-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report

CARRIED

6.20 STATEWIDE MUTUAL-2023 CIP-BENCHMARKING REPORT AND PRESENTATION

RESOLVED: ARIC 21-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report

CARRIED

6.21 2023/24 INTERNAL AUDIT ANNUAL WORK PROGRAM

RESOLVED: ARIC 22-02-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report
2. The next Audit review will be Cyber Security.

CARRIED

It was resolved that Audit Risk and Improvement Committee Meeting 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 12:30pm.

RESOLVED: ARIC 23-02-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That Audit Risk and Improvement Committee 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.:

6.13 Cyber Security

Item 6.13 is confidential under the Local Government Act 1993 Section 10A(2) - (f) as it relates to details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

CARRIED

RESOLVED: ARIC 24-02-2024

Mover: Member Jay Nankivell

Seconder: Member Allan Carter

That Audit Risk and Improvement Committee Meeting moves out of Confidential and back into open meeting.

CARRIED

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

7 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **1:09pm**.

The minutes of this meeting were confirmed at the Audit Risk and Improvement Committee Meeting of the Central Darling Shire Council held on .

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CHAIRPERSON

Meeting Date	Section	Item Number	Item Header	Resolution Number	Resolution	Responsible Officer	Resolution Status
19/10/2022	NOTICE OF MOTION	6.1	MENINDEE LANDFILL	03-10-22	That a report on the Menindee Landfill be presented to a future Council Meeting detailing 1. Requirements to address disposal, recycling, Fire control, windblown litter (including upgrade fencing) and signage to improve operations at the landfill. 2. Estimate to seal the existing gravel road to the landfill. 3. That Options be developed including costings for public consultation. 4. That a future Management Plan and Operational Procedures be developed.	Reece Wilson;#29;#Greg Hill;#57	IN PROGRESS
19/10/2022	NOTICE OF MOTION	6.2	MENINDEE RFS FACILITIES	04-10-22	That the GM meet with RFS Zone Management to determine any future Plans to upgrade or replace the Menindee RFS Shed.	Greg Hill;#57	IN PROGRESS
22/02/2023	SHIRE SERVICES REPORT	11.2	PROPOSED ACCESS ROAD FOR THE NEW WILCANNIA WEIR AND COMMUNITY RIVER PLACE AT UNION BEND PARK	10-02-2023	1. Receive the report 2. Note the status of the Wilcannia Weir project and proposed access road 3. Council staff continue negotiations with Department Planning and Environment – Regional Projects - Water, for Council preferred design and source of remuneration for ownership and ongoing maintenance for proposed access roads. 4. Council staff continue negotiations with Department Planning and Environment – Regional Projects - Water, with proposed Community River Place area at the Union Bend Park upgrade and the ongoing future maintenance of the Crown Reserve. 5. A report be provided to Council on the outcomes of discussion with Department Planning and Environment – Regional Projects- Water, on the proposed access road and Community River Place area at the Union Bend Park.	Reece Wilson;#29	ONGOING
22/02/2023	SHIRE SERVICES	11.7	WASTE SERVICES, MENINDEE	15-02-2023	Receive the report Bring a further report to implement all actions recommended by the Waste Facilities Operations Strategic Plan and the Menindee Waste Facility Long Term Plan of Management including time schedule, budget implications and the possibility of sealing the tip road.	Reece Wilson;#29	IN PROGRESS
24/05/2023	SHIRE SERVICES REPORTS	11.1	PLANNING PROPOSAL – RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND	14-05-2023	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 f 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.	Greg Hill;#57	IN PROGRESS

