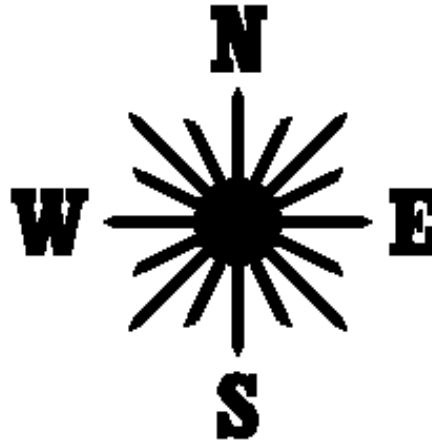


# **CENTRAL DARLING**



## **SHIRE COUNCIL**

**ORDINARY COUNCIL MEETING**

**BUSINESS PAPER**

**15 DECEMBER 2020**

The Meeting will be held at 9.00am in the  
Council Chambers, 21 Reid Street, Wilcannia.

## **MISSION STATEMENT**

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

## **RECORDING AND WEBCAST OF COUNCIL MEETINGS**

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

## **PUBLIC RECORDING PROHIBITED WITHOUT COUNCIL AUTHORITY**

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

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

## **PHOTOGRAPHY PROHIBITED WITHOUT PERMISSION**

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

## **PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY**

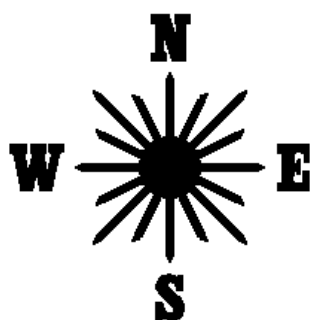
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees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

nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.

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

20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in Clause 4.19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
22. Where a speaker engages in conduct of the type referred to in Clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

# CENTRAL DARLING



## SHIRE COUNCIL

### ORDINARY COUNCIL MEETING

Tuesday, 15 December 2020  
9.00am  
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**

NIL

## **4. DISCLOSURES OF INTEREST**

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

**Recommendation:**

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

## **5. CONFIRMATION OF MINUTES**

### **5.1 ORDINARY MEETING – 25 November 2020**

**Recommendation:**

That the Minutes of the Ordinary Council Meeting held on 25 November 2020 be received and confirmed as an accurate record.

Attachments:

- [1. Minutes of the 25 November 2020 Council Meeting](#)

### **5.2 BUSINESS ARISING**

Nil

## 6. MAYORAL (ADMINISTRATOR) MINUTE(S)

### 6.1 DECEMBER 2020 ADMINISTRATORS REPORT.

**REPORT AUTHOR: ADMINISTRATOR**

**RESPONSIBLE DIRECTOR: ADMINISTRATOR**

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#### **REPORT:**

The December meeting is a week early because of Christmas Day. Council does not meet in January but the day-to-day service delivery and governance will continue and residents may contact Council offices for any issues.

Despite the challenges of drought, storms, fire, closure of the Ivanhoe Correctional Facility and Covid the organisation continues to make progress, and this has only been achieved with the ongoing commitment of staff, understanding of the community and ongoing assistance from the Office of Local Government.

#### **What have we been doing?**

Significant progress has been made including:

- Introduction of a Risk and Work Safety Framework across the organisation.
- Commence review and adoption of policies.
- Establish an Internal Audit and Risk Management Committee.
- Deal with the long-standing issue of unpaid rates through debt recovery for the sale of land.
- Commence the review of the Community Strategic Plan and associated supporting documents.
- Review Councils Chart of Accounts
- Improve electronic record keeping through staff training
- Implement a Community Engagement Strategy and create a position of Community Engagement Officer.
- Review s355 Committees as required by the *Local Government Act 1993*
- Lobbying on issues impacting the shire

#### **Where to now?**

There is still much to be done including:

- Introduction of a robust Workforce Strategy and Management System to cover organisational structure, position descriptions, recruitment, induction, and cultural change and performance management.
- Continue refinement of Councils financial management systems.
- Review organisational structure and service delivery models.
- Review all delegations of authority.
- Finalise the Community Strategic Plan (CSP) and embed the principles of Integrated Planning and Reporting into the organisation's operations.
- Deliver projects such as Water Treatment Plant upgrades in Wilcannia, Ivanhoe and White Cliffs, Pooncarrie/Menindee Road construction, Wilcannia Baaka Cultural Centre, Menindee Native Fish Hatchery.
- Develop and participate in the Far West Joint Organisation of Councils.



## **What are the issues facing the community?**

- Water Policy.
- Local governance.
- Economic Development and employment.
- Tourism.
- Health Services.
- Aboriginal health, housing, education, and employment.
- Telecommunications
- Local Service Provision
- Rural and remote location

Whilst Council is not directly responsible for provision and delivery of many of the above, we will continue to engage with relevant providers and lobby for increased and better service provision and access.

This year has seen significant activity on water policy and infrastructure which has demanded substantial organisational time and staff involvement such as:

- Submission on Barwon/Darling Water Sharing Plan.
- Ongoing input into the Wilcannia Weir design and approval process.
- Finalisation of approvals for Town Water Treatment Plant upgrades.
- Briefings on Western Weirs Strategy.
- Submission on Floodplain Harvesting Policy.
- Submission on Border Rivers Water Sharing Plan.
- Active membership of the MDBA at regional and strategic planning levels.

The most significant project is the development of the Community Strategic Plan which will continue into the new year and the initial conversations with the community by our consultants has yielded a wealth of information.

This plan will inform and set the priorities of the Council for the next 10 years. We have already seen good engagement by the government through the various departments. Again, I would encourage all to be involved as I said it is your plan and your future. If you do not engage, we will not hear your voice.

To everyone thank you for your support, engagement, commitment and at times, good old Aussie sense of humour throughout this difficult year.

Have a safe and happy Christmas.

## **7. FINANCIAL REPORTS**

### **7.1 GRANTS REGISTER RECONCILIATION**

**REPORT AUTHOR: SENIOR FINANCE OFFICER**

**RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES**

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#### **EXECUTIVE SUMMARY:**

This report is to provide a summary of Council's current grants and contributions reconciliation 2020-2021 as of 7 December 2020.

#### **RECOMMENDATION:**

**That Council will:**

- 1. Receive and adopt the report**

#### **BACKGROUND:**

Council's commitment to transparency and greater financial management have at the request of the Administrator, developed a Grants and Contributions Register for public access to be presented during ordinary Council Meetings.

#### **REPORT:**

Council's current Grants Register is not in line with current best practice due to the limitations of Council's general ledger and job cost systems. Council is currently in the process of improving those systems in line with best practice reporting. This process is expected to be completed by end of December 2020.

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

##### **Community Strategic Plan Outcome**

GOAL: 4 A consultative and professional Council providing relevant, attainable and efficient delivery of services.

##### **Delivery Outcome**

OBJECTIVE: 4.2 Efficient and effective services

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

Monitoring of the Current Grants and Contributions Reconciliation 2019/2020 enables timely financial management and improved cash flow processes.

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

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

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

- (a) produce those records for inspection and audit in proper order whenever directed or requested to do so by the council's mayor, responsible accounting officer, general manager (if not the council's responsible accounting officer) or auditor or by the Director-

General or a person to whom the Director-General's functions under section 430 of the Act have been delegated or subdelegated under section 745 of the Act, and

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

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

Monthly reporting allows Council to keep informed of the process of the grants register to actual income and costs.

**OPTIONS:**

There are no alternative options.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

Nil

Attachments

1. [December Grants Reconciliation Chart](#)

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

**REPORT AUTHOR: ACTING RATES OFFICER**

**RESPONSIBLE DIRECTOR: GENERAL MANAGER**

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**EXECUTIVE SUMMARY:**

This report provides an update on the Sale of Land for Unpaid Rates and Charges sales which occurred in the week commencing 26 October 2020.

**RECOMMENDATION:**

**That Council will:**

1. **Receive and note the report.**
2. **Note that monthly reports will be provided to Council until such time that the contracts of sales have been completed and the sale processes finalised.**

## **BACKGROUND:**

Section 713 of the Local Government Act 1993 (the LGA) provides that Council may sell land by public auction where rates and charges remain unpaid for a period of five (5) years or longer.

At its Ordinary Meeting on 25 March 2020, Council resolved to sell 111 properties at public auctions, but to defer advertising and scheduling of such auctions until such time that it is considered appropriate to proceed in light of the Covid-19 situation, which was beginning to evolve at that time.

That resolution also provided Council's authority for the General Manager to execute all relevant documentation to affect such sales.

At its Ordinary Meeting on 24 June 2020, Council endorsed that sale of land auctions be conducted in the week commencing 26 October 2020.

Council received and noted a progress report on the matter at each of its Ordinary Meetings since June 2020 including at its last Ordinary Meeting on 25 November 2020 when it as reported that the auctions resulted in the sale of 91 properties under 83 contracts of sale.

## **REPORT:**

Given the timing of this meeting and the fluid state of progress towards completion of sales, this report may not reflect the actual situation at the time of the meeting. An update will be available at the meeting should Council require same.

The contracts of sale provide for completion within 42 days of the auction dates, which period expires in the week of 7 December 2020 to 11 December 2020. Contracts provide for a 14 day "Notice to Complete" period should either party not be able to settle within the initial 42 days period. That option would usually only be exercised if no agreement to settle later could not be reached beforehand.

In preparing for completion of the contracts and finalisation of the sales process (settlement) the following steps are undertaken;

- Purchaser provides a Transfer document for Council to sign (executed by General Manager under the authority given by Council by resolution at its Ordinary Meeting of 25 March 2020).
- Typically, purchasers will obtain a Section 603 Certificate from Council, setting out the amounts of rates levied and balances outstanding.
- Purchasers may also issue "requisitions" containing questions regarding the property that the vendor (Council must answer)

Once all these documents are ready, a settlement is scheduled where

- the Transfer document is handed to the purchaser
- the purchaser provides an authority to release deposit monies to Council
- purchaser pays any balance of the purchase price (this applies only in one instance as 100% deposits were paid on all other properties at the time of auction)

Due to the type of land title dealing involved with a sale by Council for unpaid rates, settlements cannot be completed electronically as the NSW Land Services does not yet accept electronic transfer documents. As such, the process is paper-based process involving

a physical exchange of documents (and money where deposits are less than 100% of the sale price) between Council's solicitors and the purchasers' solicitors or conveyancers.

This, together with delays in receiving transfer documents from the purchasers may result in the finalisation of some settlements not occurring until the weeks ending 18 December 2020 or the week immediately prior to Christmas.

At the time of preparing this report;

1. Transfers have been received on from purchasers 59 matters for execution by the General Manager and return to Council's solicitors in readiness for settlement. It is expected these documents will be with Council's solicitors by 11 December 2020 – subject to postal delivery times. Settlement of all is expected before Christmas 2020.

Of the remaining 24 contracts

2. Purchaser's solicitors have requested and paid for Section 603 certificates on seven matters (this is a usual step in a property purchase of any type).

Settlements may be delayed until early 2021.

3. Requisitions or other contact indicating purchasers are preparing for settlement has been received and responded to on four matters.

Settlements may be delayed until early 2021.

4. Purchasers have indicated they will act for themselves on 11 matters (of these, one party is the purchaser of 9 properties and one party is the purchaser of 2 properties).

There appears to be a high risk that these contracts will not be completed in which case the deposits, being 100% of the purchase prices would be payable to Council and applied in reduction of the outstanding rates on each property.

5. No contact has yet been made by the purchasers on two other matters however responses have been sought.

There appears to be a moderate risk that these contracts will not be completed in which case the deposits, being 100% of the purchase prices would be payable to Council and applied in reduction of the outstanding rates on each property.

The following table summarises the position explained in points 1 to 5 above.

Status	Risk of Contracts not being completed	Date Completion Expected By	Percentage of Deposits/Sale Price Held	Number of Contracts
Transfer Received	Low	24 December 2020	100% for 58 Contracts 10% for 1 Contract (\$31,500)	59

			payable on settlement	
Section 603 Certificates requested/Issued	Low	15 January 2021	100%	7
Requisitions received/addressed	Low	15 January 2021	100%	2
Other Contact	Low	15 January 2021	100%	2
Purchaser indicates acting for themselves – No formal contact made in preparation of settlement	High		100%	11
No contact/indication of intent to complete	Moderate	15 January 2021	100%	2
Total				83

Should the purchasers not complete the contracts, after the Notice to Complete period, the option to exercise other remedies will need to be considered at that time.

#### Next steps

Council staff and Councils solicitors will continue to work towards achieving completion of contracts over the coming weeks and early in the new year.

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

##### Community Strategic Plan Outcome

No direct linkages

##### Delivery Outcome

No direct linkages

#### SUSTAINABILITY ASSESSMENT:

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

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

Once sale proceeds are received any residual debts will be written off in accordance with Section 719 of the LGA in order that the purchasers acquire the properties free of any rate debt outstanding up to the date of settlement.

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

A review of the adequacy the remaining Doubtful Debt Provision will be addressed through the March 2020-21 Quarterly Budget Review process.

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

Local Government Act 1993  
Councils Debt Recovery Policy  
Council's Economic Hardship Policy

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

Failure of purchasers to complete purchasers may expose Council to further costs of selling for unpaid rates at a future date. A clearer understanding of such risk will not be possible until and unless Notices to Complete are issued and lapse.

### **OPTIONS:**

None.

### **COUNCIL SEAL REQUIRED:**

No

### **COMMUNITY ENGAGEMENT AND COMMUNICATION:**

#### **Internal Exhibition**

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

#### **External Exhibition**

None applicable

## **7.3 CASH AND INVESTMENTS – NOVEMBER 2020**

**REPORT AUTHOR: MANAGER FINANCE**

**RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES**

---

### **EXECUTIVE SUMMARY:**

This report is to provide a summary of Council's cash and investments as at 30 November 2020.

## RECOMMENDATION:

That Council will:

1. Receive and note the report

## REPORT:

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

### Cash and Investment Accounts

Cash & Investment Accounts	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Westpac 11am Investment Account	\$5,950,000.00	\$5,950,000.00	Nil	0.10%	\$252.67	\$1,314.30
Operating Account	\$2,185,326.24	\$3,578,276.10	(\$1,392,949.89)	0.01%	\$25.56	\$115.84
Post Office Clearing Account	\$612,384.31	\$386,962.81	\$225,423.50			
<b>Total Cash at Bank as at 30 November 2020</b>					<b>\$8,747,710.55</b>	

### Commentary:

For the period ended 30 November 2019 Council held a cash balance of \$3.627 million. Council's cash balance for the month ended 30 November 2020 is significantly higher than this amount due primarily to:

- Federal Assistance Grant received in advance \$3,086,967
- Payment for RMS works \$1,081,635
- Receipt of Drought Funding \$400,000
- Receipt of grant funding for the Pooncarie road Project \$4,000,000

### Restrictions

Restriction Type	Restriction Amount
Internal	Nil
External	\$1,565,000
<b>Total Restrictions as at 30 June 2021</b>	<b>\$1,565,000</b>



## Loan Accounts

Loan Account	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Garbage Trucks	\$241,722.91	\$254,770.50	(\$13,084.59)	3.66%	\$581.97	\$2,636.01
<b>Total Loan Liability as at 30 November 2020</b>						<b>\$241,722.91</b>

## Attachments

Nil

## 8. GOVERNANCE REPORTS

### 8.1 Council Meeting Schedule for 2021

**REPORT AUTHOR: GENERAL MANAGER**

**RESPONSIBLE DIRECTOR: GENERAL MANAGER**

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#### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with proposed meeting dates for 2021, for consideration and adoption.

#### **RECOMMENDATION:**

**That Council will:**

- 1. Receive the report and endorse the following:**
- 2. Council adopts the following dates for Council meetings:**
  - No Meeting in January 2021
  - Wednesday 24 February 2021
  - Wednesday 24 March 2021
  - Wednesday 28 April 2021
  - Wednesday 26 May 2021
  - Wednesday 23 June 2021
  - Wednesday 28 July 2021
  - Wednesday 25 August 2021
  - Wednesday 22 September 2021
  - Wednesday 27 October 2021

- Wednesday 24 November 2021
- Wednesday 15 December 2021

## **BACKGROUND:**

In accordance with Section 9 of the *Local Government Act 1993*, Council is required to provide notification to the public of the times and places of its meetings for 2021. In previous years, Council meetings have generally been held on the fourth Wednesday of the month, starting at 9.00am, which has enabled the Administrator to be in the Shire from Monday to Thursday on those weeks.

## **REPORT:**

It was previously determined by the Council that all meetings would be held in Wilcannia. Additionally, with Council meetings in the mornings of the Wednesday, it has also ensured that the Administrator is available on the prior Tuesday or following Thursday to undertake public consultations in Ivanhoe, Menindee and White Cliffs regularly throughout the year. Setting dates and venues to undertake public consultation is not warranted at this stage, due to Council undertaking community consultation in the first half of 2021 for Councils Community Strategic Plan.

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

- No Meeting in January 2021
- Wednesday 24 February 2021
- Wednesday 24 March 2021
- Wednesday 28 April 2021
- Wednesday 26 May 2021
- Wednesday 23 June 2021
- Wednesday 28 July 2021
- Wednesday 25 August 2021
- Wednesday 22 September 2021
- Wednesday 27 October 2021
- Wednesday 24 November 2021
- Wednesday 15 December 2021 (meeting date adjusted to 3<sup>rd</sup> week due to close proximity to Christmas)

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

### **Community Strategic Plan Outcome**

Goal 4. A consultative and professional Council providing relevant, attainable and efficient delivery of services as per the standards set by Council and providing community development and succession planning.

**Delivery Outcome**

Objective 4.1 Effective communication and consultation with Shire communities

Objective 4.2 Efficient and effective services and informed Councillors and staff

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Advising the community of Council meetings in advance	Nil
<b>Environmental</b>	Nil	Nil
<b>Economic</b>	Nil	Nil
<b>Governance</b>	Yes, as per <i>Local Governance Act 1993</i>	Nil

**Financial and Resource Implications:**

There is no implications

**Policy, Legal and Statutory Implications:**Section 9 of the *Local Government Act 1993***Risk Management – Business Risk/Work Health and Safety/Public:**

Nil

**OPTIONS:**

Nil

**COUNCIL SEAL REQUIRED:**

No

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

Memo to all staff advising of Council meetings for 2021

**External Exhibition**

Advertisement of Councils meetings to be published on social and commercial media outlets and advertised on Council's website and Facebook Page.

Attachments

Nil

## 10. SHIRE SERVICES REPORTS

### 10.1 WATER AND SEWER UPDATE

**REPORT AUTHOR:** PROJECTS ENGINEER

**RESPONSIBLE DIRECTOR:** DIRECTOR SHIRE SERVICES

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#### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on water and sewer maintenance, capital works and expenditure on all assets within the Central Darling Local Government Area.

#### **RECOMMENDATION:**

**That Council will:**

- 1. Receive and note the report.**

#### **REPORT:**

##### **Water & Sewerage Operations:**

- Wilcannia's potable water supply transitioned to Darling River supply on Friday 16 October 2020 following positive jar testing and successful full Water Treatment Plant trial. Wilcannia's water supply will remain on river supply. The Wilcannia Weir has stopped flowing and Council imposed Level 1 Restrictions in accordance with adopted policy.
- White Cliffs town water supply is sourced from Wakefield Tank. Wakefield Tank storage supply without further rain is expected to last through to May 2021.
- Ivanhoe town water supply is currently being sourced from Morrison's Tank. Morrison's Tank current capacity is 400 megalitres following recent (early October 2020) Willandra Creek flow and capture and pumping to Morrison's Tank which is at capacity.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Wilcannia Water	\$433,500	25%	\$325,035
Wilcannia Sewer	\$230,865	33%	\$154,670
White Cliffs Water	\$165,500	31%	\$114,439
Ivanhoe Water	\$351,000	26%	\$261,325
Aboriginal Communities R&M	\$126,355	13%	\$109,368

## **Water and Sewer Capital Works**

- Council now intend to call tenders for the three new Water Treatment Plants early January 2021. The Department of Primary Industries and Environment representatives are visiting Wilcannia on Monday 14 and Tuesday 15 December to inspect infrastructure and resolve design specification queries prior to going to tender. Council's consultants, City Water Technology, will be involved for any necessary design changes and/or water treatment plant capacity amendments.
- The White Cliffs Reticulation design is 90% completed, further survey and smart metering information is required to be included in design and tender documentation. Expected date for calling tenders for civil works here is mid-February 2021. Public Works Advisory have been engaged to manage the design and tender process.
- The Wilcannia Gravity Sewer Scoping Study has been completed. Further discussions are in progress for possible funding opportunities to deliver the project. Council will be updated with any developments here.

The table below reflects expenditure to date for Capital Projects.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
White Cliffs WATER TREATMENT PLANT and Retic	\$5,500,000	6%	\$5,157,976
Wilcannia WATER TREATMENT PLANT	\$3,500,000	5%	\$3,318,996
Ivanhoe WATER TREATMENT PLANT	\$2,500,000	4%	\$2,389,405

### **Attachment**

Nil

## **10.2 SERVICES UPDATE**

**REPORT AUTHOR: DEPUTY DIRECTOR SHIRE SERVICES**

**RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

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### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on the services expenditure on all associated assets within the Central Darling Local Government Area.

**RECOMMENDATION:**

That Council will:

1. Receive and note the report.

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

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Parks & Gardens/ Sporting Facilities	\$181,350	33%	\$122,017
Ancillary Works	\$250,500	13%	\$216,746
Street Cleaning/Bins	\$121,000	58%	\$50,584
Buildings	\$674,800	55%	\$306,568
Swimming Pools	\$481,200	14%	\$415,989
Domestic Waste	\$189,000	32%	\$128,865

**Services Capital Works**

Council has received funding to improve facilities throughout the Shire through the Building Stronger Country Communities Projects for Round 1, 2 and 3. The table below reflects expenditure and progress to date.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Building Stronger Country Communities Round 1	\$893,640.00	100%	\$0
Building Stronger Country Communities Round 2	\$1,395,084	86%	\$201,383
Building Stronger Country Communities Round 3	\$760,340	4%	\$727,468

### 10.3 ROADS AND AERODROMES REPORT

**REPORT AUTHOR: ROADS AND ASSETS ENGINEER**

**RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

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#### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide an update on road and aerodrome maintenance, capital works and expenditure on all road asset classes within the Central Darling Local Government Area.

#### **RECOMMENDATION:**

##### **That Council will:**

- 1. Receive and note the report**

#### **REPORT:**

##### **State Roads**

Council are engaged by Roads and Maritime Services (RMS) to maintain the State Highway network within the Shire boundaries. The two State Highways are the Barrier Highway and the Cobb Highway.

Council are engaged under contract conditions specified under the Routine Maintenance Council Contract (RMCC). The contract details routine works required to be completed throughout the year and capital works which are supplied to Council via a Works Order (WO).

2020/21 RMCC Routine Maintenance preliminary allocation is: \$878,000

2019/20 RMCC Works Orders which have been issued, in progress and carry over to this financial year include

1. HW21 111.20.23 Bushley pit 3 extension, \$19,665 (now complete)
2. HW21 111.20.24 Source gravel to Glen Albyn, \$412,502 (now complete)
3. HW21 111.20.25 Glen Albyn Side Track, \$266,163 (now complete)
4. HW21 111.20.26 Source gravel to Rosewood from Bushley 3, \$105,600 (now complete)
5. HW21 111.20.28 Glen Albyn Sth IS, \$1,947,460 (now complete)

Total: \$2,751,390

2020/21 RMCC Works Orders which have been issued and in progress this financial year include

1. HW8 111.21.01 SH8 Heavy patching \$242,204.97
2. HW8 111.21.02 Resurfacing Improvements \$38,420.82
3. HW21 111.21.03 Mt Manara Gravel \$849,409.13
4. HW8 111.21.04 Seg 2185 Rehabilitation \$199,993.98
5. HW21 111.21.05 Seg 2420 Rehabilitation \$329,901.49

Total: \$1,659,930

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining budget</b>
RMCC Routine	\$1,048,240	36%	\$670,536
WO 2019/20	\$2,909,790	100%	\$0
WO 2020/21	\$1,659,930	27%	\$1,211,549

### **Regional Roads**

Council maintains 790km of Regional Roads throughout the Shire.

202/21 Regional Road Block Grant amount (including traffic and supplementary components) has not been confirmed. The figures below reflect the 2019/20 allocation. Payments to Council's will be made in July and January with any reconciliations required being done in January following State (RMS) budget adoption.

202/21 Regional Roads Repair Program was successful with \$400,000 being 50% of the project costs. The remaining 50% is being sourced from the Regional Roads Block Grant which is reflected in the table below. Refer to determination report included in this agenda.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
Regional Road Block Grant	\$2,408,000	49%	\$1,228,757
Regional Roads Repair Program	\$800,000	21%	\$628,778

### **Local Roads**

Council maintains 1600km of Local Roads throughout the Shire.

202/21 The Financial Assistance Grant – Local Roads Component, has now been confirmed as \$1,651,944.



2020/21 Roads to Recovery (R2R) allocation is \$1,502,727. Four capital improvement projects will be delivered this year.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Local Roads Component (FAG)</b>	\$1,651,944	76%	\$391,194
<b>Menindee Street (R2R)</b>	\$240,000	34%	\$157,742
<b>Little Menindee Creek Road (R2R)</b>	\$450,000	9%	\$410,874
<b>Pumpkin Point Road (R2R)</b>	\$300,000	13%	\$260,212
<b>Irrigation Road (R2R)</b>	\$515,727	6%	\$486,191

### **Aerodromes**

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

The Royal Flying Doctor Services (RFDS) initiated the registration process in 2018 to enable 3 of Council's aerodromes to be registered in accordance with the CASA regulations. Wilcannia, Ivanhoe and White Cliffs received modest infrastructure improvements to enable the process to be completed. Pursuant to the agreement between Council and the RFDS, the licensing costs will be borne by the RFDS for a 3-year period.

<b>Works Description</b>	<b>Original Budget</b>	<b>% Expended</b>	<b>Remaining Budget</b>
<b>Aerodromes</b>	\$124,000	61%	\$48,481

## 10.4 ENVIRONMENTAL STATISTICS REPORT

**REPORT AUTHOR: ADMINISTRATION OFFICER – ENVIRONMENTAL**

**RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

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### EXECUTIVE SUMMARY:

This report is to provide a summary of Council's Environment Services statistics for the month of November 2020.

### RECOMMENDATION:

**That Council will:**

#### 1. Receive and note the report

### REPORT:

<b>Statistics for October 2020</b>		
Development	Number of DAs Approved – New Dwellings	0
	Number of DAs Approved – Renovation	0
	Number of DAs Approved – Other	0
	Total Value of DAs Approved	\$0
	Number of Construction Certificates Issued	0
	Number of LGA S68 Approvals	1
Food Safety	Food Premises Inspected	4
Animal Control Activities	Impounded	8 Dogs 0 Cats
	Rehomed	5 Dogs 0 Cats
	Returned to Owner	2 Dogs 0 Cats
	Euthanized	1 Dogs 0 Cats
	Registrations	3 Dogs
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	8
	Chemistry Samples Collected	2
	Non-Compliant Samples	0
	Darling River Algae Samples	0

## 10.5 WEED MANAGEMENT

**REPORT AUTHOR: DIRECTOR SHIRE SERVICES**

**RESPONSIBLE DIRECTOR: GENERAL MANAGER**

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### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with information relating to the management of weeds within the Central Darling Local Government Area

### **RECOMMENDATION:**

#### **That Council will:**

- 1. Receive the report**
- 2. Agree in principle to a “fee for service” agreement with Local Land Services (LLS) for the management of weeds within the Local Government Area and write to LLS advising of this.**
- 3. Report to Council once contract documentation has been prepared for endorsement**

### **BACKGROUND:**

At the Ordinary Meeting of Council, May 2020, Council resolved to:

1. Draft a memorandum of understanding and seek agreement in principal from Broken Hill Council and report back to Council
2. Consider the inclusion of a Weeds Officer in the draft budget and present an amended staff structure to Council following budget adoption

The report detailed Council’s submission for funding under the Weeds Action Program (WAP) to enable the Weeds Officer to be largely funded by grant monies. Council have now received the allocations of which, unfortunately, did not meet expectations. \$27,720 is confirmed for year 1.

### **REPORT:**

#### **Summary**

Currently 4 of the 7 Councils in Western Region have no weeds officer (3 of which haven’t had one for 6 to 18 months)

The general trend downwards in the capacity of Council's to deliver on the WAP program was hoped to be addressed with an increased WAP allocation which has not transpired.

Western LLS proposes to trial a model where there is an increase in regional capacity to deliver against WAP targets in partnership with Councils - essentially providing dedicated weeds officers at the regional scale (i.e through LLS) to service multiple LCAs and deliver on the outcomes of the WAP.

#### **Status**

- WLLS are in discussions with all Western WAP LCAs to discuss to potential to trial this new approach and all have responded positively, pending more detail.

- The expected trial program will incorporate Broken Hill Shire Council, Central Darling Shire Council, and Cobar Shire Council as well as the Unincorporated Area.
- NSW DPI have been apprised of the situation verbally and are included in all developments as a key stakeholder
- LLS are receptive to the approach provided any resourcing (staffing) commitments are managed within the overall Labour Expense Cap for LLS.
- The Western Board are supportive of this approach

In its simplest form, this is a 'fee for service' approach by LLS to maximise the economies of scale that are so greatly magnified by the scale of the Western region. Local Government Area's retain all of their functions and responsibility under the legislation, and LLS is essentially a service-provider contracted on behalf of the councils to deliver the activities identified in the WAP.

As the service provider LLS will:

- conduct weed surveillance on behalf of all participating shires
- monitor hi-risk pathways and sites
- provide concise, comprehensive and consistent reporting in a standardised format.
- report to Council in-line with WIDx reporting and provide recommendations and advice
- Monitor HI-risk waterways, road and rail corridors.
- deliver capacity building activities to all council staff to ensure the LCA has the capacity to respond to an incursion
- deliver regional capacity building program with all stakeholders including landholders, community groups, landcare groups, etc
- develop hi-risk site and species management plans, communicate requirements clearly, and ensure LCAs have capacity to respond.

### **Benefits**

The essential advantage of the proposal is the benefits provided by the economies of scale - i.e Western LLS can operate at a more appropriate scale than the LCAs for the Western Region relative to the funding and outputs identified in the WAP.

In addition to providing dedicated Weeds Officers to deliver on the WAP, Western LLS intends to train the existing Biosecurity Team (9 staff) in Weeds ID and incorporate some of the surveillance activities into annual work-plans. As a part of the broader organisation, LLS can also offer a range of resources in Plant Biosecurity, Communications, Capacity Building and Extension that will increase the overall capacity and response to weeds in the Western region.

Additionally, there are a number of discrete programs which have significant overlap and the potential to integrate the WAP outcomes into a broader suite of projects e.g

- Catchment Action Weeds Program
- National Landcare Program (Currently Coolibah Black-Box has a significant weeds component)
- Plant Biosecurity Program - under development with Ag NRM team
- Schools Education Program
- Landcare Coordinator Support Program
- Aboriginal Engagement Program

### Next Steps for LLS

- Finalise WAP 2020-2021 variation
- Deliver contracts to participating councils
- negotiate partnerships with partner councils
- RWC endorsement (including DPI)
- Recruit Weeds Officer + Train existing Authorised Officers

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

#### Community Strategic Plan Outcome

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

#### Delivery Outcome

##### 3.1.5 Weed Management

Investigate the Shire's responsibility for weed control and seek appropriate opportunities for funding

#### SUSTAINABILITY ASSESSMENT:

	Positive	Negative
<b>Social</b>	Good Social outcomes for Community and Property owners by controlling and managing noxious weeds within the LGA.  An approach to further public education will be required	Nil.
<b>Environmental</b>	Invasive weeds are plants that are spread by birds, wind and storm water. Invasive weeds impact upon neighbouring properties and surrounding land by excluding and competing with native plant growth and regeneration.	Control techniques, including chemical spraying, to be carried out be certified operators with stringent controls in place.  Notwithstanding, there is risk of chemical spray drift and associated adverse effects.
<b>Economic</b>	Shared costs for Weeds Officer and Funding sought through WAP program  Operational budget constraints to be adhered to.	There is no specific budget allocation for a full or part time Weeds Officer.  Included in draft budget 2020-2021
<b>Governance</b>	Council is a Control Authority pursuant to the Biosecurity Act 2015 and carries responsibilities under	Fail to meet legislative requirements, possible civil penalties for executive officers and body corporate.

	<p>the Act to manage weeds within the LGA. (This Act replaced the Noxious Weeds Act 1993)</p>	
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**Financial and Resource Implications:**

Nil. Council’s allocation under the WAP program will fund the LLS Officer duties

**Policy, Legal and Statutory Implications:**

Council is a Control Authority pursuant to the Biosecurity Act 2015 and carries responsibilities under the Act to manage weeds within the LGA. (This Act replaced the Noxious Weeds Act 1993)

Fail to meet legislative requirements could result in possible civil penalties for executive officers and body corporate

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

Inspections carried out in accordance with fatigue Management Procedures.

Chemical spraying carried out in accordance with WH&S Policy, Site Specific Risk Assessments and in accordance with chemical safety data sheets.

**OPTIONS:**

Do nothing and continue with current arrangements.

Employ a Weeds Officer and not enter into agreement with Local Land Services.

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

**Internal Exhibition**

Nil at this time

**External Exhibition**

Nil at this time

Attachments

1. [WAP CENTRAL DARLING 20-21 Sub Program](#)

## **10.6 IVANHOE WASTE COLLECTION**

**REPORT AUTHOR: DIRECTOR SHIRE SERVICES**

**RESPONSIBLE DIRECTOR: GENERAL MANAGER**

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### **EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with information relating to the collection of rubbish in Ivanhoe so an informed decision can be made with respect to operational efficiencies.

### **RECOMMENDATION:**

**That Council will:**

- 1. Receive the report**
- 2. Consult with the Ivanhoe Community about the possibility of reducing waste collection services to 1 day per week and write to all commercial properties**
- 3 Report back to Council following the community consultation period with findings**

### **BACKGROUND:**

Council has, to date, collected household rubbish once per week, Monday's, in the Ivanhoe township. Additionally, commercial properties receive a second service on Thursdays. It is not known why the service was delivered twice weekly, a possible reason is the amount of waste generated by the Correctional Facility on a weekly basis.

The current operation is not a cost-effective way to manage rubbish collection and results in additional staff hours for truck operation and landfill management.

With the recent closure of the Ivanhoe Correctional Facility a small number of businesses still receive the service on Thursdays which may be serviced more efficiently with more bins and one day collection only.

### **REPORT:**

In the interest of operational efficiencies, it is proposed to reduce the number of collection days to one. The resolution above recommends that Council writes to affected businesses and seeks the views of the Ivanhoe community before reporting back to Council with findings.

It is proposed to offer businesses additional bins at no cost to enable them to manage waste accordingly.

The Ivanhoe Landfill is unmanned, open 24hrs a day and 7 days per week. It is possible for household rubbish to be disposed of at any time in designated areas at no cost.

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

**Community Strategic Plan Outcome**

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

**Delivery Outcome**

3.1.4 Waste Management

Review tip and waste operations, access and recycling programs

**SUSTAINABILITY ASSESSMENT:**

	<b>Positive</b>	<b>Negative</b>
<b>Social</b>	Nil	Businesses are used to receiving a service twice weekly. The proposed once weekly collection service may not be welcomed.
<b>Environmental</b>	Less plant hours for the management of waste.	Nil
<b>Economic</b>	Less cost to deliver the Ivanhoe waste services	Nil
<b>Governance</b>	Pursuant to the Protection of the Environment Operations Act 1997, Council manages waste in this location	Nil

**Financial and Resource Implications:**

The table below reflects expenditure over the last 2 years for Ivanhoe waste services. Landfill rehabilitation costs not included.

Year	Description	Expenditure	Total
2019/20	Ivanhoe Waste Collection	0073-0001-0010	<b>\$50,093</b>
	Ivanhoe Tip Costs	\$8,677	
	Street Cleaning – Ivanhoe	0073-0003-0018	
	Fuel – Truck Isuzu FVR 1000 –	\$8,222	
	Garage	0076-0001-0000	
	Plant – R&M Garage truck	\$22,303.63	
	Plant – Tyre	0001-0001-0100	
	Plant – Rego	\$2,820.09	
		0001-0002-0100	
		\$6,856.19	
		0001-0003-0100	
		\$72.90	
		0001-0007-0100	
		\$1,214.37	



Year	Description	Expenditure	Total
2018/19	Domestic Waste Coll Ivanhoe	0073-0001-0010	<b>\$74,338</b>
	Ivanhoe Tip Costs	\$23,912.96	
	Street Cleaning – Ivanhoe	0073-0003-0018	
	Fuel – Truck Isuzu FVR 1000-	\$4,431.28	
	Garage Truck	0076-0001-0000	
	Plant – R&M Garage Truck	\$26,433.22	
	Plant Tyres – Garage Truck	0001-0001-0100	
	Plant Insurance – Garage Truck	\$3,949.70	
	Plant – Registration – Garage	0001-0002-0100	
	Truck	\$13,132.47	
		0001-0003-0100	
		\$54.55	
		0001-0006-100	
		\$1,041.00	
		0001-0007-0100	
		\$1,382.28	

**Policy, Legal and Statutory Implications:**

Nil.

The Ivanhoe Landfill is registered and under 5,000ton produced p/a.

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

The Ivanhoe Landfill is open 24/7 and is available to the community to dispose of household rubbish in designated areas at any time.

**OPTIONS:**

Do nothing and continue with current arrangements, twice per week

**COUNCIL SEAL REQUIRED:**

No

**COMMUNITY ENGAGEMENT AND COMMUNICATION:**

**Internal Exhibition**

Nil at this time

**External Exhibition**

As per recommendation above

## 10.7 PLANNING PROPOSAL TO RECLASSIFY LAND

**REPORT AUTHOR: SENIOR PLANNER/EHO**

**RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

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### **EXECUTIVE SUMMARY:**

To provide Council with the Submission Summary Report following the finish of the exhibition for the Planning Proposal to amend the *Central Darling Local Environmental Plan 2012* to reclassify the land Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

### **RECOMMENDATION:**

**That Council will :**

- 1. Receive and note submissions from public hearing/ meeting on 1 December 2020,**
- 2. Note the public hearing/ meeting did not support the reclassification of the community land to operational land for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia,**
- 3. Council is of the opinion the long term health benefits to the Wilcannia community outweighs the matters raised in the submissions, and matters such as viewing points, environmental impacts and flooding will be dealt with through the development application process,**
- 4. Council supports the reclassification of the land for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia, and submits the Planning Proposal, the Submission Summary Report together with the Council resolution to amend the *Central Darling Local Environmental Plan 2012*, to the Department of Planning, Industry and Environment for final determination.**

### **BACKGROUND:**

Council is required to publicly advertise the Planning Proposal to reclassify "Community Land" to "Operational Land" inviting comment. Under the *Local Government Act 1993* Council is required to hold a public hearing/ meeting regarding the reclassification of land. Upon the completion of the advertising period, Council is to consider any submissions received.

### **REPORT:**

This Submission Summary Report is for consideration and resolution by Council and for submission to the Department of Planning Industry and Environment, for the making of the Planning Proposal/ amendment to the *Central Darling Local Environmental Plan 2012*.

In response to the Covid-19 situation, which has made it difficult for the exhibition in hard copy at Council offices, the Planning Proposal to reclassify "community land" to "Operational Land" was placed on Exhibition online and on the NSW Planning Portal. Residents were informed of the Planning Proposal and Public hearing / Meeting on the Central Darling Shire Council website and in the local Newspapers and News letters. This is in accordance with advice from Department of Planning Industry and Environment.

Following Councils resolution, the Planning Proposal to reclassify the land, the Council Resolution and the Submission Summary Report will be submitted to the Department of

Planning, Industry and Environment for consideration. If the Planning Proposal is favourably considered, the Department of Planning, Industry and Environment will then start the formal process towards gazetting the amendment to the Central Darling Local Environmental Plan 2012. The making of the amendment to the *Central Darling Local Environmental Plan 2012* is by the Governor of NSW. This process will take several months.

#### Reclassification of land

Central Darling Shire Council is required to prepare Plans of Management (*under the Local Government Act 1993*) for all "Community Land" within the Central Darling Shire Council area. The "community land" is both Council owned land and Council managed State owned Crown Reserve lots.

Council is currently preparing a Plan of Management for the Bonney Street lots in Wilcannia. This Plan of Management is to change the use of the Community land from "Water Supply" to "Community Health Facility" which will enable the site to be developed under a lease, for the Maari Ma Community Health Facility.

The Plan of Management being prepared for the lots on Bonney Street Wilcannia (for the Maari Ma community health facility) is the first of the Plans of Management for council owned "community land" (non crown land), that are required to be prepared under the *Local Government Act 1993* for all "community land".

Council has negotiated with the Council Crown Reserve Land Management Team at the Department of Planning, Environment and Industry to reclassify certain "community land" that are Crown Reserve Lots, to become "operational land" (short term reclassification under the *Crown Land Management Act 2016*). This removes the requirement for a Plan of Management for these "operational land" lots. Council is currently preparing Plans of Management for the remaining Crown Reserve Lots that are classified as "community land".

The long term goal of Central Darling Shire Council is to reclassify a large amount of council owned "community land" to become "operational land". This removes the requirement for council to prepare plans of management for the reclassified land, this will result in cost savings to Central Darling Shire Council.

#### **Submission Summary**

A number of submissions were received by Central Darling Shire Council the total number of verbal and written submission received is 17 on the Planning Proposal to reclassify land at Bonney Street Wilcannia.

The number of verbal submissions received by Council at the Public hearing/ meeting on 1 December 2020 was 10 verbal comments/ submissions.

The number of written submissions received by council is seven (7).

The submissions received verbally were from residents of Wilcannia and a representative of the Maari Ma organisation.

The written submissions received is four (4) from residents of Wilcannia, and three (3) from NSW State Governments agencies.

To summarise, the comments received from residents of Wilcannia was that in their personal opinion the site at Bonney Street Wilcannia was not favourable, and all residents put forward the site at Ross Street as the preferred site for the community health facility.

The proposal to reclassify the land from “Community land” to “Operational land “was not supported” by residents of Wilcannia for the following reasons:

- Cultural – Bonney Street site is used as a viewing area for the weir and river by residents and tourists by car (important cultural connection to river by residents),
- Biodiversity - Issue with impact on riverine vegetation and wildlife of the proposed development,
- Environment – Issue with potential for localised flooding and impact on site biodiversity,
- Practicality - Personal opinion stated that a more suitable site exists on Ross Street Wilcannia.

The New South Wales State agencies generally raised no issues with the planning proposal, however the Department of Environment NSW (DPIE) raised concerns in the development stage due to flood issues and impact on the river biodiversity.

The issue of flooding level is determined from historical information on flooding from the Wilcannia hospital (2metres). A flooding impact report will be required for the development application stage.

Flooding information provided by applicant Architect

*“There is no flood study information available for the whole of Wilcannia, however the Central Darling Shire has a marker on the wall of the caravan park ablutions block showing the highest point of the 1956 flood.*

*The Central Darling Shire has confirmed that the level of this marker is 76.665 Australian Height Datum (AHD) and that the existing Wilcannia Hospital has a finished floor level of 77.420AHD.*

*The recent addition to the hospital (2000) also adopted this level as its reference point.*

*As the existing Hospital has not been flooded in its 141 year history the proposed floor level of the new clinic building is to match the existing hospital which is 77.420AHD.*

*NSW Government has flood level information available for the 2011 floods which show that water did not reach the track at the south edge or bottom of the site.”*

Further reports required for the development application stage are an ecological assessment study report (flora and fauna) and a heritage impact statement (due to the position near the Darling River and the historical significance for the local Aboriginal people use of the river.

## **Comment**

The Maari Ma organisation stated at the meeting that they had undertaken extensive consultation with the Wilcannia residents. (This was confirmed by the residents at the public hearing).

Maari Ma also stated that alternative sites were investigated within the grounds of the current Wilcannia Hospital, however Western Health was not in favour of this arrangement.

The Bonney Street site was selected due to the proximity to the Wilcannia hospital and the fact that it was not a Crown Reserve lot (Ross Street site is a Crown Land Reserve and is community land), but community land owned by Central Darling Council.

Furthermore, the site was selected due to the ability of Maari Ma to purchase the land (after reclassification of the land from community land to operational land) and that the Native Title Land Claim had been extinguished on the Water supply - community land lots. It is noted that the finance of the Maari Ma community health facility requires land ownership.

### **Maari Ma – Health, Development & Wellbeing In Far Western NSW – Our Children & Youth**

Central Darling Shire is ranked as the second, and Broken Hill as the seventh, most disadvantaged local government area (LGA) in NSW out of 128 LGAs. Social statistics on average show the Maari Ma region to be socio economically disadvantaged, with fewer residents completing their secondary education and more people in the social welfare system, compared with the rest of NSW.

Maari Ma has followed a few indicators over time to monitor progress against “Closing The Gap” targets for Aboriginal children in the Maari Ma region and NSW as a whole. (Since 2008, Australian governments have worked together to deliver better health, education and employment outcomes for Aboriginal and Torres Strait Islander people, and to eliminate the gap between Indigenous and non-Indigenous Australians.

The first “Closing the Gap” framework outlined targets to reduce inequality in Aboriginal and Torres Strait Islander people’s life expectancy, children’s mortality, education and employment.) The desired outcome is for the ‘Gap status’ to be equal to or less than one, to show that the result for the Aboriginal population in the Maari Ma region is the same as, or better than, the NSW population as a whole.

If the figure in the ‘Gap status’ column is equal to or less than 1, it indicates that the Aboriginal population in the Maari Ma region is doing the same or better, respectively, than the NSW population as a whole. Conversely, if the figure in the ‘Gap status’ column is greater than 1, this indicates that the figure in the Maari Ma region Aboriginal population is worse than the NSW population as a whole and improvement is required.

The new Maari Ma community health facility will be providing healthcare and social services to the local community to assist in the goal of “closing the gap” to provide better outcomes for the local Aboriginal and wider community in Wilcannia.

The main functions of the proposed clinic will be

- Antenatal checks/consultations (performed by GP/obstetrician, midwife and Aboriginal health practitioner)
- Child health checks/consultations (performed by paediatrician, GP, child and family nurse, Aboriginal health practitioner)
- Adult health checks/consultations (performed by GP, nurse, Aboriginal health practitioner)
- Specialist appointments
- Allied health appointments (including speech and occupational therapies, and dietician)
- Wound care
- Pathology collection
- Counselling

## **Far West Local Health District Plan – Connection to Maari Ma**

The Wilcannia Health Service opened as a MPS in 2002 and provides primary and community healthcare services, aged care services as well as 24 hour emergency care. There are currently three Commonwealth-funded high care places and five community packages available in Wilcannia. The service also allows for short term low risk admissions with the approval of the RFDS.

Maari Ma manages the primary health care services including General Practice clinics run by Maari Ma and Royal Flying Doctor Service doctors for chronic disease and acute care. Visiting services include child and adult dental; and a wide range of visiting specialist clinics held quarterly – cardiology, renal, endocrinology, smoking cessation, GP obstetrician, ophthalmology and optometry.

The proposed Maari Ma Community Health Facility Clinic in Wilcannia will expand the healthcare and social services currently provided to the Wilcannia local community (both Aboriginal and non Aboriginal residents).

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

### **Community Strategic Plan Outcome**

GOAL 1: A healthy and cohesive community, receiving recognition and supported by coordinated, appropriate and affordable services.

GOAL 2: A strong regional economy supported by developing industries, strong businesses and increased employment

GOAL 3: A protected and supported natural environment and a sustainable and well-maintained built environment.

### **Delivery Outcome**

OBJECTIVE: 1.1 Closer cooperation and cohesion between community groups

OBJECTIVE: 1.2 Improved community services and facilities

OBJECTIVE: 1.3 Enhanced community spirit, cultural and arts awareness and pride.

OBJECTIVE: 1.4 Improved opportunities for our communities.

OBJECTIVE: 2.1 Expansion of industries and growth in businesses

OBJECTIVE: 2.2 Employment growth

OBJECTIVE: 3.4 Improved infrastructure across the Shire

**SUSTAINABILITY ASSESSMENT:**

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

**Financial and Resource Implications:**

N/A

**Policy, Legal and Statutory Implications:**

Advertisement of the Planning Proposal to reclassify “community land” to “Operational Land” inviting comment is required under the Environmental Planning and Assessment Act 1979. And under the Local Government Act 1993 Council it is required to hold a public hearing/ meeting regarding the reclassification of land for Public comment.

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

Not providing improved health services for the community.

**OPTIONS:**

1. Council approves the Planning Proposal to be sent to the Department of Planning, Industry and Environment to be made, or
2. Council does not support the reclassification of the land, however, the Submission Summary Report, Councils resolution and the Planning Proposal are sent to the Department of Planning, Industry and Environment to consider.

**COUNCIL SEAL REQUIRED:**

Yes

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

No

**External Exhibition**

Online at Central Darling Shire Council website and on the NSW Planning Portal - <https://www.planningportal.nsw.gov.au/digitaldocuments>

Attachments

2. Submission Summary Report,
3. Council resolution,
4. Planning Proposal for the reclassification of community land to operational land.

## 11. CONFIDENTIAL MATTERS

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

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

**Recommendation:**

**That Council 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.**

## 12. MEETING CLOSE

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

The next meeting of Council will be held on Wednesday 24 February 2021 in Wilcannia at 9.00am.