

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD
EXTERNALLY AT 37 GREEN LANE, ORANGE. VIDEO WAS VIEWED
FROM THE COUNCIL CHAMBERS AT, 21 REID STREET,
WILCANNIA ON WEDNESDAY, 22 APRIL 2020.**

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE AT CHAMBERS IN WILCANNIA: General Manager, Greg Hill
Director Shire Services, Reece Wilson
Director Business Services, Jacob Philp
Executive Assistant, Jamie Parsons

1. OPENING OF MEETING

The meeting was declared open at 9.00am.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. APOLOGIES AND LEAVE OF ABSENCE

NIL.

4. DISCLOSURES OF INTEREST

Resolved

1. There was NIL Disclosures of Interest

5. CONFIRMATION OF MINUTES

5.1 ORDINARY MEETING – 25 MARCH 2020

Resolved

That the Minutes of the Ordinary Council Meeting held on 26 February 2020 be received and confirmed as an accurate record.

Minute Number:

5.2 BUSINESS ARISING

Nil

6. MAYORAL (ADMINISTRATOR) MINUTE(S)

6.1 ADMINISTRATOR REPORT

Resolved

1. Receive and note the report

Minute Number: 01-04-20

7. FINANCIAL REPORTS

7.1 CASH AND INVESTMENTS – FEBRUARY 2020

Resolved

1. Receive and note the report

Minute Number: 02-04-20

7.2 CASH AND INVESTMENTS – MARCH 2020

Resolved

1. Receive and note the report

Minute Number: 03-04-20

7.3 PROGRESS ON SALE OF LAND FOR UNPAID RATES

Resolved

1. Receive and note the report

Minute Number: 04-04-20

8. GOVERNANCE REPORTS

8.1 COVID-19 IMPACTS TO COUNCIL

Additional to the Report being presented, the General Manager tabled Circular (20-12/17 April 2020) from the Office of Local Government, regarding the Modifications of Statutory requirements in response to the COVID-19 pandemic. The General Manager anticipates the original statutory deadlines are still achievable, this will be subject to external factors. Circular has been appended to the Minutes of the Meeting as information.

Resolved

1. Receive and note the report

Minute Number: 05-04-20

8.2 MEETINGS AND WORKSHOPS ATTENDED BY THE GENERAL MANAGER

Resolved

1. Receive and note the report

Minute Number: 06-04-20

8.2 REVIEW AND REVISION OF COUNCILS SECTION 355 COMMITTEE FRAMEWORK

Resolved

1. Receive the report outlining the review and revision of Council's Section 355 Committee Framework

2. Place the following documents on public exhibition for a period of twenty-eight (28) days, seeking input and endorsement from the community regarding the proposed content of each document
 - a. DRAFT Section 355 Policy
 - b. DRAFT Section 355 Procedure
 - c. DRAFT Section 355 Terms of Reference
 - d. DRAFT Section 355 Operational Manual
3. In conjunction with the adoption of this report, Council will carry out the following community engagement activities to ensure that the DRAFT documents are widely advertised and canvassed and that the community are engagement and empowered to contribute to the adoption and implantation of the revised Section 355 framework:
 - a. Place Public Notices and Media Releases explaining the Section 355 Framework review.
 - b. Contact the members of the eleven (11) existing Council Section 355 Committees and facilitate a comprehensive discussion of the proposed framework.
4. At the conclusion of recommendations (2) and (3) above, a report will be present to Council summarising the feedback from the community and outlining an implementation plan to adopt the new framework.

Minute Number: 07-04-20

9. CORPORATE SERVICES REPORTS

NIL

10. SHIRE SERVICES REPORTS

10.1 LOCAL STRATEGIC PLANNING STATEMENT

Resolved

1. Receive and note the report

Minute Number: 08-04-20

10.2 ROADS AND AERODROMES REPORT

Resolved

1. Receive and note the report

Minute Number: 09-04-20

10.3 SERVICES UPDATE

Resolved

1. Receive and note the report

Minute Number: 10-04-20

10.4 WATER AND SEWER UPDATE

Resolved

1. Receive and note the report

Minute Number: 11-04-20

10.5 ENVIRONMENTAL SERVICES UPDATE

Resolved

1. Receive and note the report

Minute Number: 12-04-20

11. MINUTES OF COMMITTEE MEETINGS

NIL

12. CONFIDENTIAL MATTERS

NIL

13. MEETING CLOSE

There being no further business to discuss, the meeting was closed at 9.22am.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Central Darling Shire Council held on Wednesday, 22 April 2020.