				<ol style="list-style-type: none"> 1. Receive the report 2. Endorse the adoption of the Urban and Rural Project street addresses and numbering for use on the councils rates and addressing systems as listed in the attachment report item 11.2 pages 159 - 220 3. Inform Commonwealth and State agencies of the new street addressing and numbering to assist the local community. 			
28/06/2023	SHIRE SERVICES REPORTS	11.2	URBAN AND RURAL ADDRESSING PROJECT	20-06-2023	(a) Endorse the submission of the new street addresses and numbering to the Geographic names board.	Glenda Dunn;#100;#Reece Wilson;#29	IN PROGRESS
26/07/2023	GOVERNANCE REPORTS	9.1	FACEBOOK MARKETPLACE PAGE- PROPERTIES FOR SALES IN CENTRAL DARLING SHIRE	OCM 09-07- 2023	<ol style="list-style-type: none"> 1. Receive the report 2. Endorse the development and ongoing management of a Facebook Marketplace Page called "Properties for Sale in Central Darling Shire". 3. Sell the following parcels of land on Facebook Marketplace Page called "Properties for Sale in Central Darling Shire": <ol style="list-style-type: none"> (a) Lot 1 DP906421 & Lot B DP 312008 (40A- 40B Reid Street WILCANNIA NSW 2836) (b) Lot B DP 402894 (38 Hood Street WILCANNIA NSW) (c) Lot 1 DP 907814, Lot 1 DP 907815 & Lot 2 DP 983994 (16A Wilson Street WILCANNIA NSW) 4. Set the asking prices of the parcels in Recommendation 3 above according to the latest land values determined by the NSW Valuer General. 5. Authorise the General Manager to directly negotiate with purchasers the sale price and other terms of sale of the parcels listed in Recommendation 3 above. 	Gabrielle Johnston;#133;#Greg Hill;#57	IN PROGRESS
26/07/2023	GOVERNANCE REPORTS	9.2	VIABILITY ASSESSMENT OF THE MENINDEE NATIVE FISH HATCHERY	OCM 10-07- 2023	<ol style="list-style-type: none"> 1. Receive and note the report and attachments 2. Council writes to Hon. Tanya Plibersek and the Department (DCCEEW) acknowledging correspondence received and seek further clarification on: <ol style="list-style-type: none"> (a) Remaining funds from the original allocation (b) Confirmation of the timeframe of June 2024 for completion of the project, and if this could be extended further. (c) The guidelines for alternative projects, the type and nature of the project, if there could be multiple projects be undertaken, and do the project/s need to be Menindee specific or elsewhere located in the shire. (d) That a further report be tabled for council. 	Greg Hill;#57	IN PROGRESS
26/07/2023	GOVERNANCE REPORTS	9.5	COMMUNITY SERVICES AWARDS 2023	OCM 13-07- 2023	<ol style="list-style-type: none"> 1. Receive the report. 2. Endorse public exhibition of the draft revised Community Services Policy for 28 days. 3. Report to Ordinary Council meeting following public exhibition for any necessary changes and adoption of the policy. 	Gabrielle Johnston;#133	IN PROGRESS
30/08/2023	GOVERNANCE REPORTS	9.5	COMMUNITY HERITAGE GRANTS-STORIES BEHIND THE STONES	OCM 12-08- 2023	<ol style="list-style-type: none"> 1. Receive the report. 2. Acknowledge the engagement of Dr Bernadette Drabsch and Mr. Ben Churcher in accordance with the Local Government Act 1993 - Section 55 (3) services being sought are of such as specialized and urgent in nature. 3. Endorse the General Manager to engage Dr Bernadette Drabsch and Mr. Ben Churcher for \$45,455 (ex gst) 4. A report be presented to Council on completion of Stories behind the Stones modules. 	Greg Hill;#57	IN PROGRESS

30/08/2023	GOVERNANCE REPORTS	9.6	COUNCIL WARD BOUNDARIES REVIEW.	OCM 13-08- 2023	1. Receive the report. 2. Place Option 1 and Option 2 Public Exhibition for 28 days and open for public comment for 42 days (concurrently). 3. At the closure of the Public Exhibition and Public Comment, a report be prepared and presented to Council on the preferred option.	Greg Hill;#57	IN PROGRESS
30/08/2023	SHIRE SERVICES REPORTS	11.5	WATER TREATMENT PLANT, TENDER METHOD	OCM 20-08- 2023	1. Receive the report 2. Select the Selective Tender method for the construction of new water treatment plants.	Reece Wilson;#29	IN PROGRESS
27/09/2023	GOVERNANCE REPORTS	9.3	EMPLOYEE HOUSING POLICY	OCM 10-09- 2023	1. Receive the report 2. Endorse the Employee Housing Policy for placement on Council's website.	Evelyn Pollard;#115	IN PROGRESS
27/09/2023	GOVERNANCE REPORTS	9.5	NEW POLICY - GRANTS MANAGEMENT	OCM 12-09- 2023	1. Receive the report. 2. Approve the draft Grants Management Policy. 3. Place the draft Grants Management Policy on public exhibition for a period of 28 days to allow for public review and submissions.	Nerida Carr;#138	IN PROGRESS
27/09/2023	SHIRE SERVICES REPORTS	11.8	WEEDS BIOSECURITY	OCM 20-09- 2023	1. Receive the report 2. Draft a Memorandum of Understanding between Broken Hill City Council and Central Darling Shire Council for the engagement of a Weeds Biosecurity Officer.	Reece Wilson;#29	IN PROGRESS
25/10/2023	GOVERNANCE REPORTS	9.2	WILCANNIA MOTEL ACCOMODATION BUSINESS CASE	OCM 06-10- 2023	1. Receive the report and note the recommendations in the Wilcannia Motel Accommodation Business Case Report. 2. Endorse the location at 35 and 37 Reid St, Wilcannia, (DP759091 Section 3, Lot 4 & DP759091 Section 3, Lot 5) as the preferred location for the construction for the proposed Wilcannia Motel. 3. The General Manager pursues funding opportunities with the Federal and State Governments for the development of the Wilcannia Motel. 4. The General Manager explores the possibility of private, public partnerships with Council for the development and lease arrangement of the Wilcannia Motel. 5. The General Manager to provide Council with ongoing reports on future progress for funding opportunities.	Greg Hill;#57	IN PROGRESS
25/10/2023	SHIRE SERVICES REPORTS	11.5	PLAN OF MANAGMENT FOR COMMUNITY LAND CROWN RESERVE 85567 UNION BEND PARK, LOT 7315 DP 1181235 WILCANNIA	OCM 15-10- 2023	1. Receive the report 2. Adopt the Draft Plan of Management for the Crown Reserve lot 85567 - Union Bend Park, with land use category as a "park" Lot 7315 DP 1181235, Wilcannia. (a) Send the Draft Plan of Management for the Crown Reserve lot 85567	Glenda Dunn;#100;#Reece Wilson;#29	IN PROGRESS
22/11/2023	RESOLUTION TRACKER	13.1	RESOLUTION TRACKER - OCTOBER 2023	OCM 25-11- 2023	1. That the Resolution Tracker from the Ordinary Council Meeting held on 25/10/2023 be received and noted and any amendments be noted. 2. That Director Shire Services will table a report on Menindee Landfill in an upcoming meeting.	Reece Wilson;#29;#Greg Hill;#57	IN PROGRESS
22/11/2023	CONFIDENTIAL MATTERS	14.4	IVANHOE WATER TREATMENT PLANT TENDER	OCM 31-11- 2023	1. Receive the report. 2. Advise all tenderers that council are unable to award tender due to funding constraints and will formally respond to all tenderers within 30 business days. 3. Liaise with the funding providers and seek additional funding to complete the new Ivanhoe Water Treatment Plant project.	Reece Wilson;#29	IN PROGRESS

22/11/2023	CONFIDENTIAL MATTERS	14.5	WHITE CLIFFS WATER TREATMENT PLANT TENDER	OCM 32-11- 2023	<ol style="list-style-type: none"> 1. Receive the report 2. Resolve to award tender to SNG Engineering Pty Ltd 3. Delegate authority to its General Manager to execute any documents required to be executed as part of the contract administration process that do not require the Common Seal of Council. 4. Liaise with the funding providers and seek additional funding to complete the full scope of works that the original scope included. 	Reece Wilson;#29	IN PROGRESS
13/12/2023	GOVERNANCE REPORTS	9.1	VICTORY CARAVAN PARK OPERATIONS	OCM 06-12- 2023	<ol style="list-style-type: none"> 1. Receive and note the report, with a further report will be provided to Council at July's 2024 Ordinary Council meeting on the operational performance of Victory Caravan Park. 	Greg Hill;#57	IN PROGRESS
13/12/2023	GOVERNANCE REPORTS	9.5	COST OF CONDUCTIONG LOCAL GOVERNMENT ELECTIONS AND EXPENSES TO MAYOR AND COUNCILLORS	OCM 10-12- 2023	<ol style="list-style-type: none"> 1. Receive the report. 2. The Administrator and General Manager seek financial assistance from the State Government to support the reintroduction of Elected Members. 	Greg Hill;#57	IN PROGRESS
13/12/2023	SHIRE SERVICES REPORTS	11.5	PLANT HIRE RATES 2024 - 2026 TENDER METHOD	OCM 19-12- 2023	<ol style="list-style-type: none"> 1. Receive the report 2. Select the Open Tender method for the Plant Hire Rates Contract 2024 to 2026 3. Endorse the Standing Order Deed and Conditions of Contract 4. Advertise tender opening period from 14 December 2023 to 31 January 2024 and formally invite existing registered contractors to submit new tenders. 	Reece Wilson;#29	IN PROGRESS
13/12/2023	SHIRE SERVICES REPORTS	11.6	DRAFT CENTRAL DARLING DEVELOPMENT CONTROL PLAN	OCM 20-12- 2023	<ol style="list-style-type: none"> 1. Receive the report 2. Endorse the commencement of consultation on the Draft Central Darling Development Control Plan 2024. <ol style="list-style-type: none"> (a) Note that the required exhibition period for the draft development control plan is 28 days. (i) Endorse the public exhibition of the Draft Central Darling Development Control Plan 2024 in February 2024. 	Reece Wilson;#29	IN PROGRESS