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ADMINISTRATOR

Circular Details	20-12/ 17 April 2020 / A696830
Previous Circular	20-06 Novel Coronavirus (COVID-19) Development Updates
Who should read this	General Managers / Finance, Governance and Integrated Planning and Reporting staff
Contact	Council Performance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Modification of statutory requirements in response to the COVID-19 pandemic

What's new or changing

- Regulations have been made under section 747B of the *Local Government Act 1993* to temporarily modify the application of the Act in response to the COVID-19 pandemic. The regulations made under section 747B modify the Act as follows:
- Councils have been provided with a one-month extension:
 - to adopt their 2020-21 Operational Plan (including Revenue Policy, Statement of Fees and Charges and annual budget) before 31 July 2020;
 - to submit audited financial reports by 30 November 2020; and
 - for the preparation and publishing of annual reports by 31 December 2020.
- Councils have the option to delay issuing rates notices to ratepayers until 1 September 2020, and the collection of the first quarter rates instalment until 30 September 2020.
- Councils may immediately waive or reduce fees under a new "COVID-19" category.
- The requirement for councils to make certain documents available for physical inspection at their offices has been modified to allow access to the documents to be provided remotely.
- In addition to these temporary measures, in response to the closure of some local newspapers and to assist councils to reduce their costs, the *Local Government (General) Regulation 2005* (the Regulation) has been amended to remove requirements for newspaper advertising. This amendment is not temporary and will continue to apply after the COVID-19 pandemic passes.

What this will mean for your council

- The COVID-19 pandemic has caused an exceptional set of circumstances with unprecedented impacts. The NSW Government is committed to supporting local councils and their communities during this period of uncertainty.
- To provide NSW councils with flexibility to adjust to the rapidly shifting circumstances and to allow them to provide appropriate financial support to their local communities, a number of statutory deadlines for 2019-20 and 2020-21 have been modified. These are set out in the table below:

Section of LG Act	Prior deadline	New deadline
Submission of audited Financial Reports – 416(1)	31 October 2020	30 November 2020
Preparation and publish of Annual Reports – 428(1)	30 November 2020	31 December 2020

Section of LG Act	Prior deadline	New deadline
Adoption of Operational Plan - 405(1)	By 1 July 2020	By 1 August 2020
Making of a rate or charge - 533	By 1 August 2020	By 1 September 2020
Date by which quarterly rates are payable - 562(3)(a)	31 August 2020	30 September 2020
Quarterly review statements (QBRs) - Cl 203(1) of Regulation	The third quarter 2019-20 QBRs (currently due May 2020)	Third quarter QBRs - June 2020 . All future QBRs remain due as per Regulation.

- In exercising discretion to extend the making of a rate or charge under section 533 or the collection of rates under 562(3)(a) of the Act, each Council must consider both the financial circumstances of local ratepayers and the potential impact such actions would have on the general cashflow of Council.
- The Government recognises that there may be circumstances where adopting such extensions may not be appropriate or desirable for councils.
- Councils do not need to resolve to extend the date to adopt its Operational Plan, issue rates notices or collect the first rates instalment. A council may, however, choose to direct its General Manager to submit an Operational Plan for adoption prior to 1 July 2020 and to ensure that its rates and charges notices are served by 1 August 2020 (as is normally the case under legislation).
- Councils should also note that there are no changes to the provisions in the following table at this time. However, the Government is continuing to monitor the broader strategic and operating environment for local councils.

Section	Ongoing requirement
405(2)	Councils Operational Plan must include a statement of a council's revenue policy
405(3)	Council must give public notice of draft Operational Plan for not less than 28 days
405(6)	Council must post a copy of its Operational Plan on website within 28 days after the plan is adopted

Extension of the ability of councils to waive or reduce fees

- The application of section 610E of the Act has been broadened to allow councils to waive or reduce fees under a newly established "COVID-19" category, which has been added to the Regulation.
- This means that councils can immediately apply the waiver or reduction without establishing a new category or going through the normal public notice requirements of section 610E(2) for adding new categories.
- Councils may choose to apply such a waiver or reduction, for example, in cases where a business has seen significantly reduced income as a result of COVID-19. The application of any such waiver or reduction of fees is voluntary and is decision for each council based on local circumstances.
- Councils do not need to resolve to waive or reduce fees under the "COVID-19" category if the existing powers delegated to the General Manager include the power to determine a new category in which a council may waive or reduce fees.

Modification of requirements for councils to make certain documents available for inspection

- Under the regulations, the requirements under the Act for councils to make documents physically available for inspection will be satisfied if:

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- in the case of a document that is “open access information” for the purposes of the *Government Information (Public Access) Act 2009* (the GIPA Act), the information contained in the document is published on the council’s website and is made available on request in an electronic form or in such other manner determined by the council.
- in the case of a document that is not “open access information” for the purposes of the GIPA Act, the information contained in the document is made available on request in an electronic form or in such other manner determined by the council.

Removal of newspaper advertising requirements under the Regulation

- To alleviate the red tape burden on councils and to reduce their costs, amendments have also been made to the Regulation to remove remaining requirements for notices to be published in newspapers.
- Councils are now instead required to publish notices on their websites and in such other manner that they consider necessary to bring it to the notice of the local community or other interested persons.

Key points

- Regulations may be made under section 747B to modify the application of the Act for the purposes of responding to the public health emergency caused by the COVID-19 pandemic.
- Regulations may only be made under section 747B if:
 - Parliament is not currently sitting and is not likely to sit within 2 weeks after the day the regulations are made, and
 - the arrangements made by the provisions of the regulations are in accordance with advice issued by the Minister for Health and Medical Research or the Chief Health Officer, and
 - the regulations are reasonable to protect the health, safety and welfare of persons.
- Regulations made under section 747B automatically expire after 6 months or earlier if decided by the Parliament.

Where to go for further information

- For further information please contact the Council Performance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy