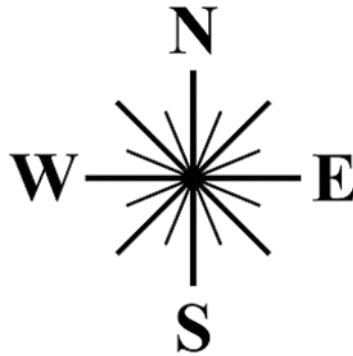


CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

BUSINESS PAPER

26 JUNE 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.

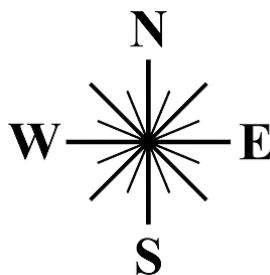
PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

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, 26 June 2024

10:30 AM

Council Chambers, 21 Reid Street, Wilcannia

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1 OPENING OF MEETING

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

2 ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

4 DISCLOSURES OF INTEREST

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

RECOMMENDATION:

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

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 22 May 2024 be received and confirmed as an accurate record.

Attachments:

1. [Ordinary Council Meeting - 22 May 2024](#)

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE - JUNE 2024

FILE NUMBER: GD24/7637
REPORT AUTHOR: ADMINISTRATOR
RESPONSIBLE DIRECTOR: GENERAL MANAGER

Wilcannia Weir update

Council has continued to lobby against the proposed redesign of the Wilcannia Weir and has been supported by the Wilcannia Local Aboriginal Lands Council, The Australian Floodplain Association, The Wilcannia Tourism Association and others representing landholder interests along the river and its communities.

The visit by the Hon Rose Jackson MP to Wilcannia will provide the community the opportunity to express their views.

We have been advised by Transport and Water Assessments, Infrastructure Assessments, Department of Planning, Housing and Infrastructure that the exhibition period will be 14 days, despite requesting an extended period of 28days.

In arriving at Councils request the Department considered commitments made by the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Water Group (the Proponent) during public exhibition, including implementation of a detailed engagement plan.

As part of the proposed engagement plan, the Proponent has committed to:

- provide an independent scribing service in the Wilcannia community during public exhibition, to assist people in making a submission
- provide printed copies of the Amendment Report at multiple locations in Wilcannia, including Council offices in Wilcannia, Ivanhoe and White Cliffs
- provide a plain-English, visual/infographic summary of the Amendment Report at multiple locations, providing a simple, easy to understand summary of the key issues relating to the project and the Amendment Report
- inform the community of the upcoming exhibition through existing communication channels, including the Proponent’s website, newsletter, electronic mail distribution list, direct stakeholder calls via project team and First Nations engagement lead, and flyers placed at multiple places around Wilcannia
- develop additional visualisation tools, including videos and flyovers that present the revised design and overall project in an easy to understand and accessible format.

Council has now requested the Local Member Mr Roy Butler to make representations seeking an extended period of exhibition.

We also continue to seek a meeting with the Hon. Tanya Plibersek MP Minister for Environment and Water in respect to Federal Funding of the weir.

General Manager Performance Review

Under section 338 of the Local Government Act 1993, general managers of councils must be employed under an employment contract based on a standard contract approved by the “departmental chief executive” of the Office of Local Government.

The standard contracts ensure consistency and certainty in employment relationships at the management level in local government and reflect community expectations by providing greater transparency and accountability.

The General Manager Annual Performance review was conducted on Tuesday 30 April at Local Government NSW (LGNSW) Offices in Sydney over a 1.5-hour period. Present at the performance review was the General Manager, the independent consultant from LGNSW Management Solutions, Christian Morris and the Administrator.

The performance review is based on LGNSW standard General Manager Performance template, comprising of two parts, "Capability Framework -Focus Capability" and "Specific Strategic and Operational Objectives" on the performance of the General Manager over the past 12 months.

The outcome of the General Manager Annual Performance Review was assessed more than satisfactory.

Therefore, the General Manager is to receive a 4% increase on the current salary being received, commencing July 1. It is worth noting, the Statutory and Other Officers Remuneration Tribunal, did determine that General Managers across Local Government NSW were not to receive an increase 2023/24, however Councils can increase salaries for satisfactory performance.

A new Annual Performance plan has been prepared for the 2024/25 financial period under the contract and this information will remain confidential.

Attachments:

NIL

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - MAY 2024

FILE NUMBER: GD24/7462
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 31st May 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	\$2,900,000.00	\$4,390,000.00	(\$1,490,000.00)	1.35%	\$4,338.86	\$65,869.22
Operating Account	\$1,116,495.57	\$3,342,488.49	(\$2,225,992.92)	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 31st May 2024						\$4,063,482.87

Commentary:

The net movement of cash for the month of May 2024 was a decrease of \$3,715,992.92.
 Payments for wages and creditors for the month of April 2024 totalled \$ 5,776,716.08.
 Receipts for the month of April 2024 totalled \$2,060,723.16 with major receipts being:

- Transport for NSW \$710,160.00

- Department of Regional NSW \$442,602.00
- DPE Finance FAG Quarter 4 \$138,142.00
- DPE Water \$198,749.00
- Statewide Mutual \$100,000.00

Receipts expected in May 2024 are:

- Roads to Recovery \$2,003,637.00
- Department Climate Change, Environment & Water \$3,205,000.00
- ATO \$3,734,147.19

Restrictions:

Restricted Cash and Investments	
	May-24
Externally Restricted ⁽¹⁾	(\$000's)
Specific purpose unexpended grants	10,228
Water supplies	-
Sewerage services	211
Domestic waste management	439
Total Externally Restricted	10,878
(1) Funds that must be spent for a specific purpose	
Internally Restricted ⁽²⁾	
Employees Leave Entitlements	935
Plant and vehicle replacement	8
Other Waste Management Reserve	110
Total Internally Restricted	1,053
(2) Funds that Council has earmarked for a specific purpose	
Total Restricted Funds	11,931
Total Cash & Investments	4,063
Unrestricted Funds (ie. available after the above Restrictions)	(7,868)
Outstanding Government Debtors	8,943

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 ADOPTION OF DRAFT OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET 2024-25

FILE NUMBER: GD24/7920
REPORT AUTHOR: FINANCE MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

Under the Integrated Planning and Reporting (IP&R) Framework, Council is required to prepare a Resourcing Strategy which outlines how Council will achieve the aspirations in the Community Strategic Plan (CSP). Council's Draft 2024/25 Operational Plan provide a framework to meet the activities and level of services outlined in its CSP.

As part of Council's requirements to comply with the IP&R Guidelines the attached plans were considered and endorsed by Council prior to being placed on public exhibition for a period of 28 days. The 2024-25 Operational Plan, Revenue Policy and Schedule of Fees and Charges along with the Draft Budget 2024-25 are to be adopted at this Meeting.

The Draft Plan was advertised for 28 days in accordance with the provisions of Section 405 and 532 of the *Local Government Act 1993*. No submissions have been received.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.
3. Make and levy the following rates and charges under the *Local Government Act 1993* for the 2024-25 year.
 - (a) In accordance with Sections 492-494, 497-499, 533-535 and 543 of the *Local Government Act 1993*, Council make and levy the following ordinary rates for the 2023/24 year as follows:
 - (i) Farmland Rate ad valorem amount 0.0004470 cents in the dollar
 - (ii) Farmland Base Amount: \$130.00
 - (iii) Residential Rate ad valorem amount 0.070630 cents in the dollar
 - (iv) Residential Base Amount \$130.00
 - (v) Business Rate ad valorem amount 0.0582740 cents in the dollar
 - (vi) Business Base Amount \$130.00
 - (b) In accordance with Sections 496 and 501 of the *Local Government Act 1993*, Council make and impose charges for waste management services in 2023/24 as follows:

DOMESTIC WASTE SERVICE CHARGES LEVIED UNDER SECTION 496 OF THE LOCAL GOVERNMENT ACT 1993	CHARGE UNIT	2024-25 CHARGE
<p>DOMESTIC WASTE MANAGEMENT AVAILABILITY CHARGE</p> <p>(PREVIOUSLY KNOWN AS AN “UNOCCUPIED” PROPERTY CHARGE)</p> <p><u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND.</p> <p><u>APPLIES TO:</u> ALL VACANT PARCELS OF RATEABLE LAND WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS.</p> <p><u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND.</p>	<p>PER PROPERTY</p>	<p>\$327.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE</p> <p><u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN & FREE ACCESS TO DISPOSE OF DOMESTIC WASTE AT COUNCIL'S WASTE MANAGEMENT FACILITY IN THE TOWN THE PROPERTY IS LOCATED IN.</p> <p><u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE IVANHOE, MENINDEE OR WILCANNIA COUNCIL’S WASTE COLLECTION AREAS, WITH AN APPROVAL FOR A RESIDENTIAL BUILDING.</p>	<p>PER PROPERTY</p>	<p>\$685.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – SUNSET STRIP</p> <p><u>PURPOSE:</u> PROVIDE SUNSET STRIP RESIDENTS WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE SUNSET STRIP WASTE MANAGEMENT FACILITY.</p> <p><u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN SUNSET STRIP.</p>	<p>PER PROPERTY</p>	<p>\$87.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – WHITE CLIFFS</p> <p><u>PURPOSE:</u> PROVIDE RESIDENTS OF THE WHITE CLIFFS TOWNSHIP WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE WHITE CLIFFS WASTE MANAGEMENT FACILITY.</p> <p><u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN THE WHITE CLIFFS TOWNSHIP.</p>	<p>PER PROPERTY</p>	<p>\$73.00</p>

<p>DOMESTIC WASTE MANAGEMENT – ADDITIONAL BIN COLLECTION SERVICES <u>PURPOSE:</u> WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BIN (ADDITIONAL CHARGE PER BIN). <u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS WHERE AN ADDITIONAL DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.</p>	<p>PER BIN</p>	<p>\$685.00</p>
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WASTE MANAGEMENT SERVICE CHARGES - NON DOMESTIC LEVIED UNDER SECTION 501 OF THE LOCAL GOVERNMENT ACT 1993	CHARGE UNIT	2023-24 CHARGE
WASTE MANAGEMENT SERVICE <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN. <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE A WASTE COLLECTION SERVICE HAS BEEN REQUESTED AND PROVIDED.	PER PROPERTY	\$685.00
WASTE MANAGEMENT ADDITIONAL BIN <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BINS. <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE AN ADDITIONAL NON DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.	PER BIN	\$685.00

- c. In accordance with Sections 501 and 502 of the *Local Government Act 1993*, make and levy charges for water supply services in 2023-24 as follows:

Water Service Charges - Wilcannia		
Service Charge Description	Charge Unit	2023-24 Charge
Filtered Water Connected	Per Connection	\$275.00
Non- Potable/Raw Water Connected	Per Connection	\$1,083.00
Filtered Water Availability	Per Property	\$181.00
Non- Potable/Raw Water Availability	Per Property	\$181.00
Filtered Water Usage	Per Kilolitre (kL)	\$3.75
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$3.75
Non- Potable/Raw Water Usage – Metered Non Rateable Properties	Per Kilolitre (kL)	\$3.75
Water Service Charges - Ivanhoe		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$322.00
Non- Potable/Raw Water Connected	Per Connection	\$539.00
Filtered Water Availability	Per Property	\$240.00

Non- Potable/Raw Water Availability	Per Property	\$240.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.18
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$1.81
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$5.03
Non -Potable/Raw Water Usage – Metered Non -Rateable Properties	Per Kilolitre (kL)	\$4.18
Water Service Charges – White Cliffs		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$1,043.00
Non- Potable/Raw Water Connected	Per Connection	\$1,043.00
Filtered Water Availability	Per Property	\$912.00
Non -Potable/Raw Water Availability	Per Property	\$912.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.08
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$4.08
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08
Non- Potable/Raw Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08

d. In accordance with Sections 501 of the *Local Government Act 1993*, Council make and levy charges for sewerage services in 2023-24 as follows:

Service Charge Description	Unit Type	2024-25 Charge
Sewerage Service Charge	Per property – up to 2 connections	\$980.00
Sewerage Service Additional Charge	Per connection – more than 2 connections	\$338.00

e. Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566(3) of the *Local Government Act 1993*, being 10.5 per cent per annum for the period 1 July 2024 to 30 June 2025.

f. Fees and Charges for the use of services provided by the Council as detailed in the Operational Plan and Budget 2024-25 be adopted in accordance with Section 608 of the *Local Government Act 1993*.

BACKGROUND:

The Draft Annual Operational Plan 2024-25 is required to outline the activities Council proposes to undertake in the upcoming financial year 2024-25, as part of its Delivery Program. The document also includes Council’s proposed revenue policy and budget estimates for the 2024-25 year.

The Draft Operational Plan has been prepared on the basis of continuing to address the Council’s current financial strategy of delivering ongoing operating surpluses and to ensure that Council does not return to a negative cash balances.

REPORT:

The Draft Operational Plan and Budget was presented to Council at it’s Ordinary Meeting held on the 23rd May 2024. In accordance with the provisions of Section 405 of the *Local Government Act 1993*, the Draft Plan was placed on public exhibition on 24 May 2024 for 28 days. That period expired on Wednesday, 20 June 2024.

At the meeting held on 23rd May 2024 the draft budget indicated a net operating deficit of \$1.221 million.

After further review and analysis the budget has been amended to show a net operating surplus of \$15,000.

The amendments centre around :

- RMS income, mainly to do with an increase in oncost recovery
- Contractor expense, on review had been over-estimated
- A minor adjustment to the depreciation of roads

Council will monitor these items at its first quarterly budget review, which will be presented to Council at its November meeting.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.1 Design and implement governance systems within the shire that are culturally responsive and ensure communities have effective local democratic structures and representation
		2.1.2 Undertake ongoing engagement with shire Communities to ensure their input in the design of local governance structures and services
		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

		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
		2.1.5 Maintain an adequate stock of local housing for appropriate council staff

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Having a financial plan will enable Council to anticipate future financial threats and opportunities.

Policy, Legal and Statutory Implications:

Required under the *Local Government 1993, Section 403*

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

Having a financial plan enable Council to anticipate and mitigate future financial risk.

OPTIONS:

None available as Council must adopt an Operational Plan and budget prior to 1 July 2024

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required

External Exhibition:

The Draft Plan was advertised for 28 days in accordance with the provisions of Section 405 and 532 of the *Local Government Act 1993*

Attachments:

1. [Draft Operational Plan 2024-25](#) 

8.3 ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2025-34

FILE NUMBER: GD24/7930
REPORT AUTHOR: FINANCE MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

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

The purpose of this report is to provide Council with a Long-Term Financial Plan (LTFP) for adoption following a period of public exhibition.

The Draft Plan was advertised for 28 days in accordance with the provisions of Section 405 and 532 of the *Local Government Act 1993*. No submissions were received.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.
3. Adopt the Long Term Financial Plan 2025 – 2034.

BACKGROUND:

A Long-Term Financial Plan (LTFP) is one of the three resourcing strategies required by the NSW Integrated Planning and Reporting Legislation and must be for a minimum of 10 years.

The plan has been prepared to provide the community with the appropriate information about how Council's finances will operate over the next 10 years in line with the different choices that can be made.

All LTFPs must be based on a set of assumptions, which generally relate to those matters which are most likely to affect the overall outcome of the LTFP. The following assumptions have been considered, discussed and ultimately used as a basis to forecast Council's long-term financial position over the period of the plan:

- Rates are forecast to increase in line with current IPART rate capping guidelines.
- Annual charges for water, sewer and waste services to increase in line with current IPART rate capping guidelines.
- No additional long-term debt.
- All revenue sources other than rates and annual charges to rise by the estimated CPI.
- Net staff levels will remain constant in line with current service provision.
- No reduction in the level of services provided.
- Assets that provide an income stream or allow Council to reduce operating costs may be leased.

REPORT:

A long-term financial plan is a key to good financial management and provides a framework for future financial and resourcing decisions.

The Long-term Financial Plan includes commentary on the following projected financial statements:

- Revenue Statement
- Balance Sheet
- Cash Flow

A summary of the key outcomes of the plan is below:

Central Darling Shire Council 10 Year Financial Projections Summary of Key Outcomes										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Surplus (deficit) from Operations (Before Capital funding)	12,124	8,346	5,564	5,144	3,123	3,831	3,503	4,195	3,914	4,520
Underlying Surplus/(Deficit)	15	166	384	464	543	751	923	1,115	1,334	1,440
Net Cashflow from Operations	18,552	11,098	8,568	8,098	6,111	7,353	6,044	6,723	7,893	8,525
Projected Capital Expenditure	17,649	10,415	6,220	6,710	3,860	4,800	4,225	4,485	4,400	5,625
Closing Cash Balance	3,198	3,431	5,313	6,236	8,020	10,107	11,460	13,232	16,259	18,694
Long Term Borrowings	-	-	-	-	-	-	-	-	-	-

The Long-Term financial plan also includes commentary on financial modelling of different scenarios, risk to the plan, sensitivity analysis and ongoing financial performance monitoring.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.2 Undertake ongoing engagement with shire Communities to ensure their input in the design of local governance structures and services
		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
		2.1.1 Design and implement governance systems within the shire that are culturally responsive and ensure communities have effective local democratic structures and representation
		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
		2.1.5 Maintain an adequate stock of local housing for appropriate council staff

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Having a financial plan will enable Council to anticipate future financial threats and opportunities.

Policy, Legal and Statutory Implications:

Required under the *Local Government 1993, Section 403*

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

Having a financial plan enable Council to anticipate and mitigate future financial risk

OPTIONS:

None available as Council must adopt a Long Term Financial Plan prior to 1 July 2024

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

N/A

External Exhibition:

The Draft Plan was advertised for 28 days in accordance with the provisions of Section 405 and 532 of the *Local Government Act 1993*.

Attachments:

1. [Draft Long Term Financial Plan 2025-34](#) ↓ 

8.4 GRANTS REGISTER - MAY 2024

FILE NUMBER: GD24/7961
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 31st May 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 month of May 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 May 2024, including a work plan up to September 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. [May 2024 Report from Morris and Piper](#)  

9 GOVERNANCE REPORTS

9.1 ADOPTION OF DRAFT COUNCIL SOCIAL MEDIA POLICY

FILE NUMBER: GD24/7226

REPORT AUTHOR: COMMUNITY ENGAGEMENT OFFICER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The draft Central Darling Shire Council Social Media Policy sets standards of conduct for all Council officials who use social media in their official capacity. The policy also sets standards for people engaging on Council social media platforms.

The draft policy was adopted by Council at the April 2024 Ordinary Council meeting to be placed on exhibition for 28 days for public comment. No comments were received.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Note the report
 - (a) Adopt the draft Council Social Media Policy.
 - (i) Place the Council Social Media Policy on Council's website.

BACKGROUND:

This policy will provide councillors with a robust framework for the administration and management of their social media platforms. It sets standards of conduct for all Council officials who use social media in their official capacity. The policy also sets standards for people engaging on Council social media platforms.

It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm. This social media policy has four 'Principles' of social media engagement. These are: Openness; Relevance; Accuracy and Respect.

Despite its obvious benefits, social media also presents a variety of challenges and risks including a significant risk both in a legal sense, and in terms of a council's ability to operate in a unified and coordinated way.

It is therefore vital that Central Darling Shire Council has the right policy settings in place so that the full benefits of social media can be realized whilst mitigating risks.

REPORT:

Social media is fundamental to not just how people interact with one another, but also to how we work, play, and consume information and ideas. Social media is an important tool that Council uses to communicate with residents, visitors, businesses and government agencies. While there are just 1,700 residents in Central Darling the Council Facebook page is very active with 5,400 followers and the Council LinkedIn page is growing with 274 followers currently. It is timely that this draft policy comes before Council as Central Darling Shire Council is preparing to go to the Local Government Election in September 2024. This means Council would move from Administration to having elected councillors. This policy defines the framework and expectations around social media for Council officials including elected councillors.

Despite its obvious benefits, social media also presents a variety of challenges and risks. These include:

- (a) The emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling.
- (b) Maintaining the accuracy, reliability and integrity of information shared from multiple sources.
- (c) Organisations can be held liable for third party content uploaded onto their social media platforms.
- d) Content uploaded in a person’s private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers.
- (e) Rapid innovation can make it difficult to keep pace with emerging technologies and trends.

In addition, potential corruption risks may arise due to social media use. These include:

- (f) Customers, development proponents/objectors, tenderers, or other stakeholders grooming public officials by behaviours such as ‘liking’ specific posts, reposting content, or sending personal or private messages.
- (g) Public officials disclosing confidential or sensitive information. (h) Using social media for sponsorship opportunities which may unfairly advantage one sponsor over another and lack transparency.
- (h) Public agencies or officials promoting certain businesses by behaviours such as ‘following’ them, ‘liking’ content, or making comments, which may result in those businesses being favoured over others.

Central Darling Shire Council and Council officials should be aware that they may be considered a ‘publisher’ of any content uploaded onto a social media platform they administer, including content that: Is uploaded by a third party; and/or appears on their social media platform because they have ‘liked’, ‘shared’, or ‘retweeted’ the content, or similar.

The Central Darling Shire Council draft Social Media Policy covers a variety of parts including application, administrative framework, authorised users, administrative framework for councillors’ social media platforms, standards of conduct on social media, moderation of social media platforms, use of social media during emergencies, records management, privacy considerations and requirements, private use of social media, concerns and complaints.

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

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

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

There are no direct financial or resource implications to Council in implementing the policy. Public exhibition required for 28, as per *NSW Local Government Act 1999*.

Policy, Legal and Statutory Implications:

NIL

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

NIL

OPTIONS

It is in the best interest and good governance practice to have a Social Media Policy for councillors.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

NA

External Exhibition:

NA

Attachments:

NIL

9.2 FLOW FM RADIO TO BROADCAST TO THE SHIRE

FILE NUMBER: GD24/7427
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

Flow Media (Flow FM) obtained a grant from the NSW Government Regional Media Fund in 2023 to fund equipment and installation of commercial radio services at Menindee, Wilcannia, Ivanhoe and White Cliffs. The Central Darling Shire agreed to provide infrastructure and equipment room space at each site and ongoing electricity. While Flow FM agreed to provide planning and implementation, engineering and licensing, the transmission equipment and ongoing maintenance.

RECOMMENDATION:

That Council will:

1. Receive and note the report.

REPORT:

Flow FM planned with ACMA (Australian Communications and Media Authority) the four town sites and frequencies following consultation with the General Manager. Initial licensing is in the name of Council, to expedite the licenses. Flow Media agreed to pay for the initial licensing and then transfer them into the Flow name once established, placing them in the License Area Plan for the ACMA Remote Central Zone Commercial license and into common law.

Flow FM has a broadcast headquarters in Regional South Australia near the Barossa Valley at Roseworthy. The 24-hour daily broadcasts include News, Agriculture, Sports and Current Affairs, particularly with a rural focus. Each week Flow FM produces 12 hours broadcast/day, Monday to Friday, content including:

- a regionally focused Morning Show with live programs visit across the 26 broadcasts services, including the Central Darling Shire at least one show for each town, each year.
- sports show each Friday night (repeated Saturday,) with guests from local sport competitions. Contact has been made with Ivanhoe Rugby Team. Other local teams may also get radio exposure.
- Daily weather bulletins
- Daily Agriculture bulletins from Fairfax and one that Flow creates from more direct press releases to their broadcast areas.
- Interviews with Council, State and Federal politicians on a regular basis.
- Interviews with Pastoralist Association, NSW farmers, MDBA etc,

All community groups can use our free Community Service Announcement bulletins. Along with businesses and event organisers can promote their offerings.

Flow purchased the transmission antenna, satellite service, information technology and diagnostic equipment for the 4 sites in early 2024 and undertook testing and developed a plan to install the 4 sites. Governments use commercial radio for advertising key messages like road, rail, health, agriculture, water, pest, tourism etc. impacts.

Flow FM Technical Manager (Rob Habel) and managing Director (Wayne Phillips) met with the General Manager and Operations Manager to formalise the implementation plan. Rob and Wayne visited all four Council sites to formulate a technical plan at each site. Flow FM assisted Council in

the submission of the documentation to ACMA and consulted with ACMA engineer in obtaining frequencies for Menindee, Wilcannia and Ivanhoe, with White Cliffs to be obtained in 2 weeks.

The installation of equipment at Menindee, Wilcannia and Ivanhoe, has now been completed.

The planning frequency with ACMA will be completed in the next 2 weeks and installation once Flow FM and Council have decided on a location and building to house the equipment.

Attachments:

NIL

9.3 ARIC- TERMS OF CONDITIONS AND INTERANL AUDIT CHARTER

FILE NUMBER: GD24/7443
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is for Council to endorse Audit, Risk and Improvement Committee revised Terms of Conditions and Internal Audit Charter.

RECOMMENDATION:

That Council will:

1. Receive the report.
2. Adopt ARIC Terms of Conditions.
3. Adopt ARIC Internal Audit Charter.

BACKGROUND:

Council has established an audit, risk and improvement committee in compliance with section 428A of the Local Government Act 1993, the Local Government (General) Regulation 2021 and the Office of Local Government's Guidelines for risk management and internal audit for local government in NSW.

The Terms of Reference set out the committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangement.

The Internal Audit Charter provides the framework for the conduct of the internal audit function in the council and requires to be approved by the governing body taking into account the advice of the council's audit, risk and improvement committee.

REPORT:

The objective of council's Audit, Risk and Improvement Committee (ARIC) is to provide independent assurance to council by monitoring, reviewing and providing advice about the council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

The committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide council with robust, objective and unbiased advice and assurance.

The committee is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the council. The committee will provide independent advice to the council that is informed by the council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The committee must always ensure it maintains a direct reporting line to and from the council's internal audit function and act as a mechanism for internal audit to report to the governing body and the general manager on matters affecting the performance of the internal audit function.

A recent review of the Internal Audit Charter and the Terms of Reference has been undertaken by the committee with minor changes made to reflect legislative and current position of the committee. Council is asked to adopt the amended ARIC Terms of Conditions and Internal Audit Charter for the next 4 years.

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

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

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

No financial or resource implications

Policy, Legal and Statutory Implications:

No Policy, Legal and Statutory Implications

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

No

OPTIONS:

Nil

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:



Internal Exhibition:

No

External Exhibition:

No

Attachments:

1. [ARIC Terms of Reference](#) ↓ 
2. [ARIC Internal Audit Charter](#) ↓ 

9.4 ARIC - ENDORSEMENT OF NEW COMMITTEE MEMBER

FILE NUMBER: GD24/7454
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report is for the appointment of Sean Hounslow to Councils Audit, Risk and Improvement Committee (ARIC), due to the resignation of committee member Paul Bright.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Appoint Sean Hounslow to Councils Audit, Risk and Improvement Committee (ARIC).

BACKGROUND:

Council has established an Audit, Risk and Improvement Committee (ARIC) in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government’s *Guidelines for risk management and internal audit for local government in NSW*. Council committee was originally made up of four members and was established four years ago. The Chairperson is elected by the committee from the membership group. ARIC meetings are held quarterly by video conference, with occasional additional meeting held when required.

Recent changes to ARIC guidelines, which will come into effect from 1 July 2024, meant there has been changes to positions and membership. A new chairperson has now been elected (Dave Tanner), due to the previous chairperson (Jay Nankivell) was not eligible continue due to his employment, however remains as a committee member.

Committee member Paul Bright resigned in April 2024, as he perceived a conflict of interest in continuing as a member, due to his current employment. This now leaves a vacant position in the committee.

REPORT:

At the recent ARIC meeting, held in May, the committee discussed membership for the committee and whether to continue with the current three members, or seek a replacement to bring the total membership back to four. The committee felt there is a gap of experience and expertise among the membership, especially in ITC (Information, Technology and Communications) area. Also, membership of four would allow for absence members, to ensure quota for a quorum.

The committee decided to fill the vacancy with person with experience and expertise in ITC, with the chairperson to source a suitable candidate. A suitable candidate was found, Sean Hounslow, and provided his current Resume, which was distributed to all committee members for their pursual. Committee members, in an out-of-session meeting (via email), agreed to Sean Hounslow candidature on council ARIC.

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

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.1 Design and implement governance systems within the shire that are culturally responsive and

	ensure communities have effective local democratic structures and representation
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SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

No implications

Policy, Legal and Statutory Implications:

No implications

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

Nil

OPTIONS:

Council could elect not to appoint to fill the vacancy.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Nil

External Exhibition:

Nil

Attachments:

NIL

9.5 MENINDEE HOUSE FIRE INSURANCE CLAIM

FILE NUMBER: GD24/7475
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report is to advise Council on the different options available for the insurance claim for 37 Darling Street House fire and to endorse a preferred option and project/s if applicable.

RECOMMENDATION:

That Council will:

1. Receive the report.
2. Select Option Four – “Replacement value cash settlement, via unplanned capital expenditure provisions” amount of \$346,018.38.
3. put the funds towards unplanned capital expenditure within two years from the date of the loss.
 - (a) The supply and delivery of one-bedroom prefabricated house on Council land at Ivanhoe to be used for staff accommodation.
 - (b) The supply and installation of Aerated Effluent Water Treatment system at 37 Darling Street, Menindee (DP 1064220 PT1) to service the remaining four houses to address the issues of effluent disposal on the adjoining property.
4. The General Manager to report back to Council with the following:
 - (a) The acceptance by Statewide Mutual, that Council wishes to pursue Option Four with the projects as recommended above (3a & 3b).
 - (b) If projects have been rejected by Statewide Mutual, provide alternative projects.
 - (c) If projects are approved, provide detail project costs and delivery plan.

BACKGROUND:

On the evening of Thursday 7 December 2023, a Council owned dwelling at 37 Darling Street Menindee was destroyed by fire. The neighbouring dwelling, also Council owned, sustain some minor heat damage. The dwelling destroyed by the fire was tenanted and occupied at the time of the fire, however no injuries was incurred by the fire. The neighbouring property was also tenanted, however was not occupied at the time of the fire.

Council insurance provider, Statewide Mutual was contacted that evening to advise the loss of a dwelling due to fire. The following days, once Council obtained access to the properties, it became apparent the neighbouring property sustained heat damage. The destroyed dwelling was fenced off to all public access, as the building contained asbestos building materials.

The following week, Statewide Mutual sent a claims assessor to inspect damage, which the destroyed building was confirmed as “written off”, had to be demolished and repairs to the neighbouring property to be undertaken. Council engaged from Sydney, a licenced asbestos removalist, to undertake the demolition, the works completed within a week in January.

37 Darling Street and the neighbouring dwelling, along with another 3 adjoining dwellings, are contained on a single allotment, DP 1064220 PT1, comprising of 4,962 square metres. This allotment (houses) has been in Council ownership for many years and has been occupied by tenants, as a source of income for Council.

Councils Local Environmental Plan (LEP) does not allow the subdivision of land less than 1000 square metres/ allotment. The reasoning as to why these properties have never been subdivided.

The allotment is currently deemed as Council Community Land; however, this will be very soon converted to Council Operational Land.

In recent years, Council has ongoing maintenance issues with all houses contained within this allotment, due to the age of these dwellings and the difficulties with maintenance activities when dealing with asbestos. More so, the biggest issues are the containment and disposal of effluent from the dwellings, which is being managed on land which is not owned by Council. The allotment (DP 1064220) does not have enough open space within its boundary to have a suitable effluent disposal system for five houses (now four houses).

The tenant of the house destroyed by the fire has since found alternative residency and now does not wish to relocate and continue rental.

All cost associated with the demolition of the dwelling and heat damage repairs to the neighbouring dwelling has been settled as separate claims, as all costs incurred by Council to be reimbursed by Statewide Mutual.

REPORT:

During the past months, the General Manager has been in discussion with Statewide Mutual about remuneration for the destroyed dwelling. Statewide have received the indemnity value for 37 Darling Street, Menindee. Council has four options. Two involve reinstatement of the building, and two involve cash settlements.

1. Council can reinstate the building like-for-like at the existing site.

Statewide Mutual obtained a quote for \$346,018.38 excluding GST to reinstate the dwelling as it was before the fire. If this option was attractive to Council, Council could either approve this quote, or arrange for another builder to reinstate the building, whereby Council would be able to recover up to \$346,018.38 less the deductible. (i.e., If Council arranged for another builder to do the works at a higher price, Council would be required to pay the difference between that higher price and \$346,018.38). If Council opted to reinstate the building, Statewide would reimburse Council as invoices were received.

2. Council can reinstate the building like-for-like at a different site.

Similar to the above, Council would be able to recover up to \$346,018.38 excluding GST and less the deductible for this. If reinstating at a different site would cost more, due to higher site establishment fees for example, Council would be required to pay the difference. Statewide would reimburse Council as invoices were received.

3. Indemnity value cash settlement.

Council could opt to take an indemnity value cash settlement. The indemnity value is based on the reinstatement/replacement value, in the amount of **\$82,833.82** excluding GST, with deductions made for age, wear and tear, depreciation etc.

With an indemnity value cash settlement, Council could put the funds to whatever it liked, or simply bank them, without having to defer to Statewide. It is essentially 'no strings attached' cash.

4. Replacement value cash settlement, via unplanned capital expenditure provisions.

There is a provision in the policy which allows Council to obtain the replacement value in cash, i.e. \$346,018.38, if Council can provide evidence of putting the funds towards unplanned capital expenditure within two years from the date of the loss.

To break this down:

- a) The expenditure must have been unplanned as at the date of loss, which was 07/12/2023. i.e., Council was not contemplating putting the funds towards the capital expenditure prior to the fire on 07/12/2023.
- b) The expenditure must be of a capital nature. i.e., Something that would be recorded as a capital expense rather than an operating expense on Council's balance sheets. The most common examples are works with buildings and other structures.
- c) The expenditure must occur within two years from the date of loss. This will usually mean the expense has been invoiced from the supplier/builder. Underwriters have also accepted a liability to pay as being sufficient, such as when Council signs a building contract which gives rise to a liability for Council to pay the builder at a future date.

In contrast to an indemnity value cash settlement, there are 'strings attached' to a replacement value cash settlement, which are those points at 'a', 'b' and 'c' above.

Option Three listed above, "Indemnity Value Cash Settlement" amount of \$82,833.82 excluding GST, would be a financial disadvantage to Council and should be ignored.

Options One and Two, if Council elected to rebuild the dwelling which was destroyed by fire, retaining five houses as rentable income. This does not resolve the issues of effluent containment and disposal as previously discussed. Furthermore, Council still will have the remaining houses which are considered as high maintenance.

Option Four – "Replacement value cash settlement, via unplanned capital expenditure provisions" amount of \$346,018.38 is the best financial option, which allows flexibility towards unplanned capital expenditure within two years from the date of the loss.

Council have made preliminary investigation for Option Four for the expenditure \$346,018.38 to be spent for the following projects:

- A. The supply and delivery of one-bedroom prefabricated house on Council land at Ivanhoe to be used for staff accommodation, (Water Plant Treatment Operator residence). Council owns a number of greenfield allotments which can be utilised. The work would entail the supply and delivery of a prefabricated one-bedroom house, connection of utilities, effluent system, fencing and basic landscaping. The estimated cost for these works is \$226,018.
- B. The supply and installation of Aerated Effluent Water Treatment system at 37 Darling Street, Menindee (DP 1064220 PT1) to service the remaining four houses to address the issues of effluent disposal on the adjoining property. The area which the destroyed house would be used as disposal area for wastewater, either as soakage trenches or irrigation. The estimated cost for these works is \$120,000.

Neither of the above projects have been considered by Council until the fire occurred (07/12/2023) and the above options made available to Council, via email on 27/05/2024.

Whilst some quotes have been obtained for the above projects, further investigation into the cost will be required. Potentially the projects combined may exceed \$346,018 value, in which Council will need to contribute the remaining funds to complete both projects.

If Council endorses the recommendations in this report, the General Manager will contact Statewide Mutual, to advise Council wishes to pursue Option Four – "Replacement value cash settlement, via unplanned capital expenditure provisions" amount of \$346,018.38, and would undertake projects A & B as mentioned above, to ensure these meet Statewide Mutual criteria.

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
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SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

No financial or resource implication directly relates to this report

Policy, Legal and Statutory Implications:

Nil

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

Nil

OPTIONS:

Council has the ability to choose an alternative option or projects.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required

External Exhibition:

Not required

Attachments:

NIL

9.6 CENTRAL DARLING SHIRE COUNCIL DRAFT RISK MANAGEMENT POLICY & PROCEDURE

FILE NUMBER: GD24/7714
REPORT AUTHOR: RISK & WHS OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is for Council to consider the adoption of the draft Risk Management Policy and Procedure.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Adopt the Risk Management Policy and Procedure

BACKGROUND:

Central Darling Shire Council’s Risk Management Policy and Procedure which was first developed in 2019 and has been reviewed every 2 years has not been formally adopted and included in Council’s Policy Register. This report, and the attached Policy, seeks to remedy this.

REPORT:

Through integration with the approved Enterprise Risk Management Framework, the purpose of this draft policy is to:

- Establish the principles upon which our organisational risks are managed in accordance with the risk management standard, AS ISO 31000:2018 *Risk management – Guidelines*.
- Guide the integration of risk management into our governance structure, culture, and business processes.
- Implement an approach to risk management that is fit for purpose at all levels throughout Council.
- Integrate risk-based decision-making throughout Council for the benefit of the organisation, our community, and our stakeholders.
- Develop a culture of risk awareness, accountability and shared attitudes that promotes a willingness and capability to manage risk at all levels across the organisation.

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

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

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	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:

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

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 Risk Management Policy and Procedure as presented or recommend options for enhancement before adoption.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

NIL

External Exhibition:

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

Attachments:

1. [CDSC Risk Management Policy 2024](#) ↓ 
2. [CDSC Risk Management Procedure 2024](#) ↓ 
3. [List of items to be included in a Risk Mgt Plan](#) ↓ 

9.7 NEW POLICY - CONTROL OF ACCESS TO RESTRICTED LOCATIONS

FILE NUMBER: GD24/7716
REPORT AUTHOR: RISK & WHS OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to seek approval of the Control of Access to Restricted Locations Policy (Version One).

RECOMMENDATION:

That Council will:

1. Receive the report
2. Approve and adopt the draft Control of Access to Restricted Locations Policy

BACKGROUND:

A Control of Access to Restricted Locations Policy has not been included in Council’s Policy Register. This report, and the attached Policy, seeks to remedy this.

REPORT:

The Draft Policy seeks to formalise processes and procedures within Council to ensure consistency of how Staff, Contactors, Councillors and visitors can gain access to Council properties, whilst keeping Council assets and confidential information secure.

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

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

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Failure to implement a Control of Restricted Access Policy may mean financial losses, due to theft.

Policy, Legal and Statutory Implications:

Nil

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

Failure to implement a formal Control of Access to Restricted Locations Policy, CDSC may be exposed to greater risk of theft of Council assets.

OPTIONS:

That Council approves the draft policy as presented; or makes recommendations for any changes needed before approval.

COUNCIL SEAL REQUIRED:

No

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

To the Management/Executive (ManEx) Group.

External Exhibition:

Control of Access to Restricted Locations Policy on public exhibition for a period of 28 days to allow for public review and submissions. No feedback was received.

Attachments:

1. [Control of Access to Restricted Locations Policy V1 2024](#) ↓ 

9.8 NEW POLICY - DATA BREACH POLICY

FILE NUMBER: GD24/7780
REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is for Central Darling Shire Council (CDSC) to consider the adoption of the draft Data Breach Policy (Version One).

RECOMMENDATION:

That Council will:

1. Receive the report
2. Approve the draft Data Breach policy
3. Place the Data Breach Policy on public exhibition for a period of 28 days to allow for public review and submissions.

BACKGROUND:

In May 2024, the Office of Local Government (OLG) advised Councils to implement a Data Breach policy that complies with the *Privacy and Personal Information Protection Act 1998* (PIPP Act) and the new Mandatory Notification of Data Breach Scheme.

REPORT:

Data breaches can have serious consequences for both CDSC and individuals. A breach may create risk through the disclosure of sensitive information, or otherwise impact on CDSC’s reputation, finances, or operations.

The purpose of the Data Breach Policy is to inform the public of CDSC’s processes for identifying, managing, responding to and reporting data breaches of CDSC-held information. This will also help CDSC:

- meet its legislated obligations under the PIPP Act
- comply with the best-practice guidelines issued by the Information and Privacy Commissioner of NSW (IPC)
- avoid or reduce possible harm to both affected individuals and CDSC.

The draft policy is supported by CDSC’s Records 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	2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and

		appropriate services and facilities to local communities
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SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	NA
Governance	Positive

Financial and Resource Implications:

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

Policy, Legal and Statutory Implications:

This is a mandatory policy which has been recommended for prioritisation by the OLG.

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

Without a formal policy in place, CDSC will be exposed to a greater risk of non-compliance with legislation.

OPTIONS:

That Council approves the draft policy as presented, or, makes recommendations for any changes needed before public exhibition.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:



Internal Exhibition:

Consultation with the responsible members of the Management / Executive (ManEx) Group

External Exhibition:

On CDSC's website.

Attachments:

1. [Data Breach Policy \(Version One\)](#) ↓ 
2. [IPC Guide and checklist for inclusions in Data Breach Policy](#) ↓ 

10 CUSTOMER SERVICE REPORTS

10.1 POLICY REVIEW - ACCESS TO INFORMATION POLICY

FILE NUMBER: GD24/7681
REPORT AUTHOR: CUSTOMER SERVICE MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to seek approval of the revised Access to Information Policy.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Approve the draft Access to Information Policy
3. Place the Access to Information Policy on public exhibition for a period of 28 days to allow for public review and submissions.

BACKGROUND:

The Access to Information Policy review was recommended by the internal audit undertaken in 2023.

REPORT:

Central Darling Shires records management policies and procedures are integral to the broader information management practices and performance of Central Darling Shire Council and support Central Darling Shire Councils Information Strategy. The Records Officer has developed information management policies and is responsible for the advocacy, design, monitoring, and review of records management practices.

Under the State Records Act 1998, Government Information (Public Access) Act 2009 NSW (GIPA Act), and the Privacy Act 1988, Central Darling Shire Council is required to create and manage their information as a public resource. This policy is one of Councils control to support those acts, along with documents such as Records 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	2.1.2 Undertake ongoing engagement with shire Communities to ensure their input in the design of local governance structures and services

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	Positive

Governance	Positive
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Financial and Resource Implications:

Nil

Policy, Legal and Statutory Implications:

Failure to implement, Central Darling Shire Council will be at greater risk of non-compliance with the GIPA Act and Privacy Act.

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

Without a formal policy in place, Central Darling Shire Council may fail to meet its Customer Service obligations.

OPTIONS:

That Council approves the draft policy as presented: or, makes recommendations for any changes needed for approval.

COUNCIL SEAL REQUIRED:

No

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

The revised policy was reviewed and approved by Management/Executive (ManEx) Group

External Exhibition:

To be displayed on Council's website for 28 days.

Attachments:

1. [Revised Access to Information Policy](#) ↓ 
2. [Access to Information Policy - September 2022](#) ↓ 

11 SHIRE SERVICES REPORTS

11.1 ENVIRONMENTAL SERVICES REPORT MAY 2024

FILE NUMBER: GD24/7599
REPORT AUTHOR: SENIOR PLANNER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

This report is to provide a summary of Council’s Environmental Services statistics for the month of May 2024.

RECOMMENDATION:

That Council will:

1. Receive and note the report

REPORT:

Services:

Statistics for May 2024			
Development approvals, Building certificates, S68 approvals under Environmental Planning and Assessment Act 1979 and Local Government Act 1993	Number of DA.s approved	New Dwellings	0
	Number of DA.s approved	Renovation	0
	Number of DA.s approved	Other	2
	Total Value of DA.s approved		\$542,000.00
	Number of Construction Certificate/ Crown Construction Certificates Issued		1
			0
	Number of complying development Certificate approvals issued		0
	Number of S68		1

	approvals		
	Number of Occupation certificate issued		0
	Number of completion certificates issued		
	Number of S10.7 Planning Certificate issued		11
Food safety	Food premises inspected		1
Animal Control Activities	Impounded		8 Dogs No cats
	Surrendered		0 Dogs No cats
	Rehomed		3 Dog No cats
	Returned to owner		2 Dog No cats
	Euthanised		3
	Registrations		0
	Microchipped		0
	Penalty notice issued		3
Water sampling	Microbiology samples collected		11
	Chemistry samples collected		0
	Non compliant samples		0
	Darling River Algae Samples		0

Environmental Health	Wilcannia Mosquito Virus Program		0
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Attachments:

NIL

11.2 AMENDMENT TO THE CENTRAL DARLING LOCAL ENVIRONMENTAL PLAN 2012 - RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND.

FILE NUMBER: GD24/7614
REPORT AUTHOR: SENIOR PLANNER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

For Council to note the making of the amendment to the *Central Darling Local Environmental Plan 2012* for the reclassification of 232 council owned lots from community land to operational land.

The amendment to the *Central Darling Local Environmental Plan 2012* was notified and made, by the Department of Planning, Housing and Infrastructure NSW under delegation from the Minister of Planning on 14 June 2024.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Note that the Department of Planning, Housing and Infrastructure NSW has made legal the amendment to the *Central Darling Local Environmental Plan 2012* to reclassify 232 council owned lots from community land to operational land.

BACKGROUND:

Council with the assistance of the Department of Planning, Housing and Infrastructure NSW started the planning proposal process on 25 May 2022, to reclassify 232 Council owned lots, from community land to operational land.

Council has fulfilled the statutory requirement for the exhibition of the planning proposal for a minimum of 28 days. And the statutory requirement for the exhibition and notification of the public hearing for 42 days have been completed.

Council prepared the public hearing report on the outcome of the public hearing and there were no submissions received.

Council then forwarded the Planning Proposal and the Council business paper and the public hearing report to the Department of Planning and Environment for final review and then to make the amendment to the *Central Darling Local Environmental Plan 2012*.

REPORT:

The correct statutory process under the *Environmental Planning and Assessment Act 1979* was followed for the planning proposal.

The council owned community land that was reclassified from community land to operational land does not include public reserves or parks. The community land reclassified as operational land is for council depots, sewerage and water treatment plants, water storage, multi dwelling housing, council offices, a caravan park and residential lots.

The reclassification rectifies past issues with council owned land such as the council depot and water treatment infrastructure being classified community land, where the land is operational land. The residential lots that council obtained for non- payment of rates is now classified as operational land. This enables the residential land to be used for residential purposes.

The planning proposal was first advertised on the Central Darling Council website on 27 September 2023 and exhibited until 26 October 2023.

The planning proposal was notified for the public hearing from 27 October 2023 until the public hearing date of 21 November 2023.

No submissions were received on the planning proposal.

The council business paper, the planning proposal, the submission summary report and the public hearing report was forwarded to the Department of Planning, Housing and Infrastructure to review all the documents. The Department then would make the amendment to the *Central Darling Local Environmental Plan 2012*.

The amendment to the *Central Darling Local Environmental Plan 2012* was made legal by the Department of Planning under delegation from the Minister of Planning on 14 June 2024. There is no further planning proposals to be made on the reclassification of council owned land.

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

Focus/Goals/Objectives	Strategic Area	Actions
5 Rural and Urban Land Use	5.1 Land availability for housing	5.1.1 Ensure the Local Environment Plan is developed to reflect local housing needs
		5.1.2 Identify land areas in Wilcannia, Menindee and Ivanhoe for new housing development

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Department of Planning, Housing and Infrastructure NSW paid for a consultant to undertake and prepare the initial planning report for the planning proposal, to reclassify the council owned land from community land to operational land.

Policy, Legal and Statutory Implications:

The error in the *Central Darling Local Environmental Plan 2012* that classified councils operational land as community land has been rectified. Council is now able to dispose of council owned free hold land.

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

N/A

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

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

N/A

External Exhibition:

The Planning Proposal was exhibited for public comment for a minimum of 42 days. The planning proposal was first advertised on the Central Darling Council website on 27 September 2023 and exhibited until 26 October 2023.

The planning proposal was notified for the public hearing from 27 October 2023 until the public hearing date of 21 November 2023. There were no submissions.

Attachments:

1. [Notified amendment to the Central Darling Local Environmental Plan 2012](#) ↓ 

11.3 STATUTORY CHANGES TO THE CEMETERIES AND CREMATORIA ACT 2013**FILE NUMBER: GD24/7793****REPORT AUTHOR: SENIOR PLANNER****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

EXECUTIVE SUMMARY:

The New South Wales Government has introduced new statutory levy fees under the *Cemeteries and Crematoria Act 2013* which will impose a new levy on cremation, ash internment and burials from 1 July 2024.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Adopt the new statutory levy fees for cremation, ash internment and burials imposed by the *Cemeteries and Crematoria Act 2013*, adding these fees to the Council fees and charges.
3. Note the new statutory maintenance requirements for Council cemeteries.

BACKGROUND:

The New South Wales Government has made changes to the regulations for the operation of all crematoria and cemeteries across New South Wales.

The New South Wales Government aims to protect and strengthen the State's cemeteries and crematoria sector. The government actions aim to do the following:

- Create greater certainty for customers
- Foster a sustainable Crown sector
- Set clearer rules and standards for operator
- Reduce pressure on burial supply in NSW.

Cemeteries and Crematoria NSW is a proactive regulator that will drive the performance within the sector and improve customer consumer protections.

To ensure standards are upheld, new statutory charges are being added to the existing industry levy. The new statutory levy fees commence on 1 July 2024 for internment services across all cemeteries and crematoria in NSW.

Council is in the process of having its operator licence renewed for the following facilities/ cemeteries:

- Ivanhoe,
- Menindee,
- Mossgeil,
- White Cliffs,
- White Cliffs Historic Cemetery,
- Wilcannia and
- Killara.

REPORT:

The changes to the levy are based on the cost of regulatory oversight of the sector. From 1 July 2024 the proposed levy charges are:

1. Crematoria charge \$41.00
2. Ash internment charge \$63.00
3. Burial charge \$156.00.

The levy is to be collected by the operator (Central Darling Shire Council) and paid to Cemeteries and Crematoria NSW on a quarterly or annual basis.

The NSW government is imposing new requirements and conditions on all NSW Cemeteries and Crematoria, which the operators must comply with, to maintain the Cemetery operator licence. The type of requirements are:

- the mowing of cemetery lawns,
- maintaining the cemetery fences and gates, and
- the maintenance of graves.

NSW Cemeteries and Crematoria will aim to deliver the following:

- Transparent pricing,
- Clearer contract conditions and maintenance standards for all cemeteries,
- Due respect for culture and faith for individuals and communities,
- Put safeguards in place to properly monitor cemeteries.

The intention of the regulatory changes and conditions is to make cemeteries in NSW sources of sustainable open multiple use spaces for the whole community.

New maintenance requirements will apply to all of council's cemetery facilities. Crown lands and NSW Cemeteries and Crematoria will oversee the operators of the Cemeteries to ensure that the new conditions and requirements are met.

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
6 Infrastructure and Services	6.5 Local services	6.5.1 Ensure the planning and provision of services to Central Darling Shire communities reflects current and future community needs
		6.5.3 Maintain appropriate visitation to and/or presence within shire communities to ensure services are appropriately planned and provided to properly address community issues and needs

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Council as the licensed operator of the cemeteries, will have to pay on a quarterly or annual basis, the statutory levy on all burials. Council will need to collect the levy for all burials to pay the NSW government, otherwise Council would have to pay the levy out of Council funds to the State Government.

Council should note the new statutory maintenance requirements for all cemeteries across NSW that council is required to undertake for all the cemeteries. These new requirements are part of the conditions on the licence to operate a cemetery. This new maintenance requirement may require additional funds.

Policy, Legal and Statutory Implications:

This is a new Statutory levy imposed by the NSW State Government under the *Cemeteries and Crematoria Act 2013*, the levy must be paid to the State Government. Therefore, the Council fees and charges needs to be amended to pay this levy.

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

Council will need to collect the levy for all burials to pay the NSW government, otherwise Council would have to pay the levy out of Council funds.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:




Internal Exhibition:

N/A

External Exhibition:

N/A

Attachments:

1. [Strategic document for changes to Cemeteries and Crematoria operations](#) ↓ 
2. [Levy Fact sheet for Cemeteries and Crematoria](#) ↓ 
3. [Levy explanation for the community](#) ↓ 

11.4 ROADS AND AERODROMES

FILE NUMBER: GD24/7918
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 \$2,898,818

Works Description	Original Budget	% Expended	Remaining budget
Routine	\$1,200,506	77%	\$271,691
WO	\$2,898,818	60%	\$1,153,617

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 now completed.

The Regional Emergency Road Repair Fund (RERRF) allocation for Regional Roads is \$4,224,500. The works include improvements to unsealed formation, gravel resheeting works and culvert works. Works will be delivered over 3 years.

The Pooncarie Rd Initial Seal Project is programmed for completion by June 2024. 59.5km have now been sealed of the 61km. The new bridge structure at Yampoola Creek has now been completed and approach works are in progress. The pavement and verge damage sustained as part of the earlier flood events have been approved by TfNSW and are in progress.

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,919,000	100%	\$0
Regional Roads Repair Program 2022/23	\$800,000	100%	\$0
RERRF – Regional Roads	\$4,224,500	36%	\$2,696,304
Pooncarie Rd IS project	\$39,600,000	95%	\$2,038,953

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. This work has now been completed.

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

The Regional Emergency Road Repair Fund (RERRF) allocation for Regional Roads is \$6,250,475. The works include improvements to unsealed formation, gravel resheeting works and culvert works. Works will be delivered over 3 years.

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. Works are now completed.

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. Works are now completed.

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. Works are now completed.

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 been completed. Native Title Claim and legal road issues are in discussions with Crown Lands and the Barkindji Native Title Corporation. Further information is provided in this agenda for Council’s consideration.

Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,994,730	100%	\$0
Mandalay Rd Floodways (R2R)	\$750,000	100%	\$3,682
Wilc-Menindee East Rd Formation (R2R)	\$251,818	100%	\$0
Ivanhoe-Menindee Rd RCBC (R2R)	\$400,000	9%	\$362,510
Wilc-Menindee East Rd RCBC (R2R)	\$201,818	9%	\$183,794
Teryawynia-Ashmont Rd RCBC (R2R)	\$400,000	9%	\$362,379
Smith’s Hill White Cliffs (FLR Rd 3)	\$1,860,000	100%	\$0
Turley’s Hill White Cliffs (LRCI Rd 3)	\$1,600,000	100%	\$0

Racecourse Rd (FLR Rd 4)	\$2,343,471	5%	\$2,225,121
Fixing Local Roads – Pothole Repair Round	\$821,414	100%	\$0
RERRF – Local Roads	\$6,250,475	35%	\$4,064,430

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 are now completed.

Works Description	Original Budget	% Expended	Remaining Budget
Aerodromes R&M	\$246,000	70%	\$74,327

Attachments:

NIL

11.5 SERVICES

FILE NUMBER: GD24/7919
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	QBR Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$250,000	102%	-\$6,243
Ancillary Works	\$160,000	64%	\$56,891
Street Cleaning/Bins	\$280,000	107%	-\$19,790
Buildings	\$312,550	107%	-\$20,766
Swimming Pools	\$380,000	109%	-\$34,052
Domestic Waste	\$300,000	109%	-\$26,890

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

11.6 WATER AND SEWER

FILE NUMBER: GD24/7921
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 was 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, storage supply is estimated 9 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, 150 megalitres. 6 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	118%	-\$85,969
Wilcannia Sewer	\$230,000	77%	\$53,306
White Cliffs Water	\$181,200	80%	\$36,117
Ivanhoe Water	\$335,700	80%	\$65,865
Tilpa Water	\$23,000	242%	-\$32,576
Aboriginal Communities Water and Sewer program	\$144,770	45%	\$79,246

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

- The White Cliffs WTP project is in progress. SNG Engineering commenced works March 2024 and completion is forecast for November 2024. Works are 60% complete with building structure complete, chemical dosing systems installed, treatment lagoons excavated and storage and dosing tanks installed.

The White Cliffs Reticulation works commenced 22 May 2023 and have been in progress to December 2023. Approximately 70% of the town reticulation upgrade length have been completed. Works recommenced in May 2024 and are progressing well.

The Commonwealth Government has allocated an additional \$2,765,000 to complete the original scope of works outlined in the Restart NSW funding deed. The deed of variation had not been finalised at the time of this report.

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.

- The Ivanhoe Water Treatment Plant Tender was awarded to Liquitek Pty Ltd following Council resolution at the Ordinary Meeting of Council, May 2024. Initial design reviews are in progress.

Council received an amended executed funding deed for the Ivanhoe WTP to the value of \$5,850,000. The additional amount of \$3,350,000 was provided by the Commonwealth Government "Far West Water Treatment Plants" project funds.

The funding deed is attached for Council's information

- The Wilcannia Water Treatment Plant has not been awarded. Further process designs are being reviewed by Department of Health to ensure the new WTP is capable of treating possible contaminated raw water supply from the proposed new weir pool.

Council received an amended executed funding deed for the Wilcannia WTP to the value of \$7,385,000. The additional amount of \$3,885,000 was provided by the Commonwealth Government "Far West Water Treatment Plants" project funds





The funding deed is attached for Council's information

- 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 were scheduled for 2023/24 in Ivanhoe and Wilcannia. Delays with Taggle and contractors installed have been encountered to date.
- 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	\$8,265,000	61%	\$3,239,671
Wilcannia WTP	\$7,385,000	21%	\$5,853,037
Ivanhoe WTP	\$5,850,000	19%	\$4,710,004
Smart Meters	\$50,000	0%	\$50,000
AC Main Replacements	\$150,000	100%	\$0
Tilpa Reservoir	\$50,000	28%	\$35,866
Ivanhoe Raw Water Switchboard Upgrades	\$75,000	100%	\$0

Attachments:

1. [Wilcannia WTP Executed Funding Deed V2](#)  
2. [Ivanhoe WTP Executed Funding Deed V2](#)  

11.7 RACECOURSE ROAD, MENINDEE, JUNE UPDATE**FILE NUMBER: GD24/7965****REPORT AUTHOR: DIRECTOR SHIRE SERVICES****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with information relating to the Fixing Local Roads (FLR) Round 4 project, Racecourse Road Menindee

RECOMMENDATION:

That Council will:

1. Receive the report
2. Rescind the resolution of Council to withdraw the approved FLR project with Transport for NSW
3. Rescind the resolution of Council to submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.
4. Submit an extension of time request with Transport for NSW for the approved FLR project to December 2025.

BACKGROUND:

At the ordinary meeting of Council, May 2024, Council considered a report concerning the subject matter. It was resolved to:

1. *Receive the report*
2. *Withdraw the approved FLR project with Transport for NSW*
3. *Submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.*
4. *Continue with the land acquisition process of Racecourse Road, Menindee to enable Council to be in a legally compliant position as the Roads Authority to carry out works on that road with a view to applying for further grant funding in the future.*

REPORT:

Following the ordinary meeting of council, May 2024, staff prepared scope of works and cost estimates for the proposed 3.5km of reconstruction and seal on the Wilcannia-Menindee East Rd. The information was submitted for initial discussion with the Transport for NSW project planning and evaluation team.

The alternate project was rejected due to merit-based risk and benefit to community and residents. The project may be considered in future funding round applications if Council wish to pursue this section of road upgrade.

The FLR team would consider an extension of time for the current project due to the extenuating circumstance Council finds itself in with legal road and native title issues.

The resolution above seeks to rescind the previous resolutions of Council and continue with the delivery of the Racecourse Rd project for the Menindee community. Council’s ability to deliver the project will be largely dependent on the legal road and land acquisition processes as detailed in the May 2024 council report.

On 6 June 2024 Council received correspondence from NTSCORP Limited, Deputy Principal Solicitor, detailing the Barkandji Corporation’s position on compulsory acquisition of native title. The letter detailed the preference for an Indigenous Land Use Agreement (ILUA) and included the reasons and benefits of this process for the Barkandji Corporation. The letter is attached for Council’s information.

Council’s General Manager intends to seek legal advice and meet with neighbouring Councils who are experiencing similar issues with Council lands and roads before responding to the letter.

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
		6.3.4 Ensure ongoing funding to provide road maintenance and upgrade services across the shire

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Negative
Economic	Positive
Governance	Positive

Financial and Resource Implications:

20% payment of the funding amount has been received under milestone 1, being \$468,694.36. Council may need to return this money, or a portion of it, if the project was unable to proceed.

Councils’ expenditure to date on the project is \$118,350.

Policy, Legal and Statutory Implications:

As detailed in the May 2024 report to Council.

Further information will be provided following receipt of legal advice.

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

Possible reputational risk may result in adverse reaction from the Menindee Community based on community expectation if the project was not to proceed.

OPTIONS:

Retain the original resolution of Council to withdraw the approved project with TfNSW.

Rescind the resolutions of Council and proceed with the project subject to the legal ability to do so.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Nil

External Exhibition:

Nil

Attachments:

1. [NTSCORP - ILUA Proposal](#) ↓ 

12 MINUTES OF COMMITTEE MEETINGS

12.1 ARIC MINUTES 22.05.2024

FILE NUMBER: GD24/7635
REPORT AUTHOR: EXECUTIVE ASSISTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RECOMMENDATION:

1. That the Minutes of the Audit, Risk and Improvement Committee held on 22/05/2024 be received and noted.

Attachments:

1. [ARIC Minutes 22.05.2024](#) ↓ 

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER MAY 2024

FILE NUMBER: GD24/7636
REPORT AUTHOR: EXECUTIVE ASSISTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RECOMMENDATION:

1. That the Resolution Tracker from the Ordinary Council Meeting held on 22/05/2024 be received and noted and any amendments be noted.

Attachments:

1. [Resolution Tracker May 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.

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

RECOMMENDATION:

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

14.1 Overdue Rates and Charges - Proposed Payment Arrangement and Future Write off of Interest and Legal Costs

FILE NUMBER: GD24/7227

REPORT AUTHOR: ACTING RATES OFFICER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

Item 14.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b) as it relates to discussion in relation to the personal hardship of a resident or ratepayer.

14.2 Morris Pippet -Service Quote for Specialty Grant Service

FILE NUMBER: GD24/7441

REPORT AUTHOR: GENERAL MANAGER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

Item 14.2 is confidential under the Local Government Act 1993 Section 10A(2) - (c) and (d) 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 and commercial information of a confidential nature that would, if disclosed:

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

RECOMMENDATION:

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

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, 24 July 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, 22 MAY 2024**

PRESENT: Administrator, Bob Stewart

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

1 OPENING OF MEETING

The meeting was declared open at 10:32am

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 01-05-2024

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 02-05-2024

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 17 April 2024 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

Nil

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - APRIL 2024

RESOLVED: OCM 03-05-2024

Mover: Administrator Bob Stewart

That Council

1. receive and note the report.

CARRIED

8.2 GRANTS REGISTER - APRIL 2024

RESOLVED: OCM 04-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

CARRIED

8.3 2024-25 INTEGRATED PLANNING AND REPORTING DOCUMENTS

RESOLVED: OCM 05-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. That the draft operational plan be amended prior to placing the document on public exhibition by
 - \$750,000 decrease in Fees and charges due to a re-assessment of expected private and RMS works, this amendment will increase the original operating deficit of \$475,000 to \$1.225 m.
 - Adjustment to the plant replacement reserve with an allocation of \$200,000 to be funded from Council's road component of the Federal Assistance Grants.
3. Resolve that the following draft integrated planning and reporting documents 2024/2025 be placed on public exhibition for a period of 28 days closing 21/06/2024:
 - Draft Delivery Program 2022-2026, (2024 Revision)
 - Draft Operational Plan 2024-2025 detailing the Budget for the 2024-25 financial year.
 - Draft Revenue Policy 2024-2025
 - Draft Fees and Charges 2024-2025
 - Revised Draft Long Term Financial Plan
 - Noting the Long Term Financial Plan 2025-34 will subsequently be amended to include the current amendments to Council's Operating Budget for 2023-24

CARRIED

8.4 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2024

RESOLVED: OCM 06-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the variations to Council's 2023/24 Annual Budget
 1. Note that the projected operating surplus for the financial year 2023/24 is \$2.154 million.
 2. Note projected capital works budgeted expenditure for the financial year 2023/24 will be \$24.311 million.

CARRIED

9 GOVERNANCE REPORTS

9.1 ABILITY OF LOCAL GOVERNEMENT TO FUND INFRASTRUCTURE AND SERVICES- INVITATION TO MAKE SUBMISSION

RESOLVED: OCM 07-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.2 UPDATE AND ALTERATIONS TO NSW SEVERE WEATHER AND FLOOD PROJECTS.**RESOLVED: OCM 08-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

CARRIED

9.3 COMMONWEALTH 'CLEAN WATER, HEALTHY COMMUNITY AND RIVER PROJECT' \$10M FUNDING**RESOLVED: OCM 09-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.
2. Receive further reports on the progress on planning, milestones and delivery of the three Water Treatment Plants and the potable water reticulation system.

CARRIED

9.4 NEW POLICY - CONTROL OF ACCESS TO RESTRICTED LOCATIONS**RESOLVED: OCM 10-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve the draft Control of Access to Restricted Locations Policy
3. Place the Control of Access to Restricted Locations Policy on public exhibition for a period of 28 days to allow for public review and submissions.

CARRIED

9.5 HUMAN RESOURCE MANAGEMENT ACTIVITIES**RESOLVED: OCM 11-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Endorse the 1.28 FTE increase for the Customer Service Officer and the ICT Support Officer positions.
3. That the general manager brings a report to a future council meeting of the current staff structure.

CARRIED

9.6 COMMUNITY ENGAGEMENT AND TOURISM UPDATE**RESOLVED: OCM 12-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.7 MANAGING EXCESS LEAVE PROGRESS REPORT**RESOLVED: OCM 13-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

CARRIED

10 CUSTOMER SERVICE REPORTS**10.1 COMMUNITY GRANTS APPLICATION****RESOLVED: OCM 14-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Provide \$1000 Community Grant to the Ivanhoe Central School which will be used to engage presenters and provide meals for NAIDOC Day.
3. Provide \$1000 Community Grant to the Outback Theatre for Young People which goes towards cost of the Wilcannia Runs Away with the Circus project.

CARRIED

10.2 GENERAL SERVICE REQUEST AND COMPLAINTS OVERVIEW 2024**RESOLVED: OCM 15-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

11 SHIRE SERVICES REPORTS

11.1 DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE - LEGAL ADVICE ON WHITE CLIFFS DUGOUT

RESOLVED: OCM 16-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and consider the Maddocks Lawyers legal advice regarding the potential liability to Council on the current status of the dugouts at White Cliffs, and the future liability for Council.
2. Note the recommendation from the Department of Planning, Housing and Infrastructure that Council seek its own legal interpretation and legal guidance on the opinion provided by Maddocks Lawyers, and Council source quotations to undertake this work.
3. The General Manager to organise a meeting with the Minister for Planning to discuss the White Cliffs dugouts implications for Council and potentially to remove the White Cliffs dugouts from the *Central Darling Local Environmental Plan 2012*.

CARRIED

11.2 ROADS AND AERODROMES

RESOLVED: OCM 17-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.3 SERVICES

RESOLVED: OCM 18-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.4 WATER AND SEWER

RESOLVED: OCM 19-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED**11.5 REGISTERED SURVEYS OF WEST WILCANNIA ROAD AND THE SOUTH WESTERN SECTION OF WILCANNIA****RESOLVED: OCM 20-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the requirement to survey the current location of the West Wilcannia Road and to facilitate negotiations with the land owners in regard to the acquisition of the affected land for the legal road corridor.
2. Note the requirement to provide land owners and future land owners of lots in the south western section of Wilcannia with legal formed street access to their properties and to enable the provision of services and infrastructure.
3. That survey work proceed on the road boundary adjustment, any cost associated with this work be adjusted in the QBR and a further report be provided to council on land acquisition and other associated costs.

CARRIED**11.6 FLOOD DAMAGE UPDATE****RESOLVED: OCM 21-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note the General Managers actions in meeting with the NSW Minister for Emergency services and correspondence with NEMA.

CARRIED**11.7 SHIRE SERVICES REPORT FOR APRIL 2024****RESOLVED: OCM 22-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and Note the report.

CARRIED**11.8 EXHIBITION OF THE DRAFT CENTRAL DARLING DEVELOPMENT CONTROL PLAN 2024****RESOLVED: OCM 23-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse the exhibition of the draft *Central Darling Development Control Plan 2024* for a minimum of 28 days.
3. A further report come to council.

CARRIED

11.9 FIXING LOCAL ROADS ROUND 4 - RACECOURSE ROAD

RESOLVED: OCM 24-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Withdraw the approved FLR project with Transport for NSW
3. Submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.
4. Continue with the land acquisition negotiation process of Racecourse Road, Menindee to enable Council to be in a legally compliant position as the Roads Authority to carry out works on that road with a view to applying for further grant funding in the future. With a further report to be provided to council.

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

Nil

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER - APRIL 2024

RESOLVED: OCM 25-05-2024

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 17/04/2024 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 11:25am.

RESOLVED: OCM 26-05-2024

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 Ivanhoe Water Treatment Plant Tender

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 Sale of Land 38 Hood Street and 25 McIntyre Street Wilcannia

Item 14.2 is confidential under the Local Government Act 1993 Section 10A(2) - (d) as it relates to commercial information of a confidential nature that would, if disclosed:

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

CARRIED

RESOLVED: OCM 27-05-2024

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 IVANHOE WATER TREATMENT PLANT TENDER

RESOLVED: OCM 28-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolve to award tender to Liquitek 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.

CARRIED

14.2 SALE OF LAND 38 HOOD STREET AND 25 MCINTYRE STREET WILCANNIA

RESOLVED: OCM 29-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. To sell Lot B, DP 402894, known as 38 Hood Street Wilcannia, to Murdi Paaki Regional Housing Corporation.
3. To sell Lot 3, DP 910707, known as 25 McIntyre Street Wilcannia to Domestic Violence Services Management Limited.
4. To authorise the General Manager to execute all necessary documents to facilitate the above land transfers.

CARRIED

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **11:33am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 26 June 2024.

.....
ADMINISTRATOR



Draft Operational Plan and Budget

2024 - 2025



The Integrated Planning and Reporting Framework

As part of the New South Wales Government’s commitment to a strong and sustainable local government system, legislation was enacted in October 2009 that introduced a planning reporting tool for local government known as the Integrated Planning and Reporting (IP&R) framework.

The following diagram identifies the various components of the integrated planning and reporting framework and how they are linked to each other.

Documents in the IP&R Framework

STRATEGY/PLAN	PURPOSE	CURRENCY/ EXPIRY
Community Strategic Plan (CSP)	Peak plan providing public, private and non-government agencies, local community and other stakeholders with priority issues to address and goals for achievement in the longer term	10 years
Resourcing Strategy:	Strategy comprising three plans (see below) to ensure Council is able to adequately resource its ongoing activities and operations whilst working towards the CSP’s long-term goals	
- Long Term Financial Plan	Plan documenting Council's projected income and expenditure and modelling to ensure long-term financial sustainability	10 years
- Asset Management Plan	Plan providing a comprehensive account of the service standards and maintenance requirements and schedules for all council assets.	10 years
- Workforce Management Plan	Plan identifying Council's anticipated human resource priorities and activities to meet the goals and targets of the Delivery Program	4 years
Delivery Program	Plan documenting Council activities, projects and initiatives during each Council term, to work towards the long-term goals and targets described in CSP	4 years
Operational Plan	Annual plan programming ongoing activities, projects and initiatives and budget to achieve Delivery Program goals and targets	1 year
Annual Report	Report documenting Council activities in relation to its statutory responsibilities and reporting on progress of projects and initiatives outlined in the Operational Plan	1 year

The following diagram identifies the various components of the IP&R framework and how they are linked to each other.



The Central Darling Shire Operational Plan and Budget

This This Operational Plan and Budget is renewed on an annual basis. It is structurally aligned with the Community Strategic Plan and Delivery Program and should be read in reference to these other plans.

It provides a detailed account of annual actions and planned expenditure that Council will undertake in working towards the long term goals in the Community Strategic Plan.

The Operational Plan also includes a detailed annual budget and financial statements, and an account of Council’s fees and charges to be set for the financial year.



Central Darling Shire Council Delivery Program 2022 – 2026



Focus area 1: Community and Culture

Community priority – Housing

Our long-term goal for housing: *There is an adequate supply of diverse, well-built and well-maintained housing across the Shire that are appropriate for local environmental conditions and reflect the needs of our communities through all stages of life.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Council houses (staff accommodation)	Maintain council housing to ensure all houses are habitable and in good condition	Director Shire Services	All staff housing is habitable and occupied.
Council's social housing	Maintain council's social housing stock in Menindee to ensure all houses are habitable and in good condition	Director Shire Services/Works Supervisor	All council-owned social housing is habitable and occupied.

New initiatives



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Investigate the sale of social housing in Menindee	General Manager	FY 23 Ongoing	Sale of council-owned social housing in Menindee is completed
Investigate the sale of surplus Council owned land for future development	Director Shire Services	FY 23 Ongoing	Land identified for sale for future development

Community priority – Services and facilities for families and communities

Our long-term goal for services and facilities for families and communities: *We have a range of local services and facilities that contribute positively to the mental and physical wellbeing of families and communities across the council area.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Community information	Community information is developed and distributed appropriately and in a timely manner	Community Engagement Officer	Up to date & relevant information provided to the community through all connected media outlets
Community centre operations (community halls etc.)	Community halls are well maintained and accessible for council and community activities	Administration Officer	Community halls are maintained and accessible for council and community activities

New initiatives



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Advocate for an increase in services and facilities to address mental health issues in families and communities throughout the shire.	Council	FY 23 ongoing	Increased services and facilities that provide mental health support and assistance to families and communities throughout the shire.
Advocate for an increase in services and facilities to address drug and alcohol issues in families and communities throughout the shire	Council	FY 23 ongoing	Increased services and facilities that provide drug and alcohol issues support and assistance to families and communities throughout the shire
Advocate for an increase in services and facilities to address domestic violence issues in families and communities throughout the shire	Council	FY 23 ongoing	Increased services and facilities that provide domestic violence support and assistance to families and communities throughout the shire



Community priority – Services and facilities for children and young people

Our long-term goal for services and facilities for children young people: *We have a range of local services and facilities that contribute positively to the mental and physical wellbeing of our children and young people.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Youth Services	Continue support for the PCYC in Wilcannia	General Manager	Appropriate ongoing support is provided by council

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Advocate for after-hours activities for young people to reduce the incidence of crime and antisocial behaviour	General Manager Director, Business Services	FY 23 ongoing	Increase in after-hours activities for young people
Advocate for expansion of PCYC or similar programs in Menindee and Ivanhoe	General Manager Director, Business Services	FY 23 ongoing	PCYC established in Menindee and Ivanhoe
Work with the NSW DET in providing arts and culture programs for young people	General Manager Director, Business Services	FY 23 ongoing	Increase in the number of arts and culture programs available locally for young people



Community priority — Services and facilities for an aging population

Our long-term goal for services and support for an aging population: *We have a range of local services and facilities that meet the needs of an aging population.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
NIL			

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Advocate for the establishment of local aged care accommodation	General Manager	FY 23 ongoing	Permanent and/or respite aged care accommodation is established in Wilcannia, Menindee, Ivanhoe and White Cliffs



Community priority – Local sport and recreation

Our long term goal for local sport and recreation: *Our communities have access to a range of local community-based organised and team sports and well maintained sporting and recreational facilities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Swimming pool management and maintenance	Continue to operate public swimming pools in Wilcannia, Menindee, Ivanhoe and White Cliffs and ensure pools are accessible during advertised opening times	Environmental Engineer	Swimming pools are accessible at all times during planned opening hours
Sports field management and maintenance	Ensure that sports fields and associated facilities are well maintained and accessible to local communities	Works Supervisor	Sports fields and associated facilities are open and accessible as publicly advertised
Pump tracks	Use secured grant funding to construct pump tracks in Wilcannia, Menindee, Ivanhoe and White Cliffs	Building Project Manager	All pump tracks constructed and accessible by FY23



New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Upgrade of club rooms at Ivanhoe sports ground	Director, Shire Services	FY 24	Club rooms are upgraded and accessible to the Ivanhoe community
Installation of irrigation system at Ivanhoe sports ground	Director, Shire Services	FY 24	Irrigation system is installed and operational
Construct a netball court in Menindee	Director, Shire Services	FY 24	Netball court is constructed and accessible to the Menindee community
Install outdoor gym equipment in local towns	Director, Shire Services	FY 24	Outdoor gym equipment is installed and accessible to communities across the shire



Community priority – Community events

Our long-term goal for community events: *Communities across the Shire are supported and strengthened by a range of well-organised community events.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Australia Day	Continue to organise and manage Australia Day, Community Awards and community events across the shire	General manager	Australia Day events are organised and managed across the shire
Community grants and funding	Provide ongoing support to shire communities in seeking grants and funding for local community events	General Manager	Grants and funding are sourced and secured by local community groups. FY 23 ongoing

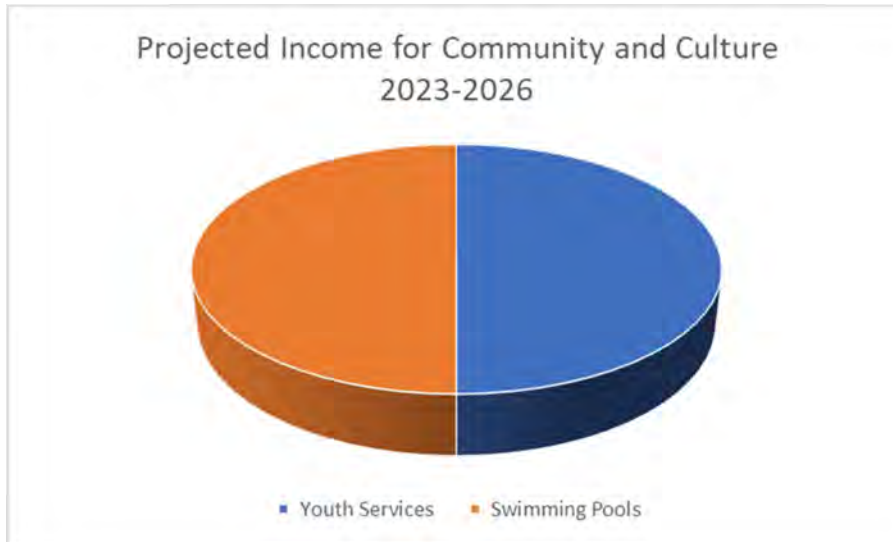
New initiatives

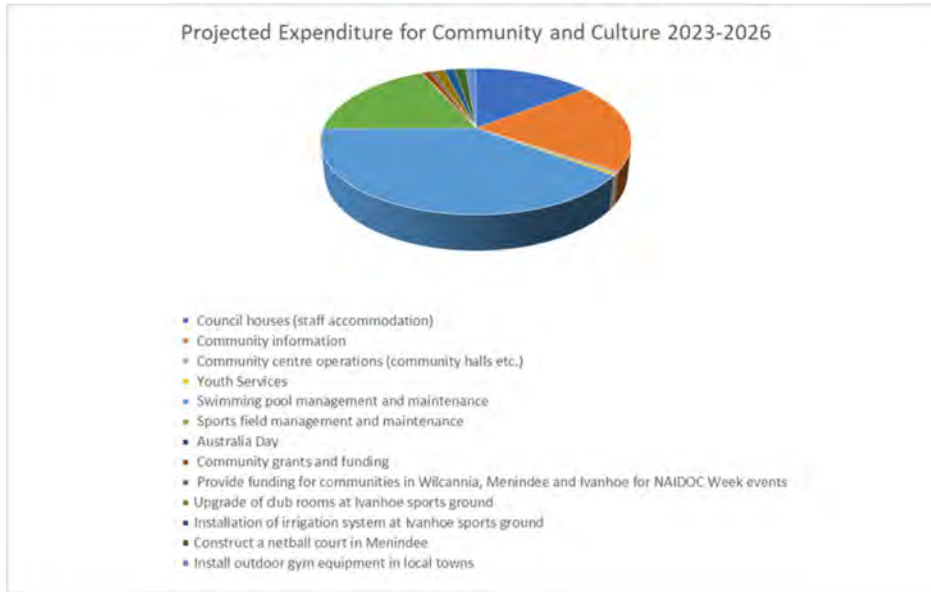
Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Provide funding for communities in Wilcannia, Menindee and Ivanhoe for NAIDOC Week events	General Manager	FY 23 ongoing	NAIDOC Week events are organised and managed in Wilcannia, Menindee and Ivanhoe with funding support from council



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Source funding to support local community events	Council & General Manager	FY 23 ongoing	Funding is sourced by council to support local community events
Collaborate with external providers to stage local events	Community Engagement Officer	FY 23 ongoing	Community events staged as planned

RESOURCING - COMMUNITY AND CULTURE







Focus area 2. Local and Regional Governance

Community priority – Shire governance

Our long-term goal for Shire governance: *Governance of Central Darling Shire is based on sound principles and practices and is representative of community needs, interests and priorities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Council and committee support	Support 355 committees & local community committees	Director Business Services	All committees functioning as required
Organisational planning and reporting	Report on legislative, statutory & regulatory requirements ie GIPA	Governance officer	All reports lodged on time
Community consultation and participation	Report on legislative, statutory & regulatory requirements	Governance officer General Manager Directors	All reports lodged on time An ongoing culture of engagement to inform and aid in Council decision making
Human resources management	Implement HR Framework & Workplace Plan Implement organisation cultural change program	Human Resources Officer	Delivery of plans by FY 23 and ongoing Sound organisational health that has a culture which provides accountability



Program / Activity	Current actions	Responsibility	Performance indicators
			transparency, innovation and achievement.
Occupational health and safety	Delivery of WHS Strategic Management Plan ongoing	WH&S Officer	Meet all legislative, statutory & regulatory requirements
Information technology services	Implement 3 year ICT Plan	Director Business Services	Completion of plan as per milestones by FY 24
Record management services	Implement CM10 processes and procedures	Director Business Services	Completion of plan as per milestones by FY 24
Governance	Report on legislative, statutory & regulatory requirements	General Manager	Meet all legislative, statutory & regulatory requirements within the required timeframes
Complaints handling	Investigate all internal & external complaints as per the council policy.	General Manager, Director Business Services	All complaints resolved as per Council policy.
Customer Services counter	Investigate all external customer queries as per the council policy.	Director Business Services	All queries resolved as per Council policy
Staff recruitment	Recruit to vacant positions	Human Resource Officer	All positions are filled.



Program / Activity	Current actions	Responsibility	Performance indicators
Facilities bookings	Take council facility bookings as requested by community	Director Business Services	Facilities are made available to the community as requested.
Auditing	Internal & external	Finance Manager	Completion and implementation of audits.
Financial management	Cash flow; general ledger; project ledger; internal control; budget; LTFP;	Finance Manager	Ease of use, relevance and implementation, reporting on debt management and sustainability
Financial reporting	Statutory & council reporting	Finance Manager	Completion and implementation
Rates	Calculation statement issue debt collection	Finance Manager	Completion
General accounting services	Accts payable, receivable, GST FBT,	Finance Manager	Completion
Payroll	Wages; tax; superannuation; reporting	Finance Manager	Completion
Insurance	Annual renewal process & update	Director Business Services	Completion of annual renewals
Risk management	Maintain & Update BCP & Risk management plan	Director Business Services	BCP & Risk Register regularly updated &



Program / Activity	Current actions	Responsibility	Performance indicators
			maintained, regular quarterly meeting of ARIC
Post Office	Provide postal & Services NSW to the community(Which community)	Director Business Services	Meet statutory requirements by Australia Post & Service NSW
Council Employees	Provide a safe work environment	General Manager	Staff are actively engaged in the workplace.
Cemetery Management	Provide administrative & physical cemetery services to the community	Director Shire Services & Director Business Services	Uninterrupted services provided to community
Health and Building Compliance Should read Environmental Assessment and Planning	Provide Health & Building compliance as per statutory requirements	Senior Planner; Environmental Engineer	Reporting as per legislative statutory requirements
Development assessment	Provide planning approval & building services	Senior Planner	Development applications processes as per legislative requirements
Issue of Section 10.7 Certificates	Delivery of service for issuing certificates.	Senior Planner	Certificates issued as per legislative requirements
Emergency Management	Support LEMC	General Manager Director Shire Services	Functioning LEMC- planning and responding to emergency situations



New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Provide input into state government processes and decision-making to establish a new governance model for the shire	General Manager Administrator	FY 23-24	Advice and input provided by council in a timely manner, based on current operational information and feedback from local communities.
Investigate business intelligence solutions to aid council’s activities in financial management, human resources, delegations, asset management, policies and procedures and governance; WH&S	MANEX	FY 23 ongoing	Undertake investigations and implement when necessary
Promotion of services on website	Community Engagement Officer	FY 23 ongoing	Detailed information about council services is accessible on council’s website
Develop a policy register for council	General Manager	FY 23 ongoing	All council policies are recorded and all legislative requirements are met
Make all council policies available on council’s website	Community Engagement Officer	FY 23 ongoing	All council policies are accessible on council’s website
Develop an ‘Access to Information’ page on council’s website	Community Engagement Officer	FY 23 ongoing	GIPA requirements met in line with OIPC recommendation



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Develop a Customer Service Charter for council	General Manager	FY 23 ongoing	Customer service charter is adopted by council and operational
Develop a complaints management system for council	General Manager	FY 23 ongoing	An appropriate complaints management system is adopted by council and operational
Develop an Agency Information Guide for council	General Manager	FY 23 ongoing	Annual Agency Information Guide and associated website resources are adopted by council and approved by OIPC
A Reconciliation Action Plan is developed for council	General Manager	FY 23 ongoing	Reconciliation Action Plan is adopted by council and endorsed by Reconciliation NSW

Community priority – Aboriginal communities’ decision-making and representation

Our long-term goal for Aboriginal communities’ decision-making and representation: *Aboriginal communities within the Shire participate in planning and decision-making on issues that affect them.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
NIL			



New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Advocate for equity to ensure Aboriginal communities participation in identifying and establishing a new governance model for the shire	General Manager	FY 23 ongoing	Undertake consultation with Aboriginal community
Engagement of an Aboriginal Liaison Officer for council	General Manager	FY 24	Engagement of Aboriginal Liaison Officer

RESOURCING – LOCAL AND REGIONAL GOVERNANCE







Focus area 3. Natural Environment

Community priority – The Baaka / Darling River, Menindee Lakes and Willandra Creek

Our long-term goals for the Baaka / Darling River, Menindee Lakes and Willandra Creek: The Baaka / Darling River, Menindee Lakes and Willandra Creek have an adequate flow of water to ensure they are clean, well-stocked with a range of fish species and are safe and attractive locations for cultural and recreational activities.

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Community access to water	Council continues to advocate for the water needs and rights of the Lower Darling River shire communities through membership of agencies and associations including the Murray Darling Basin Authority, the Menindee SDL Working Party, the Murray Darling Association, the Australian Floodplain Association and the Barwon Darling Consumer Action Group	Council/General Manager	Membership of appropriate organisations to advocate to state & federal governments

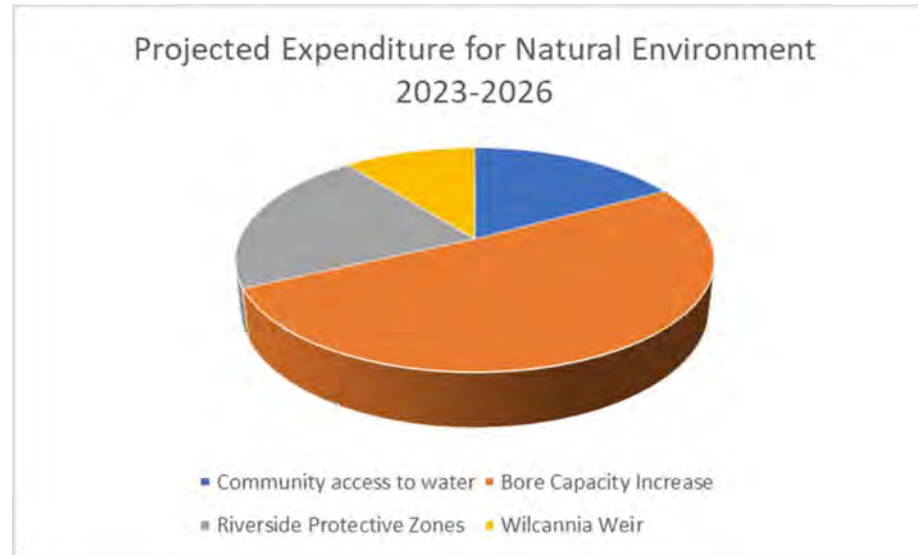


New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Increase the capacity of existing bores to ensure secure water supplies for all towns within the shire	Director Shire Services	FY 26	Output from existing water bores is increased
Create protection zones along the river to preserve the riverside environment and Aboriginal cultural heritage near Wilcannia and Menindee.	Council General Manager	FY26	Protection zones are created and local communities are kept informed
Work with NSW Water to facilitate the construction of Wilcannia weir	General Manager Director Shire Services	FY 24	Completion of construction of weir
Construction of new water treatment plants for Wilcannia, White Cliffs and Ivanhoe	Director Shire Services	FY 23	Completion of construction of Treatment Plants
Advocate for the development and adoption of the Lower Darling Floodplain Management Plan	Administrator General Manager	FY24	Initiation of the Lower Darling Floodplain Management Plan



RESOURCING - NATURAL ENVIRONMENT





Focus area 4. Local Economy

Community priority – Employment

Our goal for employment: *People living in the Shire have access to local employment opportunities in public, private and non-government sector agencies and activities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Council traineeships	Establish traineeships in council in partnership with NIAA	Human Resource Officer	NIAA partnership is operational Traineeship positions are created and filled

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Explore opportunities to engage with local communities to build awareness of career opportunities in local government	Council	FY26	Regular community information provided
Work with local business and industry to identify skills gaps in local communities and to create relevant training opportunities in partnership with TAFE and other organisations	Council	FY26	Community workforce plan will be developed and in place.



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Develop staff attraction and retention programs within council	Human Resource Officer	FY26	Development and implementation of programs
Establish school-based traineeships to provide career paths into council for school leavers	Human Resource Officer	FY26	Implementation of program
Reinstate local contracts for property maintenance including building repairs, gardening, etc.	Council	FY26	Local contractors engaged in property maintenance
Identify and expand employment opportunities in local tourism, home services, maintenance, etc.	Council	FY26	Identification of additional employment opportunities
Identify and establish employment paths for local young people and others of employment age.	Council	FY26	Identification of additional employment opportunities
Encourage sustainable tourism initiatives which create employment and grows the local economy	General Manager		Enterprises established



Community priority – Access to fresh produce and retail choices

Our long-term goal for access to fresh produce and retail choices: *Communities across the Shire have local access to affordable fresh produce and choice in local retail outlets.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Outback Stores	Assist in promoting the establishment of Outback Stores retail outlets for Wilcannia and Ivanhoe	Council General Manager	Outback Stores retail outlets are operational in Wilcannia and Ivanhoe

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Facilitate and support new retail initiatives across the shire including market days and new small businesses	Council General Manager	FY26	New retail initiatives are supported and promoted by council



Community priority – Tourism

Our long-term goal for tourism: *The Shire is host to a range of services, attractions and activities that support and grow local tourism.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Caravan park management	Provide & maintain high standard of caravan park services	Deputy Director Shire Services	Functioning & well maintained caravan park
Joint Organisation tourism activities	Participate in Far West Joint Organisation tourism initiatives and activities	General Manager	Ongoing participation in JO tourism initiatives and activities
Destination Country and Outback tourism promotion	Participate in Destination Country and Outback tourism initiatives	General Manager	Ongoing participation in Country and Outback tourism initiatives
Local tourism activities and promotion	Provide support to local tourism committees and activities	General Manager	Respond to requests for support from committees
Menindee Art Trail	Facilitate the installation of a local art trail in Menindee in partnership with Menindee Central School	General Manager	Menindee Art Trail is identified and established.
Aboriginal tourism	Support and promote the establishment of new Aboriginal tourism businesses and build the capacity of existing	General Manager	Aboriginal tourism businesses in operation and promoted



Program / Activity	Current actions	Responsibility	Performance indicators
	businesses		
Digital technologies for tourism	Identify and pursue opportunities to use digital technologies to promote tourism across the shire	Director, Business Services	Digital technology is available to promote tourism across the shire.
Tourism infrastructure	Identify future infrastructure needs to accommodate increased tourism	Director Shire Services	Implement tourism infrastructure as identified.
Baaka Cultural Centre	Continue to provide support for the establishment of the Baaka Cultural Centre in Wilcannia	General Manager	Establishment of a functioning and operational Baaka Centre

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Participate in the development of a Destination Management Plan for the Far West	General Manager	FY24	Destination Management Plan in place
Develop a CDSC Tourism Action Plan based on the Far West Destination Management Plan	General Manager	FY25	Implementation of CDSC Tourism Action Plan
Develop a Destination Management Plan for the shire	General Manager	FY25	Implementation of Destination Management Plan



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Construct improved tourism parking and amenities in Ivanhoe	Director Shire Services	FY25	Implementation of improved tourism parking and amenities in Ivanhoe
Provide training for young Aboriginal people to prepare them for work in the local tourism industry	Council General Manager	FY26	Young aboriginal people are employment ready for the local tourism industry
Develop a portal on council's website for local tourism information	Community Engagement Officer	FY 23 ongoing	Comprehensive local tourism information is available on council's website

Community priority – Agriculture

Our long-term goal for agriculture: *The economy of the Shire incorporates sustainable and diverse agricultural activities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Weeds and pests	Work with Local Land Services to manage and minimise weeds and pest animals	Environmental Engineer	Reduction in weeds & pests throughout the shire.
Water security	Advocate for the application of necessary measures to ensure water security for local agriculture	Council General Manager	Ongoing advocacy to state & federal governments.

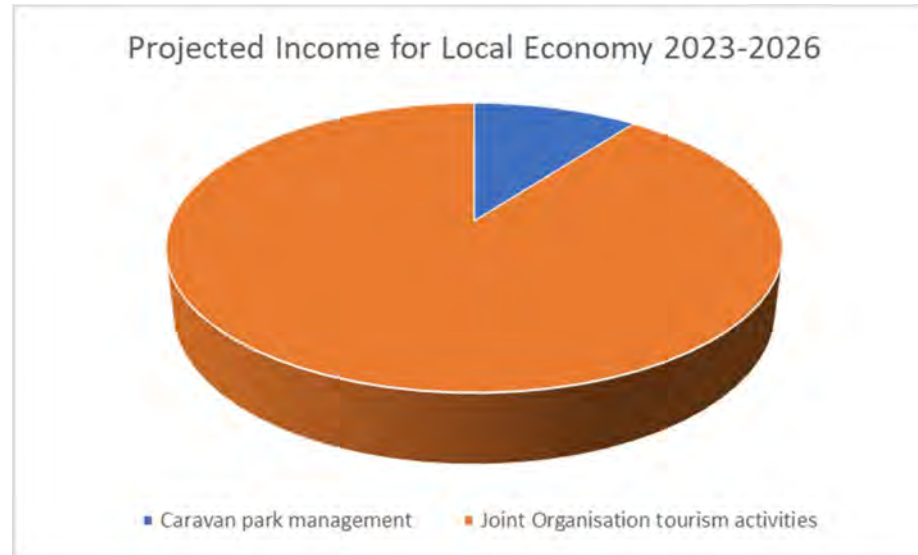


New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Identify and undertake necessary measures to ensure the ongoing biosecurity of local agriculture	Council General Manager	FY26	Ongoing awareness of biosecurity considerations for local agriculture.
Explore opportunities to promote 'paddock to plate' regional business practices	Council/ General Manager	FY 26	Ongoing awareness of paddock to plate opportunities for local agriculture
Promote market days and gate sales for local produce	Community Engagement Officer	FY26	Support provided for promotion of market days & local produce gate sales.



RESOURCING – LOCAL ECONOMY







Focus area 5. Rural and Urban Land Use

Community priority – Land availability for housing

Our long-term goal for land availability: *We have land allocated in our towns and appropriate policies to identify new housing development opportunities and enable the creation of new housing to reflect the needs of local communities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Sale of council land	Identify council-owned land and buildings appropriate for public sale	Director Business Services	Identification for sale of council-owned land and buildings
Sale of land and houses for unpaid rates	Identify and list for sale, land and houses for which rates have not been paid for an extended period	Director Business Services	Identification for sale of unpaid rates land and buildings
Local Environment Plan	Ensure the Local Environment Plan is developed to reflect local housing needs	Senior Planner	Development and implementation of plan.

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Identify land areas in Wilcannia, Menindee and Ivanhoe for further development of social and other housing	Director Business Services	FY25	Potential land identified in readiness for sale



Community priority – Greening and beautification of towns

Our long-term goal for greening and beautification of towns: *Our towns and town entrances are attractive, green and welcoming to local people and visitors.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Noxious weed control	Continuing eradication of noxious weeds	Environmental Engineer	Reduction in presence of noxious weeds.
Active and passive open space area maintenance and renewal	Maintain open spaces for community use	Deputy Director Shire Services	Maintained and functioning community areas.
Streetscape masterplans	Develop and maintain streetscape masterplans for towns and villages within the shire	Director Shire Services	Completion of plans

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Design and construct 'Welcome to Country' signage at the entrances to Wilcannia, Menindee and Ivanhoe	General Manager	FY 25	Installation of Welcome to Country signs
Source funding and support for mural painting of the water towers in Ivanhoe	General Manager	FY25	Funding sourced



Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Work with the White Cliffs community to identify appropriate land for the development of a community garden	Director Business Services	FY24	Suitable land identified
Identify and secure funding for town beautification projects	General Manager	FY26	Funding secured for beautification projects.



Community priority — Local heritage

Our long-term goal for local heritage: *Our Aboriginal and European heritage is preserved and celebrated.*

Continuing council programs and activities

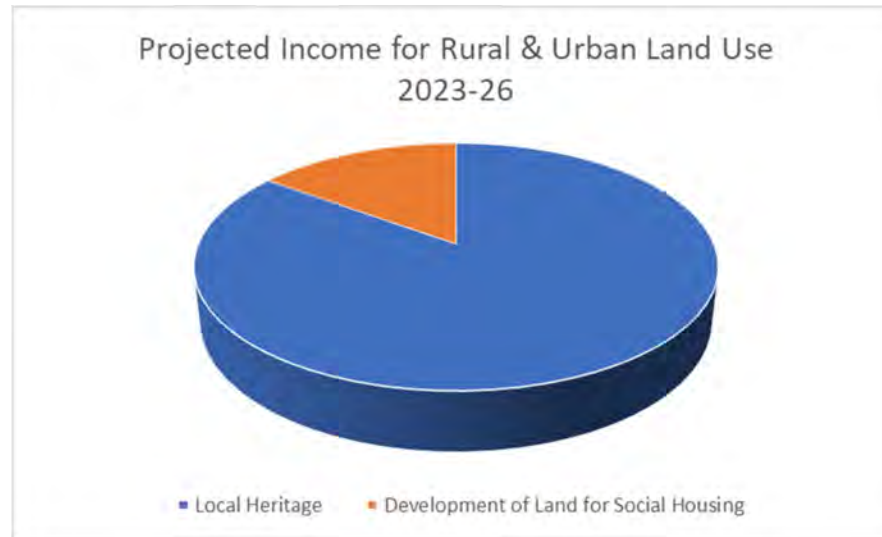
Program / Activity	Current actions	Responsibility	Performance indicators
Heritage consultant	Maintain ongoing engagement of an appropriate consultant to provide heritage advice and management services to council	Director Shire Services	Consultant engaged
Heritage preservation	Ensure that local Aboriginal and European heritage sites, buildings and places of cultural significance are well maintained and preserved	Director Shire Services	Well maintained culturally & heritage significant site
Heritage grants	Identify grants and funding to promote and support local heritage projects	Director Shire Services	Grants identified for funding and promotion
Heritage listings	Identify opportunities and associated funding for heritage listing and maintenance of significant buildings and environmental features	Director Shire Services	Grants identified for funding for heritage projects

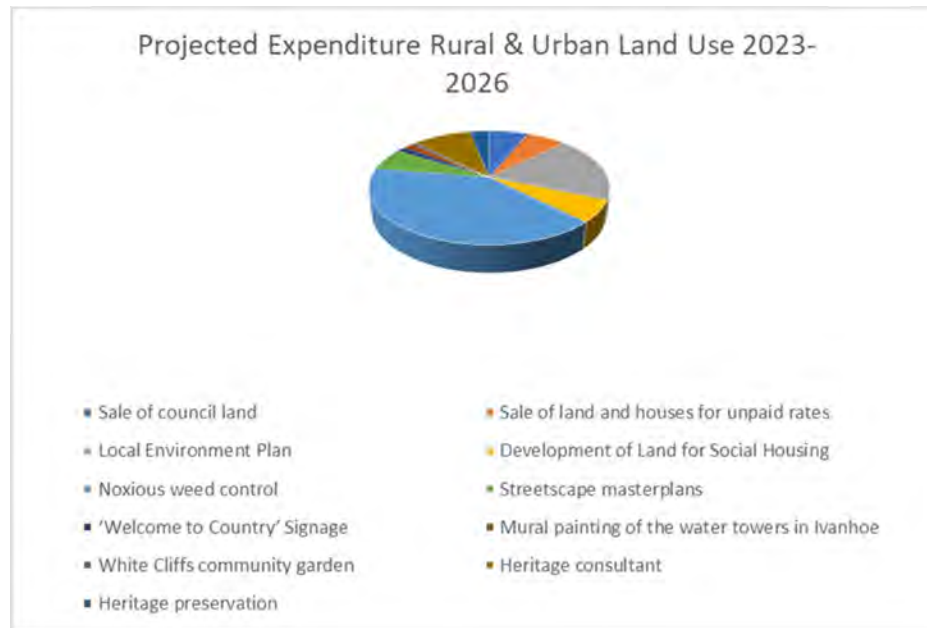


New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
NIL			

RESOURCING – RURAL AND URBAN LAND USE







Focus area 6. Infrastructure and Services

Community priority – Telecommunications and electricity infrastructure

Our long-term goal for telecommunications and electricity supply: *Local telecommunications and electricity infrastructure is state-of-the-art, well maintained and able to provide comprehensive, reliable services to communities across the Shire.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Community WiFi access	Advocate for the establishment of infrastructure to provide free WiFi and data in urban areas across the shire	Director Business Services	Ongoing advocacy with appropriate federal and state agencies
Mobile coverage	Advocate for expanded and strengthened mobile phone coverage and eliminate black spots across the shire	Council General Manager	Ongoing advocacy with appropriate federal and state agencies
NBN services	Advocate for the introduction of NBN services to communities within the shire	Council General Manager	Ongoing advocacy with appropriate federal and state agencies
Mobile power security	Advocate for improved capacities of mobile tower battery backup systems across the shire to ensure mobile phone access during power outages	General Manager	Ongoing advocacy with appropriate federal and state agencies



Program / Activity	Current actions	Responsibility	Performance indicators
Local electricity supply	Advocate to upgrade and improve electricity infrastructure to meet demand and guarantee continuous supply to all communities within the shire	Council General Manager	Ongoing advocacy with appropriate federal and state agencies
Communication providers	Advocate for the introduction of multiple providers of communications services	Council General Manager	Ongoing advocacy with appropriate federal and state agencies
Electricity pricing	Advocate for investigation of options to reduce the cost of domestic electricity supply including the installation of local alternative energy options	Council General Manager	Ongoing advocacy with appropriate federal and state agencies
Radio and television reception	Advocate for the improvement of local reception of regional television channels and radio stations	Council General Manager	Ongoing advocacy with appropriate federal and state agencies

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
NIL			

Community priority – Drinking water

Our long-term goal for drinking water: *Communities across the Shire have access to clean, reliable supplies of potable water.*



Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Water treatment plants upgrade in Wilcannia, Ivanhoe and White Cliffs	Design phase	Director Shire Services	Completion by June 2024
White Cliffs reticulation system renewal	Design phase	Director Shire Services	Completion by June 2024
Emergency water supply for Tilpa community	Design phase	Director Shire Services	Completion by June 2022
Water supply systems maintenance	Replacement of valves and hydrants Mains cleaning and scouring	Director Shire Services	Water supply systems are maintained and operational
Water treatment plants maintenance	Ensure that water treatment plants under council's management are well-maintained and comply with Australian Drinking Water Guidelines	Director Shire Services	Water treatment plants are operational and water is supplied in compliance with relevant guidelines
Menindee drinking water supply	Ensure that all relevant state agencies are working effectively to facilitate the availability of clean drinking water for Menindee	Council General Manager	Water is available and supplied to the Menindee in compliance with relevant guidelines



Program / Activity	Current actions	Responsibility	Performance indicators
Ownership of water treatment plants	Facilitate the transfer of ownership of water treatment plants within the shire to state government with council managing plants under contract	General Manager	Ownership of all water treatment plants within the shire is transferred to the appropriate state agency
Water carting	Maintain water-carting services to identified properties when required.	Director Shire Services	A reliable water supply service is maintained for affected properties

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Lobby for funding for the construction of single reticulation system for Wilcannia and Ivanhoe	Director Shire Services	FY25	Secured funding
Investigate and improve water security measures for White Cliffs	Director Shire Services	FY26	An increased surety of water supply
Investigate alternative drinking water supplies, including bore water, for White Cliffs	Director Shire Services	FY26	An increased surety of water supply



Community priority – Local and regional roads

Our long-term goal for local and regional roads: *Our road network enables safe and reliable access between local and regional population centres.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Roads maintenance and renewal	Ongoing roads grading, gravel re-sheeting and resealing program within Councils Asset Management Plan Signage maintenance and renewal Maintenance and renewal of culverts and bridges as required Ongoing management of roadside vegetation	Deputy Director Shire Services	Well maintained, functioning road network
Roadside electronic signage	Upgrade and replace electronic signage as required for road conditions and closures	Deputy Director Shire Services	Installation of functioning electronic signs.
Roads Hierarchy	Develop and maintain the Central Darling Shire Roads Hierarchy and Service Levels plan	Director Shire Services	Implementation of a Hierarchy & Service Level Plan



Program / Activity	Current actions	Responsibility	Performance indicators
Sealing of regional roads	In partnership with neighboring councils, advocate for additional funding for the sealing of priority roads throughout the shire and the region according to the Regional Transport Plan such as the Wool Track	Council General Manager	Advocacy for funding with state & federal governments

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Identify locations and advocate for funding for initial sealing of unsealed roads throughout the shire	Director Shire Services	FY23 ongoing	Funding and locations identified
Identify and prioritise flood-prone road sections and apply appropriate treatments and improvements	Director Shire Services	FY26	Improvements and treatments applied to flood prone roads.



Community priority – Waste management

Our long-term goal for local landfill sites: *Waste management processes and landfill sites across the Shire are well managed and maintained.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Waste Services	Delivery of appropriate waste services	Deputy Director Shire Services	Waste services provided
Waste Management Plans	Prepare and maintain management plans for all landfill sites within the shire	Director Shire Services	Implementation of waste management plan. Operate the waste facilities at Wilcannia, White Cliffs, Tilpa, Ivanhoe and Menindee in accordance with the long term plans of management as prepared for each site and deliver the milestones as proposed
WASTE MANAGEMENT PLAN MILESTONES			
<p>Ivanhoe</p> <p><u>Milestone 1</u> – Re-instate the landfill</p> <ul style="list-style-type: none"> • Re-shape the up gradient catchment to divert surface water away from the landfill • Prepare an evaporation pond or suitable surface irrigation area and pump leachate from the landfill to the pond or irrigation area • Use an excavator with a long reach, or similar plant to pull back the deposited waste to a concentrated area within the landfill and develop a shape suitable for capping. Council’s FEL may be suitable if an excavator is not available. 			



- Track compact the waste and apply the final capping.
 - Develop the tipping platform where lifts of placed waste will not exceed 2.0 metres or thereabouts or as required by the Amara concepts RLs.(Appendix 2)
 - Procure and position litter fencing near to the active tipping area
 - Continue landfilling until the current excavation achieves the final design landform
- Milestone 2 – recommence landfilling at the newly developed active tipping area
- Crush and landfill the existing stockpile of green waste
 - Re-establish the green waste stockpile area near to the landfill
 - Landfill the existing stockpile of waste concrete
 - Provide barricades to control the depositing of waste to ensure materials are confined to the active tipping area
 - Push up waste in accordance with the "waste placement technique" (Appendix 4)
 - Apply cover routinely from the established stockpile of ENM
 - Collect litter regularly where it has accumulated at the litter fencing and place into the landfill
- Milestone 3 – prepare an asbestos management policy
- Review the asbestos information currently contained on Council's website
 - Develop protocols for advanced notice for the disposal of asbestos
 - Train Council staff who may be required to deal with incoming loads of asbestos in the correct management of asbestos
- Menindee**
- Milestone 1 – Prepare the first stage in the new filling area
- Win cover material from the inner side slopes of the perimeter berm and stockpile this material for future use as cover
 - Construct a shallow berm on the floor of the new stage that will contain any leachate that may seep from the active tipping area
 - Establish litter fencing near to the new active tipping area
 - Identify vehicular access to the tipping platform and signpost accordingly
 - Develop the tipping platform where lifts of placed waste will not exceed 2.5 metres (Appendix 4)



Milestone 2 – commence landfilling at the new active tipping area

- Crush and landfill the existing stockpile of green waste
- Landfill the existing stockpile of waste concrete
- Expand the void by excavating where the green waste had been stockpiled
- Provide barricades or litter fences to control the depositing of waste to ensure materials are confined to the active tipping area
- Push up waste in accordance with the “waste placement technique” (Appendix 4)
- Apply cover routinely from the established stockpile

Milestone 3 – discontinue landfilling at the current active tipping area.

- Establish barricades to prevent access to the tipping platform from both above and below.
- Cap the existing waste disposal area.
- Collect litter
- Control surface water to manage flows across the adjacent capped landform. This may take the form of shredded green waste berms, silt stop fencing or other suitable means
- Provide signage directing all general waste to the new waste disposal area.

Milestone 4 – prepare an asbestos management policy

- Review the asbestos information currently contained on Council’s website
- Develop protocols for advanced notice for the disposal of asbestos
- Train Council staff who may be required to deal with incoming loads of asbestos in the correct management of asbestos

Wilcannia

Milestone 1 – Complete landfilling of the current general waste disposal area (main void), the minor voids and east/west trenches to achieve the landform design and undertake the final capping.

- Construct vehicular access to the base of the existing excavation (main void)
- Win cover material from the inner side slopes of the excavation and stockpile this material for future use as cover.



- Establish a tipping platform and tipping face at the floor of the excavation.
 - Establish a restricted tipping platform at the top of the excavation
 - Collect litter from about the site and establish litter fences near to the tipping platform at the top of the excavation
 - Place and cover waste in 2 to 2.5 metre lifts at the floor of the excavation until the final height is achieved.
 - Push domestic self haul waste into the excavation from the top tipping platform
 - Once the major void is filled, move landfilling to the minor voids and east/west trenches until the minor voids and trenches have been filled
 - Undertake site testing to determine where future trenching can occur
 - Prepare the first trench for the acceptance of general waste and establish litter fencing and tipping platform
 - Develop suitable vehicular access to the new general waste disposal trench.
 - Apply final capping to the completed general waste disposal areas.
- Milestone 2 – Complete the inert waste disposal area
- Discontinue landfilling inert waste once the design final shape is achieved.
 - Cap the existing inert waste disposal area.
 - Direct all inert waste to the general waste disposal area.
- Milestone 3 – Prepare an asbestos management policy

New initiatives

Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
Identify opportunities and funding for the introduction of local recycling programs	Environmental Engineer	Fy26	Recycling program identified and funding secured
Seek funding for measures to improve waste management in the shire and	Environmental Engineer	Fy26	Reduction of waste to landfill/per tonne



increase the diversion of waste from landfill			
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Community priority – Local services

Our long-term goal for local services: *Services provided to local Aboriginal and other communities are designed and delivered based on ongoing engagement and comprehensive understanding of community needs, issues and priorities.*

Continuing council programs and activities

Program / Activity	Current actions	Responsibility	Performance indicators
Infrastructure maintenance and upgrade	Follow current asset management plan	Director Shire Services	Management Plan completed
Asset management	Renewal of assets as per Asset Management Plans	Director Shire Services	Implementation of the asset management plans
Community assets maintenance and renewal	Follow current asset management plan	Deputy Director Shire Services	Community assets maintained
Footpath maintenance and renewal	Follow current asset management plan	Deputy Director Shire Services	Footpaths maintained and safe for community use.
Street lighting program	Identify additional location requirements & black spots	Deputy Director Shire Services	Black spots Identified
Compliance (Ranger Services, Animal Control)	Compliant with all statutory & legislative requirements	Ranger	All statutory & legislative requirements are met.



Program / Activity	Current actions	Responsibility	Performance indicators
Plant and equipment	Maintained to a safe standard & in operational condition	Deputy Director Shire Services	Plant & equipment maintained & safe
Aerodromes	Maintained to ALA & CASA standards	Deputy Director Shire Services	Compliant to ALA & CASA standards
Stormwater Management	Asset management plan CCTV investigation	Deputy Director Shire Services	CCTV inspection completed.
Infrastructure and service planning	Ensure the planning and provision of services to Central Darling Shire communities reflects current and future community needs	Director Shire Services	Planning & services provided
Public Transport	Advocate for the provision of local and regional public transport servicing all population centres within the shire	Council/ General Manager	Advocate to state government for improved & continued services.

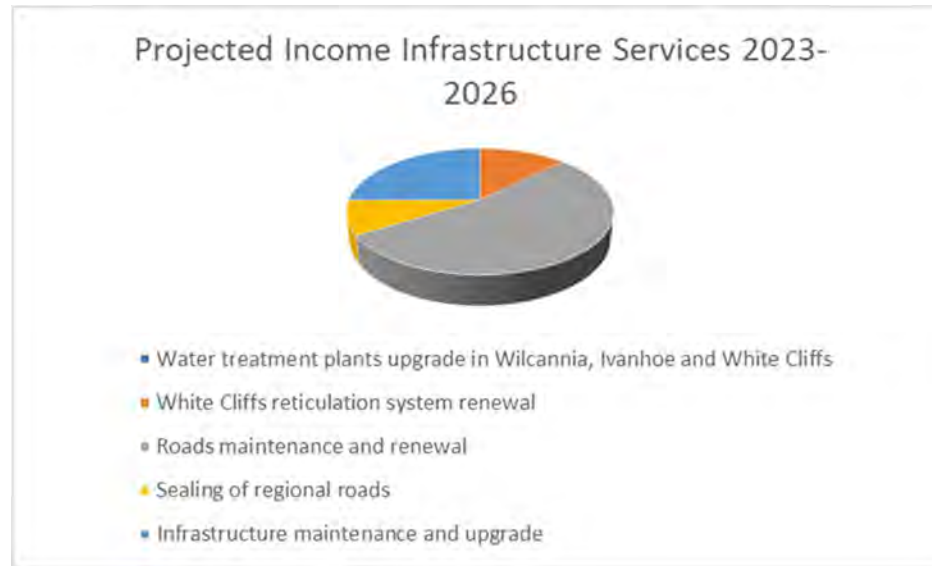
New initiatives

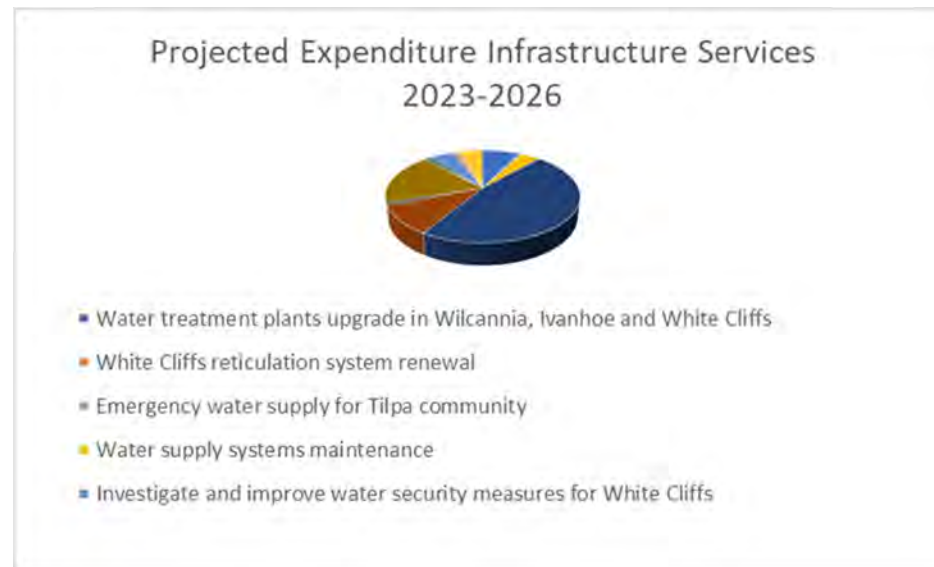
Initiative	Responsibility	Timeline (FY 23 / 24 / 25 / 26)	Indicators of progress
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Advocate for increased funding to maintain and operate council aerodromes to CASA standards	GM Director Shire Services	FY 24	Funding sourced to maintain aerodromes to CASA standards
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RESOURCING – INFRASTRUCTURE AND SERVICES







Operational Plan 2024 - 2025



Statement of Revenue

Overview

The Statement of Revenue details how rates and annual charges are set, as well as fees and charges for use of Council facilities and services.

Ordinary Rates

Ordinary rates contribute to essential services such as the road network, street lighting, street cleaning, footpaths, parks, sport and recreation facilities, environmental planning and conservation, rangers, pest control, town planning and building control, community services, and much more.

The total amount of ordinary rates Council can charge is capped by legislation. The Independent Pricing and Regulatory Tribunal has approved a 4.5% rate peg for 2024-25 as the allowable increase on this capped amount.

This capped amount is effectively shared between all ratepayers according to the individual value and rating category of their property .

Under the Valuation of Land Act 1916 Council is required to use the most current land values when calculating ordinary and special rates. These values are provided by the NSW Valuer General (VG), the independent statutory authority responsible for determining land values in NSW. The latest values provided by the VG are being used for levying rates in and have a base date of 1 July 2019.

Council has a limited number of methods or structures available under the Local Government Act 1993 when setting ordinary rates as follows:

- Ad Valorem Rate only;
- Ad Valorem Rate which is subject to a minimum amount of the rate; or
- A Base Amount to which an ad valorem amount is added.

All available rate structures are primarily based on the unimproved land value of property. Council may also set different rates for different categories. These methods or structures can be used to move rate burden between different rate payer groups without changing the total amount of rates available to Council.

Historically Council has adopted a Base Amount plus Ad Valorem Rate structure. Application of a uniform Base Amount Rate provides for an equal and minimum contribution by all ratepayers to the base costs of running Council.

Categories

In accordance with s 514 of the Local Government Act 1993, all parcels of rateable land in Council's area have been classified into one of the following categories of Ordinary rates:

Farmland s 515 of the Local Government Act 1993

Land is categorised as farmland if it is a parcel of rateable land valued as one assessment where its dominant use is for farming and which has a significant and substantial commercial purpose or character and is engaged in for the purpose of profit on a continuous or repetitive basis.

Rural residential land is not categorised farmland.

Residential s 516 of the Local Government Act 1993



Land is categorised as residential if it is a parcel of rateable land valued as one assessment and its dominant use is for residential accommodation or rural residential land or if it is vacant land it is zoned or otherwise designated for use under an environmental planning instrument for residential purposes.

Business s 518 of the Local Government Act 1993

Land is to be categorised as business if it cannot be categorised as farmland or residential. Caravan parks and manufactured home communities are to be categorised business.

The categorisation of all rateable land was determined as at 1 January 1994 with the issue of the rate notice in January 1994. New parcels of land created since that date have been categorised with the issue of subsequent rate notices. Where subsequent changes in categorisation have occurred, written notices to this effect have been issued in accordance with s 520 of the Local Government Act 1993.

Ordinary Rates 2024-25

Category	No. of Properties	Base Rate Amount	Base Rate Income	Rateable Land Values	Ad Valorem Rate in \$	Ad Valorem Rate Income	Total Ordinary Rate Income	Base Rate % of Total Income
Farmland	376	\$130.00	\$48,880	\$1026766440	0.0004470	\$458,965	\$507,845	10%
Residential	1040	\$130.00	\$135,200	\$3,549,880	0.0706730	\$250,881	\$386,081	35%
Business	135	\$130.00	\$17,550	\$594,390	0.0582740	\$34,637	\$52,187	34%
Totals	1,551		\$201,630	\$1,030,910,710		\$744,483	\$946,113	

Annual Charges

In addition to ordinary rates, Council will levy annual charges for the following services in 2022-23:

Domestic waste management services – s496 of the Local Government Act 1993

Waste management services (non-domestic) – s501 of the Local Government Act 1993

Water supply services - s501 of the Local Government Act 1993

Sewerage services - s501 of the Local Government Act 1993

Domestic Waste Management Service Charges

Domestic Waste is defined in the Local Government Act 1993 as “waste on domestic premises of a kind and quantity ordinarily generated on domestic premises and includes waste that may be recycled, but does not include sewage.”

Council levies a domestic waste management service charge on all parcels of rateable land to which a domestic waste management service is available. This charge covers the cost of providing domestic waste collection services, whole of life cost for managing waste including the remediation of landfills.

Section 504 of the Local Government Act 1993 requires that the cost of providing Domestic Waste Management Services must be fully covered by the income derived from charges for these services.

Waste Management Service Charges - Non Domestic Levied under Section 501 of the <i>Local Government Act 1993</i>	Charge Unit	2024-25 Charge
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<p>Waste Management Service <u>Purpose:</u> Entitlement to a weekly collection of a 240 litre waste bin. <u>Applies to:</u> All properties within any of Council's waste collection areas where a Waste Collection service has been requested and provided.</p>	Per Property	\$685.00
<p>Waste Management Additional Bin <u>Purpose:</u> Entitlement to a weekly collection of additional 240 litre waste bins. <u>Applies to:</u> All properties within any of Council's waste collection areas where an additional Non Domestic Waste Collection service(s) has/have been requested and provided.</p>	Per Bin	\$685.00

c. In accordance with Sections 501 and 502 of the *Local Government Act 1993*, make and levy charges for water supply services in 2023-24 as follows:

Water Service Charges - Wilcannia		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$275.00
Non- Potable/Raw Water Connected	Per Connection	\$1,083.00
Filtered Water Availability	Per Property	\$181.00
Non- Potable/Raw Water Availability	Per Property	\$181.00
Filtered Water Usage	Per Kilolitre (kL)	\$3.75
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$3.75
Non- Potable/Raw Water Usage – Metered Non Rateable Properties	Per Kilolitre (kL)	\$3.75
Water Service Charges - Ivanhoe		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$322.00
Non- Potable/Raw Water Connected	Per Connection	\$539.00
Filtered Water Availability	Per Property	\$240.00
Non- Potable/Raw Water Availability	Per Property	\$240.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.18
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$1.81



Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$5.03
Non -Potable/Raw Water Usage – Metered Non -Rateable Properties	Per Kilolitre (kL)	\$4.18
Water Service Charges – White Cliffs		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$1,043.00
Non- Potable/Raw Water Connected	Per Connection	\$1,043.00
Filtered Water Availability	Per Property	\$912.00
Non -Potable/Raw Water Availability	Per Property	\$912.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.08
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$4.08
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08
Non- Potable/Raw Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08

d. In accordance with Sections 501 of the *Local Government Act 1993*, Council make and levy charges for sewerage services in 2023-24 as follows:

Service Charge Description	Unit Type	2024-25 Charge
Sewerage Service Charge	Per property – up to 2 connections	\$980.00
Sewerage Service Additional Charge	Per connection – more than 2 connections	\$338.00



BUDGETED FINANCIAL STATEMENTS for 2024-25

Budgeted Income and Expenses Statement Year Ending 30 June 2025

	Budget 2023/24 \$'000	Budget 2024/25 \$'000	Notes
Income			
Rate Income	913	946	
Annual Charges Income	1,659	1,645	
User Charges & Fees	9,451	8,478	1
Interest & Investment Revenue	87	97	
Other Revenues	383	434	
Operating Grants	6,598	9,003	2
Capital Grants	23,514	12,109	3
Contributions	3,238	3,294	
Total income from continuing operations	45,842	36,006	
Expenditure			
Employee Benefits	6,869	7,070	
Borrowing Costs	40	40	
Materials & Contracts	8,645	8,174	
Depreciation	4,329	5,713	4
Other Expenses	2,424	2,885	
Total expenses from continuing operations	22,307	23,882	
Operating result from continuing operations	23,535	12,125	
Net operating result before capital grants and contributions	21	15	

Notes

1. User Charges & Fees
Reduction due to less income from RMS works due to the completion of Cobb Highway
2. Operating grants are expected to increase for the budget year 2024-25.
This is due to increased funding to be received for Roads to Recovery and an expected increase in Federal Assistance Funding.
3. The amount Budgeted Capital Grants tends to fluctuate depending on government funding models and funding that is deemed to be appropriate for Central Darling Council.
4. Depreciation
The increase in budgeted depreciation is due to the construction of new assets.



Budgeted Income and Expenses Statement Year Ending 30 June 2025

	Budget 2022/23	Budget 2023/24	Budget 2024/25	Notes
	\$'000	\$'000	\$'000	
Income				
Rate Income	885	913	946	
Annual Charges Income	1,598	1,659	1,645	
User Charges & Fees	9,716	9,450	8,478	
Interest & Investment Revenue	54	87	97	
Other Revenues	405	383	434	
Operating Grants	5,559	6,598	9,003	
Capital Grants	24,394	23,514	12,109	
Contributions	3,185	3,238	3,294	
Total income from continuing operations	45,796	45,842	36,006	
Expenditure				
Employee Benefits	6,968	6,869	7,070	
Borrowing Costs	39	40	40	
Materials & Contracts	7,696	8,645	8,174	
Depreciation	4,324	4,329	5,713	
Other Expenses	2,257	2,424	2,885	
Total expenses from continuing operations	21,284	22,307	23,882	
Operating result form continuing operations	24,512	23,535	12,125	
Net operating result before capital grants and contributions	118	21	15	



Statement of Budgeted Income 2024-25

	Budget 2022/23 \$'000	Budget 2023/24 \$'000	Budget 2024/25 \$'000	Notes
Income				
Rates				
Residential	362	489	507	
Farmland	475	373	386	
Business	48	51	53	
Total Rates	885	913	946	
Annual Charges Income				
Water Services	676	702	682	
Sewer Services	277	288	294	
Waste Services	645	670	669	
Total Annual Charges	1,598	1,659	1,645	
User Charges & Fees				
Water Supply Services	409	305	275	
Sewerage Services	2	2	4	
Planning & Building Regulation	42	35	36	
Private Works	316	802	1,151	5
Caravan Parks	43	45	50	
Rent & Hire of Council Property	1	7	12	
RMS	8,830	8,241	6,939	6
Swimming Pools	3	2	1	
Waste Disposal Tipping Fees	70	11	10	
Other	0	1	1	
Total User Charges & Fees	9,716	9,451	8,478	
Interest & Investment Revenue				
Overdue Rates	22	18	18	
Interest on Investment	1	40	50	7
Water Fund Operations	22	24	24	
Sewer Fund Operations	9	5	5	
Total Interest & Investment Revenue	54	87	97	
Other Revenues				
Rental Income Other Council Property	75	45	60	
Commissions & Agency Fees	183	186	198	
Cemeteries	8	9	10	
Insurance Claims Recovery	11	20	25	
Sales General	106	110	130	
Other	23	13	12	
Total Other Revenues	405	383	434	



Statement of Budgeted Income 2024-25 Continued

	Budget 2022/23 \$'000	Budget 2023/24 \$'000	Budget 2024/25 \$'000	Notes
Operating Grants				
FAGS - General	3,000	3,350	5,000	8
FAGS - Roads	800	1,100	1,800	8
Pensioner Rate Rebate	19	19	19	
Bushfire & Emergency	135	136	138	
Flood Mapping	100	0	0	
Heritage & Culture	17	20	20	
Roads to Recovery	1,125	1,837	1,900	
Water & Sewer (Aboriginal W&S)	105	105	125	
Youth	3	1	1	
Stronger Country Communities	20	30	-	
Drought Stimulus	235	-	-	
Total Operating Grants	5,559	6,598	9,003	
Capital Grants				
Active Transport funding	-	300	-	
Fixing Local Roads	1,302	1,000	2,250	
Crown Reserves Improvement Fund	233	0	-	
Regional Roads Repair Program	400	1,000	-	
Regional & Local Roads Repair Program	0	4,361	3,629	
Disaster Risk Reduction Fund	0	90	-	
Murray Darling Basin Economic Development Program	-	345	-	
NSW Severe Weather and Flood Funding	-	320	-	
Stronger Country Communities	120	764	175	
Safe and Secure - Wilcannia & Ivanhoe Water Treatment Plants	3,600	3,000	3,000	
Local Roads & Community Infrastructure	4,099	253	975	
Drought Stimulus	140	0	-	
Pooncarie Road	12,000	8,000	-	
Aerodromes	0	80	80	
Restart NSW - White Cliffs Water Treatment Plant	2,500	4,000	2,000	
Total Capital Grants	24,394	23,514	12,109	
Contributions				
Regional Road Block Funding	2,810	2,863	2,919	
Far West Joint Organisation	375	375	375	
Total Contributions	3,185	3,238	3,294	
Total income from continuing operations	45,796	45,842	36,006	

5. The budget for Private Works is based on activity for the current year plus an increase in on-costs.
6. RMS works are budgeted to reduce in 2024-25 budget year due to the completion of the Cobb Hwy.
7. The Increase in the budget for Interest is due to higher overall interest rates.
8. Additional funding is expected to be received from the Grants Commission for federal assistance funding.



Statement of Budgeted Expenditure 2023-24

	Budget 2022/23 \$'000	Budget 2023/24 \$'000	Budget 2024/25 \$'000	Notes
Expenditure				
Employee Benefits				
Salaries and Wages	6,121	6,006	6,162	
Superannuation	643	661	703	
Worker's Compensation Insurance	144	142	145	
Fringe Benefits Tax	60	60	60	
	6,968	6,869	7,070	
Borrowing Costs				
Interest on Loan	-	-	-	
Interest Right of Use Assets	14	15	15	
Tip Remediation	25	25	25	
	39	40	40	
Materials & Contracts				
Raw Materials and Consumables	1,862	2,074	1,691	
Contractor Costs	5,800	6,550	6,483	
Operating Leases	34	22	-	
	7,696	8,645	8,174	
Depreciation				
Right of Use Assets	360	365	266	
Furniture and fittings	-	-	1	
Plant & Equipment	215	215	260	
Buildings	826	826	873	
Other Structures	262	262	322	
Roads	1,858	1,858	3,228	
Stormwater Drainage	25	25	26	
Water Infrastructure	668	668	591	
Sewerage Infrastructure	97	97	138	
Landfill	13	13	8	
	4,324	4,329	5,713	
Other Expenses				
Advertising	32	31	2	
Auditor's Remuneration	65	65	68	
Bank Charges	7	7	0	
NSW Rural Fire Service Levy	255	323	290	
Consultants	261	70	80	
Legal Expenses	26	25	45	
Donations & Contributions	10	40	45	
Electricity & Heating	240	250	363	
Insurance	518	709	725	
Printing & Stationery	36	44	28	
Subscriptions	261	329	421	
Telephone & Communications	95	79	83	
Training	121	98	160	
Valuation Fees	20	19	18	
Other	310	335	559	
	2,257	2,424	2,885	
Total expenses from continuing operations	21,284	22,307	23,881	



Statement of Budgeted Capital Works 2024-25 Summary

	New Assets	Renewal	Upgrade	Total
Roads	-	7,435,100	2,250,000	9,685,100
Water Infrastructure	95,000	300,000	5,000,000	5,395,000
Sewerage Infrastructure	-	-	-	-
Buildings	-	130,000	-	130,000
Stormwater Infrastructure	-	75,000	-	75,000
Outdoor Infrastructure	96,000	378,000	1,150,000	1,624,000
Plant & Equipment	575,000	-	-	575,000
Swimming Pools	-	165,000	-	165,000
	766,000	8,483,100	8,400,000	17,649,100



Statement of Budgeted Capital Works 2024-25 Detail

Asset Area	Description	Budget	Summary of Funding Source			
		2023-24	Grants	Contributions	Rates	Borrowings
Roads						
<u>Regional Roads</u>						
	Reseals	1,660,000		1,660,000		
	Gravel Resheet	100,000		100,000		
	RERRF	1,416,100	1,416,100			
	Culverts	146,000		146,000		
	sub-total	3,322,100	1,416,100	1,906,000	-	-
<u>Local Roads</u>						
	Roads to Recovery 2023/24	900,000	900,000			
	Roads to Recovery 2024/25	1,000,000	1,000,000			
	Fixing Local Roads Rd 4	2,250,000	2,250,000			
	RERRF	2,213,000	2,213,000			
	sub-total	6,363,000	6,363,000	-	-	-
	Total	9,685,100	7,779,100	1,906,000	-	-
Water						
	Restart NSW - White Cliffs WTP & Retic	2,000,000	2,000,000			
	Safe & Secure - Wilcannia & Ivanhoe WTP	3,000,000	3,000,000			
	Valve Replacements Ivanhoe Wilcannia	150,000			150,000	
	AC Mains Replacement Wilcannia	150,000			150,000	
	Tilpa Reservoir and Pipework	65,000			65,000	
	Bubblers	30,000			30,000	
	Total	5,395,000	5,000,000	-	395,000	-
Stormwater						
	Wilcannia Darling River Outlets	75,000			75,000	
Buildings						
	57 Woore St	10,000			10,000	
	47-49 Hood St	10,000			10,000	
	Victory Park Caravan Park Residence	20,000			20,000	
	16 Ross St	40,000			40,000	
	Flats 1-6	20,000			20,000	
	Atco/ Enviro/ Storage	15,000			15,000	
	All Council houses	15,000			15,000	
	Total	130,000	-	-	580,000	-
Outdoor Infrastructure						
<u>Aerodromes</u>						
	Wilcannia amenities/ water supply	160,000	80,000		80,000	-
<u>Ancillary</u>						
	Menindee Improved Mobility Access	175,000	175,000			
	Streetscape Upgrades	975,000	975,000			
	Total	1,150,000	1,150,000	-	-	-



Statement of Budgeted Capital Works 2024-25 Detail continued

Asset Area	Description	Budget	Summary of Funding Source			
		2023-24	Grants	Contributions	Rates	Borrowings
Depots						
	Wilcannia Electrical Switchboard Upgrade	98,000			98,000	
	Wilcannia Workshop structural Improvements	60,000			60,000	
	Washdown Bay, interceptor pit, absorption trench	60,000			60,000	
	Total	218,000	-	-	218,000	-
Cemeteries						
	Shade/ Seating	18,000			18,000	
	Ivanhoe Fencing	18,000			18,000	
	Total	36,000	-	-	36,000	-
Sport and Rec						
	White Cliffs Pumptrack	60,000			60,000	
Swimming pools						
	Seating and Shade Sails	45,000			45,000	
	Chlorine Gas Dosing System Upgrades	120,000			120,000	
	Total	165,000	-	-	165,000	-
Plant						
	Small Tipplers Ivanhoe & Menindee	150,000			150,000	
	Excavator, 5 ton	75,000			75,000	
	Forklift	35,000			35,000	
	Excavator, 2.5ton	65,000			65,000	
	Skid Steer Menindee	90,000			90,000	
	VMS Sign Displays	50,000			50,000	
	Vermeer Vac Unit	110,000			110,000	
	Total	575,000	-	-	575,000	-
	Grand Total	17,649,100	14,009,100	1,906,000	2,184,000	-



Budgeted Cashflow Statement 2024-25

	Budget 2022/23 \$'000	Budget 2023/24 \$'000	Budget 2024/25 \$'000	Notes
Cash Flows from Operating Activities				
Receipts				
Rates & Annual Charges	2,639	2,312	2,362	
User Charges & Fees	8,097	7,561	6,782	
Investment and interest Revenue Received	54	87	97	
Grants & Contributions	33,138	33,350	24,406	
Payments				
Employee Benefits & Oncosts	(7,150)	(6,869)	(7,070)	
Materials and Contracts	(9,754)	(8,472)	(8,010)	
Borrowing Costs	(14)	(15)	(15)	
Net Cash Provided by operating Activities	27,010	27,953	18,552	
Cash Flows from Investing Activities				
Receipts				
Proceeds from sale of non-current assets	-	-	-	
Payments				
Purchase of Assets	(29,673)	(28,276)	(17,649)	
Net Cash Inflow (Outflow)	(29,673)	(28,276)	(17,649)	
Cash Flows from Financing Activities				
Receipts				
Proceeds for Borrowing	-	-	-	
Payments				
Loan repayments	-	-	-	
Lease payments	(466)	(450)	(450)	
Net Cash Inflow (Outflow)	(466)	(450)	(450)	
Net Increase/(Decrease) in Cash and Cash Equivalents	(3,129)	(773)	453	
Cash at Beginning of Year	8,727	4,500	2,745	
Cash at End of Year	5,598	3,727	3,198	



Statement of Budgeted Reserves 2024-25

	Opening Balance 2024 \$'000	Transfer In \$'000	Transfer Out \$'000	Closing Balance 2025 \$'000	Notes
Plant Replacement Reserve	10	15	-	25	1
Waste Management Reserve	155	165	-	320	2

For the 2022-23 Budget Year, Council has established two reserves.

1. Plant Replacement Reserve
To be based on one percent of the net proceeds , from the previous financial year, generated from private works and works completed for RMS. The funds to be transferred into this reserve are not to have an adverse effect on the working capital of Council. This reserve is to be used for the long term replacement of Council plant.

2. Waste Management Reserve
A loan was taken out during the 2013 financial year to fund the purchase of three garbage trucks and other operational expenditure.
The loan was with the Westpac Banking Corporation and the loan balance as at the year ended 30 June 2013 was \$1,249,000.
Council had been paying interest and principal payments of \$13,750 per month to service the loan for the garbage trucks. These payments were being funded by the Annual Charge levied for waste management.
Council will now allocate these funds, into a waste reserve for the future funding for various waste management projects. The annual total of funds to be placed into the Waste Management Reserve will be \$165,000.



Appendix 1

Fees and Charges

In accordance with Section 608 of the Local Government Act 1993 and other relevant legislation, Council charges and recovers approved fees and charges for any services it provides.

In cases where the amount of fees and charges for service is determined under another Act or regulatory body, Council's policy is not to determine an amount that is inconsistent with the amount determined under the other Act or regulatory body.

All of Councils fees and charges not subject to statutory control are reviewed on an annual basis prior to finalisation of Council's annual operational budget. In special circumstances, fees and charged can be reviewed and approved by Council in accordance with the Local Government Act and regulations.



Fee No.	Title of Fee Charge	Unit Rate	2023-24 Charge	GST	2024-25 Charge incl GST if appl
Hire of Council Facilities as Approved by Council					
Menindee Community Hall					
1	Discos, Parties, Presentations, Movies	Day or Night	\$266.00	\$26.60	\$292.60
2	Supper Room	Day or Night	\$90.27	\$9.03	\$99.30
3	Club Fundraising Discos-Seniors	Day or Night	\$118.73	\$11.87	\$130.60
4	Club Fundraising Discos-Juniors	Day or Night	\$61.73	\$6.17	\$67.90
5	Fundraising-Charities	Day or Night	\$80.73	\$8.07	\$88.80
6	Government Agencies	Day or Night	\$266.00	\$26.60	\$292.60
7	Meetings	Day or Night	\$57.00	\$5.70	\$62.70
8	Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$282.20	\$0.00	\$282.20
Menindee Rural Transaction Centre – Ivanhoe Multi Service Outlet - Meeting/Function room					
9	Room Only	Per Hour	\$19.00	\$1.90	\$20.90
10	Room Only	Per Day (8Hrs)	\$142.55	\$14.25	\$156.80
11	Room Only	Per Week/5 days	\$475.00	\$47.50	\$522.50
12	Data Projector	Per Day	\$28.55	\$2.85	\$31.40
13	PA System	Per Day	\$23.73	\$2.37	\$26.10
Ivanhoe (Committee)					
14	Hall Hire	Day Rate	\$190.00	\$19.00	\$209.00
15	Hall Hire	Evening Rate	\$237.55	\$23.75	\$261.30
16	Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$522.50	\$0.00	\$522.50
White Cliffs Community Hall (Committee)					
17	Hall Hire	Day or Night	\$104.55	\$10.45	\$115.00
18	Local Activities (Supper Room)	Day or Night	\$4.73	\$0.47	\$5.20
19	Local Events (Supper Room)	Day or Night	\$14.27	\$1.43	\$15.70



20	Supper Room Hire	Day or Night	\$23.73	\$2.37	\$26.10
21	Hire of Table and Chairs	Day or Night	\$47.55	\$4.75	\$52.30
22	Rally's/Treks	Per Day	\$104.55	\$10.45	\$115.00
	Tilpa Community Hall (Committee)				
23	Hall Hire	Day or Night	\$47.55	\$4.75	\$52.30
24	Community Centre Hire-Includes Hall and Kitchen	Day or Night	\$95.00	\$9.50	\$104.50
	Wilcannia Community Hall				
25	Discos, Parties, Presentations, Movies (Inc Kitchen)	Day or Night	\$266.00	\$26.60	\$292.60
26	Supper Room (Inc Kitchen)	Day or Night	\$90.27	\$9.03	\$99.30
27	Club Fundraising Discos-Seniors	Day or Night	\$118.73	\$11.87	\$130.60
28	Club Fundraising Discos-Juniors	Day or Night	\$61.73	\$6.17	\$67.90
29	Fundraising-Charities-Not For Profits	Day or Night	\$80.73	\$8.07	\$88.80
30	Meetings	Day or Night	\$61.73	\$6.17	\$67.90
31	Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$282.20	\$0.00	\$282.20
	Swimming Pools				
32	Casual Hirers Fee (All Pools)	Each Event	\$57.00	\$5.70	\$62.70
33	Family Season Ticket	Season	\$95.00	\$9.50	\$104.50
34	Wilcannia	Per Person	\$0.91	\$0.09	\$1.00
33	Ivanhoe	Per Person	\$0.91	\$0.09	\$1.00
34	Menindee	Per Person	\$0.91	\$0.09	\$1.00
35	White Cliffs	Per Person	\$0.91	\$0.09	\$1.00
	Other (Facilities)				
36	Hire of BBQ Trailer (Pick up from Council Depot)	Per Day	\$61.73	\$6.17	\$67.90
37	<i>Delivery/Pickup additional \$20 fee will be incurred</i>	Per Hire	\$19.00	\$1.90	\$20.90
38	Ovals/Parks/Reserves (Excluding not for profit & community events)	\$100.00 Bond	\$61.73	\$6.17	\$67.90
39	Hire of Wilcannia ATCO's	Per Person/Night	\$57.00	\$5.70	\$62.70
40	Hire of Projector for functions (In Council facilities)	Per Day	\$28.55	\$2.85	\$31.40
41	Bond - Hire of Projector for functions (In Council facilities)	\$100.00 Bond	\$104.50	\$0.00	\$104.50



	Rates				
42	Rate Enquiry Fee: (Written response to bona fide purchaser or owner)	Per Property	\$71.27	\$7.13	\$78.40
43	Section 603 Certificate	Per Property	\$95.00	\$0.00	\$99.30
44	Section 603 Certificate Urgency Fee	Per Certificate	\$71.27	\$7.13	\$78.40
45	Returned or Dishonoured Payment Fee	Per Transaction	\$42.73	\$4.27	\$47.00
46	Rates Administration/Refund Fee	Per Transaction	\$19.00	\$1.90	\$20.90
Government Information (Public Access) Act 2009 (GIPA Act)					
47	GIPA - Application Fee - includes 1st hour of processing	Per Application	\$31.40	\$0.00	\$31.40
48	GIPA - Processing Fee - after 1st hour	Per Hour	\$30.00	\$0.00	\$31.40
49	GIPA - Internal Review	Per Application	\$41.80	\$0.00	\$41.80
Companion Animals Act 1998					
Registration Category					
50	Dog – Desexed (by relevant age)	Per animal	\$72.10	\$0.00	\$72.10
51	Dog – Desexed (by relevant age eligible pensioner)	Per animal	\$30.30	\$0.00	\$30.30
52	Dog – Desexed (sold by pound/shelter)	Per animal	\$0.00	\$0.00	\$0.00
53	Dog – Not Desexed or Desexed (after relevant age)	Per animal	\$244.50	\$0.00	\$244.50
54	Dog – Not Desexed (not recommended)	Per animal	\$72.10	\$0.00	\$72.10
55	Dog – Not Desexed (recognised breeder)	Per animal	\$72.10	\$0.00	\$72.10
56	Dog – Working or Assistance Animal	Per animal	\$0.00	\$0.00	\$0.00
57	Cat – Desexed or Not Desexed	Per animal	\$61.70	\$0.00	\$61.70
58	Cat – Eligible Pensioner	Per animal	\$30.30	\$0.00	\$30.30
59	Cat – Desexed (sold by pound/shelter)	Per animal	\$0.00	\$0.00	\$0.00
60	Cat – Not Desexed (not recommended)	Per animal	\$61.70	\$0.00	\$61.70



61	Cat – Not Desexed (recognised breeder)	Per animal	\$61.70	\$0.00	\$61.70
62	Late Fee - if the registration fee has not been paid 28 days after the date on which the companion animal is required to be registered	Per animal	\$19.90	\$0.00	\$19.90
	Annual Permits				
63	Cat not desexed by four months of age	Per animal	\$88.80	\$0.00	\$88.80
64	Dangerous dog	Per animal	\$215.30	\$0.00	\$215.30
65	Restricted Dog	Per animal	\$215.30	\$0.00	\$215.30
66	Permit late fee	Per animal	\$19.90	\$0.00	\$19.90
	Other Animal Related Fees				
67	Microchip & Implantation	Per M/Chip	\$42.73	\$4.27	\$47.00
68	Inspection of Dangerous dog facilities	Per inspection	\$142.55	\$14.25	\$156.80
69	Cat, Dog, Pig-Release Fee	Per release	\$20.91	\$2.09	\$23.00
70	Release Fee Second Offence	Per release	\$41.82	\$4.18	\$46.00
71	Maintenance/Sustenance Fee-Per Day	Per animal/day	\$15.64	\$1.56	\$17.20
72	Goat, Sheep-Release Fee	Per release	\$15.64	\$1.56	\$17.20
73	Release Fee Second Offence	Per release	\$41.82	\$4.18	\$46.00
74	Maintenance/Sustenance Fee-Per Day	Per animal/day	\$15.64	\$1.56	\$17.20
75	Horse, Cattle-Release Fee	Per release	\$62.73	\$6.27	\$69.00
76	Release Fee Second Offence	Per release	\$88.82	\$8.88	\$97.70
77	Maintenance/Sustenance Fee-Per Day	Per animal/day	\$26.09	\$2.61	\$28.70
	Planning Certificates				
78	Planning Certificate 10.7 – Part 2 (Formerly 149 (2))	Per Certificate	\$64.80	\$0.00	\$64.80
79	Requiring additional information Part 5 (Formerly 149 (5))	Per Certificate	\$98.20	\$0.00	\$98.20



80	Certificate Under Section 735A	Per Certificate	\$83.60	\$0.00	\$83.60
81	Certificate as to Orders 121ZP	Per Certificate	\$41.80	\$0.00	\$41.80
82	Planning Certificates Urgency Fee	Per Certificate	\$71.27	\$7.13	\$78.40
	Swimming Pool Inspections				
83	First Visit	Per inspection	\$142.55	\$14.25	\$156.80
84	Second Visit	Per inspection	\$95.00	\$9.50	\$104.50
	Footway Restaurant Permit				
85	1 Table and 4 Chairs	Per Application	\$57.00	\$5.70	\$62.70
	Food Premises Inspection				
86	1st Inspection	Per inspection	\$57.00	\$5.70	\$62.70
87	Additional Inspection	Per inspection	\$76.00	\$7.60	\$83.60
	Domestic Waste Collection				
88	Replacement of lost or damaged Wheelie Bin with new bin	Per Bin	\$95.45	\$9.55	\$105.00
89	Replacement of lost or damaged Wheelie Bin with second-hand bin	Per Bin	\$40.91	\$4.09	\$45.00
	Public Cemeteries				
90	Grave Digging	Per grave	\$427.55	\$42.75	\$470.30
91	Land for grave under right of burial	Per grave	\$292.60	\$0.00	\$292.60
92	Surcharge for Grave Digging Out of Hours, Urgent, Out of Cemetery Grounds	Per grave	\$209.00	\$20.90	\$229.90
93	<i>For out of Cemetery Grounds Council will need to calculate transport costs.</i>	Per grave	By Quote	10%	By Quote plus GST
94	Burial Ashes in pre-existing grave	Per burial	\$427.55	\$42.75	\$470.30
95	Re-Opening and closing of Grave	Per Opening/ Closing	\$427.55	\$42.75	\$470.30



96	Slab removal/replacement prior to re-opening and closing of grave	Per removal/ replacement	\$209.00	\$20.90	\$229.90
97	Weekend Surcharge for re-opening and closing	Per Opening/ Closing	\$209.00	\$20.90	\$229.90
98	Plaque for Memorial Wall (Includes Purchase, Inscription & Installation)	Per plaque	\$142.55	\$14.25	\$156.80
	Water Supply				
99	Water Connection, Tapping fee only per service (standard meter)(Filtered & Raw)	Per Connection	\$712.55	\$71.25	\$783.80
100	Water Reconnection to existing service per service	Per Connection	\$118.73	\$11.87	\$130.60
101	Water Reconnection after cut off for non-payment	Per Connection	\$137.73	\$13.77	\$151.50
102	Water Service Disconnection Fee	Per Connection	\$380.00	\$38.00	\$418.00
103	Special meter reading or testing	Per Request	\$57.00	\$5.70	\$62.70
104	Standpipe Water Usage	Per Kilolitre	\$5.00	\$0.00	\$5.20
	Sewerage Services				
105	Connection to Effluent main Minimum includes \$700.00 pump & \$850.00 Labour - minimum fee applicable to a conduit length no greater than 10m.	Per Connection	\$1,501.00	\$150.10	\$1,651.10
106	Additional charges will be incurred for conduit length in excess of 10m and be subject to a quotation.	Per Connection	By Quote	10%	By Quote plus GST
	Septic Tank and Chemical Closet				
107	Septic Tank, Chemical Closet and aerated water system Application	Per Application	\$156.80	\$0.00	\$156.80
108	Septic Tank: Amended Application	Per Application	\$26.10	\$0.00	\$26.10



Installation of a manufactured home or pre manufactured structure					
109	Lodgement of application to install a manufactured home/ movable dwelling (plus fees for a minimum of 2 inspections)		\$386.70	\$0.00	\$386.70
110	Lodgement of application to install a premanufactured structure used for commercial activity (plus fees for a minimum of 2 inspections)		\$386.70	\$0.00	\$386.70
Building Information Certificates					
Per dwelling in building or in any other building on allotment					
111	Class 1 and/or 10 Building	Per Certificate	\$250.00	\$0.00	\$250.00
112	Classes 2-9 (not exceeding 200 sqm)	Per Certificate	\$250.00	\$0.00	\$250.00
113	Exceeding 200sqm but less than 2000sqm	Per Certificate	\$250 + \$0.50 /sqm over 200 sqm	\$0.00	\$250 + \$0.50 /sqm over 200 sqm
114	Exceeding 2000sqm	Per Certificate	\$1,165 + \$0.075 /sqm>2,000sqm	\$0.00	\$1,165 + \$0.075 /sqm>2,000sqm
Other Development Fees					
115	Inspection Fee	Per Inspection	\$181.82	\$18.18	\$200.00
116	Missed Inspection Fee	Per Inspection	\$227.27	\$22.73	\$250.00
117	Building Surveyor Certificate search of records> 2yrs Copy of Building Plans	Per Search	\$60.00	\$0.00	\$60.00
118	Swimming Pool Certificate of Compliance	Per Certificate	\$200.00	\$0.00	\$200.00
119	Commercial Change of Use (plus inspection fees)	Per Application	\$259.09	\$25.91	\$285.00



120	Bed & Breakfast (plus inspection fees)	Per Application	\$259.09	\$25.91	\$285.00
121	Advertising Signs - initial sign	Per Application	\$259.09	\$25.91	\$285.00
122	Advertising Signs - additional signs	Per addit. sign	\$84.55	\$8.45	\$93.00
123	Maintenance/Handywork/private works	Per Hour	\$54.55	\$5.45	\$60.00
Development Applications					
Fees for development applications—other than State significant development; involving the erection of a building, the carrying out of a work or the demolition of a work or building					
Estimated Development Costs					
124	up to \$5,000	Per Application	\$138.00	\$0.00	\$138.00
125	\$5,001 to \$50,000	Per Application	\$212.00, plus an additional \$3 for each \$1,000 or part thereof of the by which the estimated cost exceeds \$5,000	\$0.00	\$212.00, plus an additional \$3 for each \$1,000 or part thereof of the by which the estimated cost exceeds \$5,000
126	\$50,001 to \$250,000	Per Application	\$442.00, plus an additional \$3.64 for each \$1,000 or part thereof by which the estimated cost exceeds \$50,000	\$0.00	\$442.00, plus an additional \$3.64 for each \$1,000 or part thereof by which the estimated cost exceeds \$50,000



127	\$250,000 to \$500,000	Per Application	\$1,455.00 plus an additional \$2.34 for each \$1,000 or part thereof by which the estimated cost exceeds \$250,000	\$0.00	\$1,455.00 plus an additional \$2.34 for each \$1,000 or part thereof by which the estimated cost exceeds \$250,000
125	\$500,001 to \$1,000,000	Per Application	\$2,189.00 plus an additional \$1.64 for each \$1,000 or part thereof by which the estimated costs exceeds \$500,000	\$0.00	\$2,189.00 plus an additional \$1.64 for each \$1,000 or part thereof by which the estimated costs exceeds \$500,000
126	\$1,000,001 to \$10,000,000	Per Application	\$3,280.00 plus an additional \$1.44 for each \$1,000 or part thereof by which the estimated cost exceeds \$1,000,000	\$0.00	\$3,280.00 plus an additional \$1.44 for each \$1,000 or part thereof by which the estimated cost exceeds \$1,000,000



127	More than \$10,000,000	Per Application	\$19,915.00 plus an additional \$1.19 for each \$1,000 or part thereof by which the estimated cost exceeds \$10,000,000	\$0.00	\$19,915.00 plus an additional \$1.19 for each \$1,000 or part thereof by which the estimated cost exceeds \$10,000,000
128	Development application for development for the purposes of 1 or more advertisements, but only if the fee under this item exceeds the fee that would be payable under items 115 to 118 (EP & A Reg 2021 - sch 4 item 2.1) - 1 advertisement, plus	Per Application			\$357.00
129	Development application for development for the purposes of 1 or more advertisements, but only if the fee under this item exceeds the fee that would be payable under items 115 to 118 (EP & A Reg 2021 - sch 4 item 2.1) - for each additional advertisement	Per Additional Advertisement			\$571.00
130	Erection of Dwelling House \$100,000 or less	Per Application	\$570.68	\$0.00	\$570.68
131	Development application involving subdivision, other than strata subdivision, involving the opening of a public road	Per Application plus additional lot	\$833.00 + \$65.00 additional lot	\$0.00	\$833.00 + \$65.00 additional lot
132	Development application involving subdivision, other than strata subdivision, not involving the opening of a public road	Per Application plus additional lot	\$414.00 + \$53.00 additional lot	\$0.00	\$414.00 + \$53.00 additional lot



133	Development application involving strata subdivision	Per Application plus additional lot	\$414.00 + \$53 additional lot	\$0.00	\$414.00 + \$53 additional lot
134	Development not involving the erection of a building, the carrying out of a work, the subdivision of land or the demolition of a work or building	Per Application	\$357.00	\$0.00	\$357.00
135	Additional fee for development application for integrated development - payable to consent authority	Per Application	\$176.00	\$0.00	\$176.00
136	Additional fee for development application for integrated development - payable to approval body	Per Application	\$401.00	\$0.00	\$401.00
137	Additional fee for development application for development requiring concurrence - payable to consent authority	Per Application	\$176.00	\$0.00	\$176.00
138	Additional fee for development application for development requiring concurrence - payable to concurrence authority.	Per Application	\$401.00	\$0.00	\$401.00
139	Additional fee for development application for designated development	Per Application	\$1,154.00	\$0.00	\$1,154.00
139	Additional fee for development application that is referred to design review panel for advice	Per Application	\$3,763.00	\$0.00	\$3,763.00
140	Giving of notice for designated development	Per Application	\$2,785.00	\$0.00	\$2,785.00
141	Giving of notice for nominated integrated development, threatened species development, Class 1 aquaculture development, prohibited development or other development for which a community participation plan requires notice to be given	Per Application	\$1,386.00	\$0.00	\$1,386.00
	Fees for modification of development consents—other than State significant development				\$89.00
142	Modification application under the Act, section 4.55(1)	Per Application	\$89.03	\$0.00	\$89.03



143	Modification application— (a) under the Act, section 4.55(1A), or (b) under the Act, section 4.56(1) that involves, in the consent authority’s opinion, minimal environmental impact	Per Application	Lesser of— (a) \$809.00, or (b) 50% fee for original application	\$0.00	Lesser of— (a) \$809.00, or (b) 50% fee for original application
144	Modification application under the Act, section 4.55(2) or 4.56(1) that does not, in the consent authority’s opinion, involve minimal environmental impact, if the fee for the original development application was less than \$100.00,	Per Application	50% fee for original application	\$0.00	50% fee for original application
145	Modification application under the Act, section 4.55(2) or 4.56(1) that does not, in the consent authority’s opinion, involve minimal environmental impact, if the fee for the original development application was \$107.27 or more and the original development application did not involve the erection of a building, the carrying out of a work or the demolition of a work or building	Per Application	50% fee for original application	\$0.00	50% fee for original application
146	Modification application under the Act, section 4.55(2) or 4.56(1) that does not, in the consent authority’s opinion, involve minimal environmental impact, if—(a) the fee for the original development application was \$107.27 or more, and(b) the original development application involved the erection of a dwelling house with an estimated cost of \$100,000 or less	Per Application	\$222.00	\$0.00	\$222.00
	Modification application under the Act, section 4.55(2) or 4.56(1) that does not, in the consent authority’s opinion, involve minimal environmental impact, if the fee for the original application was 1 fee unit or more and the application relates to an original development application, other than an original development application specified in items 135 to 137 (EP & A Reg 2021 - sch 4 item 4.3 or 4.4):				
	Estimated Development Costs				
147	Up to \$5,000	Per Application	\$69.00	\$0.00	\$69.00



148	\$5,001 to \$250,000	Per Application	\$106.00, plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000	\$0.00	\$106.00, plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000
149	\$250,001 to \$500,000	Per Application	\$628.00 plus \$0.85 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$250,000	\$0.00	\$628.00 plus \$0.85 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$250,000
150	\$500,001 to \$1 million	Per Application	\$894.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000	\$0.00	\$894.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000
151	\$1,000,001 to \$10 million	Per Application	\$1,238.00 plus \$0.40 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000	\$0.00	\$1,238.00 plus \$0.40 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000



152	More than \$10 million	Per Application	\$5,943.00 plus \$0.27 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000	\$0.00	\$5,943.00 plus \$0.27 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000
153	Additional fee for modification application if notice of application is required to be given under the Act, section 4.55(2) or 4.56(1)	Per Application	\$835.00	\$0.00	\$835.00
154	Additional fee for modification application that is accompanied by statement of qualified designer	Per Application	\$954.00	\$0.00	\$954.00
155	Additional fee for modification application that is referred to design review panel for advice	Per Application	\$3,763.00	\$0.00	\$3,763.00
156	Submitting modification application under the Act, section 4.55(1A) or (2) on the NSW planning portal	Per Application	\$43.00	\$0.00	\$43.00
<p>Fees for applications for State significant development and approval of State significant infrastructure as defined in the EP & A Reg 2021 - Part 5 of sch 4 Application involving the erection of a building, the carrying out of a work or the demolition of a work or building, other than in relation to a marina or extractive industry other than mining</p>					
<p>Estimated Development Costs</p>					
157	Up to \$5,000	Per Application	\$941.00	\$0.00	\$941.00
158	\$5,001 to \$50,000	Per Application	\$941.00 plus \$23.33 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000	\$0.00	\$941.00 plus \$23.33 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000



159	\$50,001 to \$100,000	Per Application	\$2,258.00 plus \$70.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$50,000	\$0.00	\$2,258.00 plus \$70.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$50,000
160	\$100,001 to \$200,000	Per Application	\$6,649.00 plus \$4.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$100,000	\$0.00	\$6,649.00 plus \$4.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$100,000
161	\$200,001 to \$500,000	Per Application	\$7,214.00 plus \$5.83 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$200,000	\$0.00	\$7,214.00 plus \$5.83 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$200,000
162	\$500,001 to \$1 million	Per Application	\$9,409.00 plus \$5.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000	\$0.00	\$9,409.00 plus \$5.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000



163	\$1,000,001 to \$2 million	Per Application	\$12,545.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000	\$0.00	\$12,545.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000
164	\$2,000,001 to \$3 million	Per Application	\$13,799.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$2,000,000	\$0.00	\$13,799.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$2,000,000
165	\$3,000,001 to \$4 million	Per Application	\$14,427.00 plus \$0.70 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$3,000,000	\$0.00	\$14,427.00 plus \$0.70 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$3,000,000
166	\$4,000,001 to \$5 million	Per Application	\$15,305.00 plus \$0.80 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$4,000,000	\$0.00	\$15,305.00 plus \$0.80 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$4,000,000



167	\$5,000,001 to \$8 million	Per Application	\$16,308.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000,000	\$0.00	\$16,308.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000,000
168	\$8,000,001 to \$9 million	Per Application	\$20,071.00 plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$8,000,000	\$0.00	\$20,071.00 plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$8,000,000
169	\$9,000,001 to \$10 million	Per Application	\$21,954.00 plus \$2.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$9,000,000	\$0.00	\$21,954.00 plus \$2.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$9,000,000
170	\$10,000,001 to \$50 million	Per Application	\$25,090.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000	\$0.00	\$25,090.00 plus \$1.00 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000



171	\$50,000,001 to \$100 million	Per Application	\$75,270.00 plus \$0.60 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$50,000,000	\$0.00	\$75,270.00 plus \$0.60 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$50,000,000
172	\$100,000,001 to \$200 million	Per Application	\$112,905.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$100,000,000	\$0.00	\$112,905.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$100,000,000
173	\$200,000,001 to \$300 million	Per Application	\$175,630.00 plus \$0.35 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$200,000,000	\$0.00	\$175,630.00 plus \$0.35 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$200,000,000
174	\$300,000,001 to \$400 million	Per Application	\$219,538.00 plus \$0.81 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$300,000,000	\$0.00	\$219,538.00 plus \$0.81 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$300,000,000



175	More than \$400 million	Per Application	\$321,151.00 plus \$0.64 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$400,000,000	\$0.00	\$321,151.00 plus \$0.64 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$400,000,000
176	Application involving the erection of a building or the carrying out of a work for the purposes of a marina—	Per Application	\$7,100.00 plus \$565.00 for each moored vessel or, if the development involves an extension of a marina, for each additional vessel that can be moored as a result of the extension	\$0.00	\$7,100.00 plus \$565.00 for each moored vessel or, if the development involves an extension of a marina, for each additional vessel that can be moored as a result of the extension



177	Application involving an extractive industry, other than mining	Per Application	\$7,100.00 plus \$0.06 for each tonne of material to be extracted annually, determined by Planning Secretary by reference to a genuine estimate of average annual weight of material to be extracted, plus an additional fee if the application involves the erection of a building, being the maximum fee calculated in accordance with the EP & A Regulation 2021 for the erection of a building	\$0.00	\$7,100.00 plus \$0.06 for each tonne of material to be extracted annually, determined by Planning Secretary by reference to a genuine estimate of average annual weight of material to be extracted, plus an additional fee if the application involves the erection of a building, being the maximum fee calculated in accordance with the EP & A Regulation 2021 for the erection of a building
178	Application involving minor subdivision	Per Application	\$1,066.00	\$0.00	\$1,066.00



179	Application involving strata subdivision	Per Application	\$1,066.00	\$0.00	\$1,066.00
180	Application involving other subdivision	Per Application	\$7,100.00 plus \$340.00 for each hectare, or part hectare, of land being subdivided to a maximum fee of \$42,653.00	\$0.00	\$7,100.00 plus \$340.00 for each hectare, or part hectare, of land being subdivided to a maximum fee of \$42,653.00
Additional fees for applications for State significant development and approval of State significant infrastructure					
181	Application for consideration of planning proposal under the Act, section 4.38(5) in relation to a development application for State significant development	Per Application	\$28,415.00 plus \$1,130.00 for each hectare, or part hectare, of area of development site	\$0.00	\$28,415.00 plus \$1,130.00 for each hectare, or part hectare, of area of development site
182	Additional fee for application for approval of critical State significant infrastructure	Per Application	\$62,725.00	\$0.00	\$62,725.00
183	Making an environmental impact statement publicly available in relation to an application	Per Application	\$3,551.00	\$0.00	\$3,551.00
184	Modification application for State significant development under the Act, section 4.55(1)	Per Application	\$1,066.00	\$0.00	\$1,066.00
185	Modification application for State significant development under the Act, section 4.55(1A)	Per Application	\$6,272.00	\$0.00	\$6,272.00
186	Modification request for State significant infrastructure involving a minor matter, such as a minor error, misdescription or miscalculation	Per Application	\$1,066.00	\$0.00	\$1,066.00
187	Modification request for State significant infrastructure involving minor environmental assessment	Per Application	\$6,272.00	\$0.00	\$6,272.00



188	Modification application for State significant development or modification request for State significant infrastructure other than items 175 to 177 (6.4 or 6.5 EP & A Reg Sch 4)	Per Application	Greater of—(a) 50% fee paid for original development application or application for approval, or(b) \$6,272.00	\$0.00	Greater of—(a) 50% fee paid for original development application or application for approval, or(b) \$6,272.00
189	Giving of notice of modification application for State significant development or modification request for State significant infrastructure, other than notice on the NSW planning portal	Per Application	\$3,551.00	\$0.00	\$3,551.00
190	Submitting modification application under the Act, section 4.55(1A) or (2) for State significant development or modification request for State significant infrastructure on the NSW planning portal	Per Application	\$43.00	\$0.00	\$43.00
Fees for reviews and appeals					
191	Application for review under the Act, section 8.3 that relates to a development application not involving the erection of a building, the carrying out of a work or the demolition of a work or building	Per Application	50% fee for original development application	\$0.00	50% fee for original development application
192	Application for review under the Act, section 8.3 that relates to a development application involving the erection of a dwelling house with an estimated cost of \$100,000 or less	Per Application	\$238.00	\$0.00	\$238.00
	Application for review under the Act, section 8.3 that relates to a development application, not referred to in items 182 to 183 (EP & A Reg Sch 4 item 7.1 and 7.2)				
	Estimated Development Costs				
193	Up to \$5,000	Per Application	\$69.00	\$0.00	\$69.00



194	5,001 to \$250,000	Per Application	\$107.00 plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000	\$0.00	\$107.00 plus \$1.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$5,000
195	\$250,001 to \$500,000	Per Application	\$628.00 plus \$0.85 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$250,000	\$0.00	\$628.00 plus \$0.85 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$250,000
196	\$500,001 to \$1 million	Per Application	\$894.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000	\$0.00	\$894.00 plus \$0.50 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$500,000
197	\$1,000,001 to \$10 million	Per Application	\$1,238.00 plus \$0.40 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000	\$0.00	\$1,238.00 plus \$0.40 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$1,000,000



198	More than \$10 million	Per Application	\$5,943.00 plus \$0.27 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000	\$0.00	\$5,943.00 plus \$0.27 for each \$1,000, or part \$1,000, by which estimated cost exceeds \$10,000,000
	Application for review of decision to reject and not determine a development application under the Act, section 8.2(1)(c)				
	Estimated Development Costs				
199	less than \$100,000	Per Application	\$69.00	\$0.00	\$69.00
200	\$100,000–\$1 million	Per Application	\$188.00	\$0.00	\$188.00
201	more than \$1 million	Per Application	\$313.00	\$0.00	\$313.00
	Fees for certificates under SEPPs				
202	Application for site compatibility certificate under State Environmental Planning Policy (Housing) 2021	Per Application	\$333.00 plus \$42.00 for each dwelling, to a maximum fee of \$671.51.	\$0.00	\$333.00 plus \$42.00 for each dwelling, to a maximum fee of \$671.51.
203	Application for site compatibility certificate under State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2 or 3	Per Application	\$333.00 plus \$265.00 for each hectare, or part hectare, of area of land, to a maximum fee of \$671.15.	\$0.00	\$333.00 plus \$265.00 for each hectare, or part hectare, of area of land, to a maximum fee of \$671.15.



204	Application for site verification certificate under State Environmental Planning Policy (Resources and Energy) 2021, Part 2.4	Per Application	\$4,693.00	\$0.00	\$4,693.00
205	Submitting application for site compatibility certificate on the NSW planning portal	Per Application	\$43.00	\$0.00	\$43.00
206	Application for traffic certificate under State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 6	Per Application	\$470.00	\$0.00	\$470.00
	Other Planning Fees				
207	Consideration of request for the Minister or Planning Secretary to refer matter to the Independent Planning Commission or a Sydney district or regional planning panel under this Regulation, section 262(1)	Per Application	\$6,164.00	\$0.00	\$6,164.00
208	Referral of matter by the Minister or Planning Secretary to the Independent Planning Commission or a Sydney district or regional planning panel under this Regulation, section 262(2)	Per Application	\$18,491.00	\$0.00	\$18,491.00
209	Submitting complying development certificate on the NSW planning portal	Per Application	\$39.00	\$0.00	\$39.00
210	Submitting application for construction certificate, subdivision works certificate, occupation certificate, subdivision certificate or building information certificate on the NSW planning portal	Per Application	\$43.00	\$0.00	\$43.00
211	Payment of monetary contribution or levy under the Act, Division 7.1 on the NSW planning portal	Per Application	\$5.00	\$0.00	\$5.00
212	Submitting construction certificate, subdivision works certificate, occupation certificate, subdivision certificate, complying development certificate or planning agreement on the NSW planning portal	Per Application	\$5.00	\$0.00	\$5.00
213	Provision of certified copy of a document, map or plan under the Act, section 10.8(2)	Per Application	\$67.00	\$0.00	\$67.00
214	Public hearing by Independent Planning Commission under the Act, section 2.9(1)(d)	Per Application	Base Fee \$71,005.00 plus additional fee \$66,192.50 for estimated	\$0.00	Base Fee \$71,005.00 plus additional fee \$66,192.50 for estimated



			costs of hearing		costs of hearing
215	Planning reform contributions from development application fees with an estimated cost of more than \$50,000	Per Application	\$0.64 per extra \$1,000 of estimated development costs	\$0.00	\$0.64 per extra \$1,000 of estimated development costs
216	Long Service Levy (Over \$25,000) - applies to issue of Construction Certificates under the E P & A Act 1979 and Certificates issued under Section 68of The LGA 1993	Percentage of estimated value of works	0.35% of value of works	\$0.00	0.35% of value of works
Constructions Certificate Application Fees					
217	Not Exceeding \$5,000	Per Application	\$71.82	\$7.18	\$79.00
218	From \$5,001 to < \$250,000	Per Application	\$40 + 0.43% of building cost.	10%	\$40 + 0.43% of building cost.
219	More than \$250,000	Per Application	\$490 + 0.12% of building cost.	10%	\$490 + 0.12% of building cost.
Complying Development Certificate Fees					
220	Fee for Class 10	Per Application	\$376.37	\$37.63	\$414.00
221	Fee for Class 1	Per Application	\$346.37	\$34.63	\$381.00
222	Plus per m2	m2	\$3.00	\$0.30	\$3.30



223	Fee for dual occupancy		\$1,227.28	\$122.72	\$1,350.00
224	Fee for Class 2-9 buildings	Per Application	To be negotiated with the applicant.	10%	To be negotiated with the applicant.
225	Fire alarm conversions	Per Application	\$200.91	\$20.09	\$221.00
226	Proposed commercial use Class 3,4,6 and 9	Per Application	\$0.00	\$0.00	
227	less than 2,000 square metres	Per Application	\$577.28	\$57.72	\$635.00
228	2,000- 5,000m2	Per Application	\$1,154.55	\$115.45	\$1,270.00
229	More than 5000 m2	Per Application	To be negotiated with the applicant.	10%	To be negotiated with the applicant.
230	Proposed industrial use	Per Application	\$0.00	\$0.00	
231	less than 2,000 square metres	Per Application	\$936.37	\$93.63	\$1,030.00
232	2,000 - 5,000 m2	Per Application	\$1,427.28	\$142.72	\$1,570.00
233	More than 5000 m2	Per Application	To be negotiated with the applicant.	10%	To be negotiated with the applicant.
234	Other development not included above	Per Application	To be negotiated	10%	To be negotiated



			with the applicant.		with the applicant.
235	Secondary dwelling	Per Application	\$1,054.55	\$105.45	\$1,160.00
236	Demolition Class and other	Per Application	\$300.91	\$30.09	\$331.00
237	Appoint Council as replacement Principal Certifier	Per Application	\$1,400.00	\$140.00	\$1,540.00
238	Occupation Certificate	Per Certificate	\$136.37	\$13.63	\$150.00
	Reinstatement Fees				
239	Road Opening (roads or footpaths)	service - unsealed	\$475.00	\$47.50	\$522.50
240	Road Opening (roads or footpaths)	service - sealed	\$712.55	\$71.25	\$783.80
241	Restoration of Road or Footpath	Minimum Charge/m	\$57.00	\$5.70	\$62.70
242	Restoration of Road or Footpath	Bitumen/m	\$85.55	\$8.55	\$94.10
243	Restoration of Road or Footpath	Concrete/m	\$123.55	\$12.35	\$135.90
	Caravan Park Tariffs				
	White Cliffs Caravan Park				
244	Unpowered Campsite	Daily	\$18.18	\$1.82	\$20.00
245	Unpowered Campsite - additional person	Daily	\$4.55	\$0.45	\$5.00
246	Powered Site-Double	Daily	\$27.27	\$2.73	\$30.00
247	Powered Site-Double - additional person	Daily	\$6.36	\$0.64	\$7.00
248	Cabins (Sleeps 4)	Daily	\$36.36	\$3.64	\$40.00
249	Shower Only	Per 5 Mins	\$0.91	\$0.09	\$1.00
	Victory Park Caravan Park (Wilcannia)				
250	Unpowered Campsite	Daily	\$18.18	\$1.82	\$20.00



251	Powered Site	Daily	\$27.27	\$2.73	\$30.00
252	Shower Only	Per 5 Mins	\$4.55	\$0.45	\$5.00
Ivanhoe/Menindee/Wilcannia Waste Depot Fees					
Council has determined to discontinue to charge gate fees for it's waste management facilities for domestic refuse. However, business, commercial and industrial waste will continue to attract fees for waste disposal at the waste management facilities.					
253	Truck/Bin/Trailer - up to 1 m3	1st 1 m3	\$45.45	\$4.55	\$50.00
254	- per m3 over 1st 1 m3	per m3	\$9.09	\$0.91	\$10.00
255	Dumping of car bodies	Per Body	\$18.18	\$1.82	\$20.00
256	Septic Tank Contents	Per Septic Tank	\$36.36	\$3.64	\$40.00
257	Asbestos (plastic wrapped and labelled) Part thereof Asbestos - requires prior Council Consent	Per m ³	\$318.18	\$31.82	\$350.00
258	Animal Carcass	Per Carcass	\$18.18	\$1.82	\$20.00
259	Motorbike / Car Tyre	Per Tyre	\$9.09	\$0.91	\$10.00
260	Truck / Tractor Tyre	Per Tyre	\$18.18	\$1.82	\$20.00
Ivanhoe Multi Service Outlet - Menindee Rural Transaction Centre – Wilcannia Local Post Office					
Printing/Scanning					
261	Scanning	Per Page	\$0.27	\$0.03	\$0.30
262	Printing-Black and white text	Per Page	\$0.36	\$0.04	\$0.40
263	Printing-Black and white text - With Own Paper	Per Page	\$0.14	\$0.01	\$0.15
264	Black and white text + graphics being less than 1/4 of page	Per Page	\$0.91	\$0.09	\$1.00
265	All other black and white graphics	Per Page	\$1.82	\$0.18	\$2.00
266	Coloured graphics (pictures)	1/2 Page	\$1.82	\$0.18	\$2.00
267	Coloured graphics (pictures)	Per Page	\$4.18	\$0.42	\$4.60
268	Coloured text and graphics with graphics being less than 1/4 of page	Per Page	\$1.45	\$0.15	\$1.60
269	photographic printing A4	Per Page	\$4.18	\$0.42	\$4.60
270	Photocopying Black and White-A4 (Unassisted)	Per Page	\$0.36	\$0.04	\$0.40
271	Photocopying Colour-A4 (Wilcannia Only)	Per Page	\$4.36	\$0.44	\$4.80



272	Photocopying Black and White-A3 (Unassisted)	Per Page	\$0.36	\$0.04	\$0.40
273	FAX Transmission	Per Page	\$1.82	\$0.18	\$2.00
274	Receive	Per Page	\$0.36	\$0.04	\$0.40
275	Laminating A4	Per Page	\$1.82	\$0.18	\$2.00
276	A3	Per Page	\$3.64	\$0.36	\$4.00
277	Binding-Per A4 Book Binding	Up to 100 Sheets	\$2.36	\$0.24	\$2.60
278	Binding-Per A4 Book Binding	100-250 Sheets	\$3.27	\$0.33	\$3.60
279	Binding-Per A4 Book Binding	250-500 Sheets	\$4.18	\$0.42	\$4.60
280	Secretarial Assistance	Per Hour	\$36.36	\$3.64	\$40.00
281	Secretarial Assistance	Per Day (8Hrs)	\$72.73	\$7.27	\$80.00
	Plant Hire Rates * includes operator				
282	Backhoe/Loader *	Per Hour	\$152.00	\$15.20	\$167.20
283	Loader *	Per Hour	\$152.00	\$15.20	\$167.20
284	Excavator *	Per Hour	\$114.00	\$11.40	\$125.40
285	Forklift *	Per Hour	\$76.00	\$7.60	\$83.60
286	Lawnmowers – Ride On *	Per Hour	\$57.00	\$5.70	\$62.70
287	Mobile Toilets *	Per Day	\$57.00	\$5.70	\$62.70
288	Skid Steer Loaders *	Per Hour	\$114.00	\$11.40	\$125.40
289	Skid Steer Attachment *	Per Hour	\$9.55	\$0.95	\$10.50
290	Tractor 4WD *	Per Hour	\$114.00	\$11.40	\$125.40
291	Tractor Attachment *	Per Hour	\$9.55	\$0.95	\$10.50
292	Trucks – Light *	Per Hour	\$76.00	\$7.60	\$83.60
293	Trucks – Light *	Per Kilometre	\$0.82	\$0.08	\$0.90
294	Trucks – Medium Rigid *	Per Hour	\$114.00	\$11.40	\$125.40
295	Trucks – Medium Rigid *	Per Kilometre	\$0.82	\$0.08	\$0.90



296	Trailers – Standard	Per Day	\$57.00	\$5.70	\$62.70
297	Car Trailer	Per Day	\$95.00	\$9.50	\$104.50
	Social Housing				
298	Menindee Social Housing Residential Rental	Per Week	\$70.00	\$0.00	\$70.00



Title of Fee Charge	Unit/ Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Hire of Council Facilities as Approved by Council Menindee Community Hall				
Discos, Parties, Presentations, Movies	Day or Night	\$280.00		\$280.00
Supper Room	Day or Night	\$95.00		\$95.00
Club Fundraising Discos-Seniors	Day or Night	\$125.00		\$125.00
Club Fundraising Discos-Juniors	Day or Night	\$65.00		\$65.00
Fundraising-Charities	Day or Night	\$85.00		\$85.00
Government Agencies	Day or Night	\$280.00		\$280.00
Meetings	Day or Night	\$60.00		\$60.00
Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$270.00		\$270.00
Ivanhoe (Committee)				
Hall Hire	Day Rate	\$200.00		\$200.00
Hall Hire	Evening Rate	\$250.00		\$250.00
Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$500.00		\$500.00



Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
White Cliffs Community Hall (Committee)				
Hall Hire	Day or Night	\$110.00		\$110.00
Local Activities (Supper Room)	Day or Night	\$5.00		\$5.00
Local Events (Supper Room)	Day or Night	\$15.00		\$15.00
Supper Room Hire	Day or Night	\$25.00		\$25.00
Hire of Table and Chairs		\$50.00		\$50.00
Rally's/Treks	Per Day	\$110.00		\$110.00
Tilpa Community Hall (Committee)				
Hall Hire	Day or Night	\$50.00		\$50.00
Community Centre Hire-Includes Hall and Kitchen	Day or Night	\$100.00		\$100.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Wilcannia Community Hall				
Discos, Parties, Presentations, Movies (Inc Kitchen)	Day or Night	\$280.00		\$280.00



Supper Room (Inc Kitchen)	Day or Night	\$95.00		\$95.00
Club Fundraising Discos-Seniors	Day or Night	\$125.00		\$125.00
Club Fundraising Discos-Juniors	Day or Night	\$65.00		\$65.00
Fundraising-Charities-Not For Profits	Day or Night	\$85.00		\$85.00
Meetings	Day or Night	\$65.00		\$65.00
Bond-Refundable if Hall is cleaned and left in a reasonable condition	Day or Night	\$270.00		\$270.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Swimming Pools				
Casual Hirers Fee (All Pools)	Each Event	\$60.00		\$60.00
Family Season Ticket	Season	\$100.00		\$100.00
Wilcannia	Per Person	Gold Coin		Gold Coin
Ivanhoe	Per Person	Gold Coin		Gold Coin
Menindee	Per Person	Gold Coin		Gold Coin
White Cliffs	Per Person	Gold Coin		Gold Coin
Other (Facilities)				
Hire of BBQ Trailer (Wilcannia Only, pick up from Council Depot) <i>Delivery/Pickup additional \$20 fee will be incurred</i>		\$65.00		\$65.00



Ovals/Parks/Reserves (Excluding not for profit & community events)	\$100.00 Bond	\$65.00		\$65.00
Hire of Wilcannia ATCO's	Per Person/Per Night	\$60.00		\$60.00
Hire of Projector for functions (In Council facilities)	\$100.00 Bond	\$30.00 Per Day	\$100.00 Bond	\$30.00 Per Day
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Rates				
Interest on Overdue Rates and Charges 1 July 2020 – 31 December 2020		7.5% p.a		0.0% p.a
Interest on Overdue Rates and Charges 1 January 2021 – 30 June 2021				7.0% p.a
Rate Enquiry Fee: (Written response to bona fide purchaser or owner)	Per Property	\$75.00		\$75.00
Section 603 Certificate		\$85.00		\$85.00
Returned or Dishonoured Payment Fee		\$45.00		\$45.00
Rates Administration/Refund Fee		\$20.00		\$20.00
Government Information (Public Access)				
Government Information (Public Access)	Fixed Act	\$30.00		\$30.00
Application Internal Review	Fixed Act	\$40.00		\$40.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Companion Animals Act (Dogs and Cats) Effective 1st July 1999				



NSW Office of Local Government (OLG) set the registration fees on an annual basis in July/August. The fees and charges will be update when this information is made available.

Lifetime Registration

Dog – Desexed (by relevant age)				\$60.00
Dog – Desexed (by relevant age eligible pensioner)				\$26.00
Dog – Desexed (sold by pound/shelter)				\$30.00
Dog – Not Desexed or Desexed (after relevant age)				\$216.00
Dog – Not Desexed (not recommended)				\$60.00
Dog – Not Desexed (recognised breeder)				\$60.00
Dog – Working or Assistance Animal				\$0.00
Cat – Desexed or Not Desexed				\$50.00
Cat – Eligible Pensioner				\$26.00
Cat – Desexed (sold by pound/shelter)				\$25.00
Cat – Not Desexed (not recommended)				\$50.00
Cat – Not Desexed (recognised breeder)				\$50.00

Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Microchip & Implantation		\$45.00		\$45.00
Inspection of Dangerous dog facilities		\$150.00		\$150.00
Animal Detainment Fees				
Cat, Dog, Pig-Release Fee		\$22.00		\$22.00
Release Fee Second Offence		\$44.00		\$44.00
Maintenance/Sustenance Fee-Per Day		\$16.50		\$16.50
Goat, Sheep-Release Fee		\$16.50		\$16.50
Release Fee Second Offence		\$44.00		\$44.00
Maintenance/Sustenance Fee-Per Day		\$16.50		\$16.50
Horse, Cattle-Release Fee		\$66.00		\$66.00
Release Fee Second Offence		\$93.50		\$93.50
Maintenance/Sustenance Fee-Per Day		\$27.50		\$27.50



Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Planning Certificates				
Planning Certificate 10.7 – Part 2 (Formerly 149 (2))		\$53.00		\$53.00
Requiring additional information Part 5 (Formerly 149 (5))		\$80.00		\$80.00
Certificate Under Section 735A		\$80.00		\$80.00
Certificate as to Orders 121ZP		\$40.00		\$40.00
Urgent Fee		\$75.00		\$75.00
Swimming Pool Inspections				
First Visit		\$150.00		\$150.00
Second Visit		\$100.00		\$100.00
Footway Restaurant Permit				
1 Table and 4 Chairs		\$60.00		\$60.00
Food Premises Inspection				
1st Inspection		\$60.00		\$60.00
Additional Inspection		\$80.00		\$80.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Domestic Waste Collection				
Replacement of lost or damaged Wheelie Bin	New Bin	\$105.00		\$105.00
	Second-Hand Bin	\$45.00		\$45.00
Public Cemeteries				
Grave Digging		\$450.00		\$450.00
Land for grave under right of burial		\$280.00		\$280.00
Surcharge for Grave Digging Out of Hours, Urgent, Out of Cemetery Grounds		\$220.00		\$220.00



<i>For out of Cemetery Grounds Council will need to calculate transport costs.</i>			
Burial Ashes in pre-existing grave		\$450.00	\$450.00
Re-Opening and closing of Grave		\$450.00	\$450.00
Slab removal/replacement prior to re-opening and closing of grave		\$220.00	\$220.00
Weekend Surcharge for re-opening and closing		\$220.00	\$220.00
Plaque for Memorial Wall (Includes Purchase, Inscription & Installation)		\$150.00	\$150.00

Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Water Supply				
Water Connection, Tapping fee only per service (standard meter)(Filtered & Raw)	(Min)	\$750.00		\$750.00
Water Reconnection to existing service per service		\$125.00		\$125.00
Water Reconnection after cut off for non-payment		\$145.00		\$145.00
Special meter reading or testing		\$60.00		\$60.00
Sewerage Services				
Connection to Effluent main Minimum includes \$700.00 pump & \$850.00 Labour **Connection fee as stated is the minimum fee applicable to a conduit length no greater than 10m. Additional charges will be incurred for conduit length in excess of 10m and be subject to a quotation.		\$1,580.00		\$1,580.00
Septic Tank and Chemical Closet				
Septic Tank, Chemical Closet and aerated water system Application		\$150.00		\$150.00
Septic Tank: Amended Application		\$25.00		\$25.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Building Certificates				
(Fixed by Statute) Per dwelling in building or in any other building on allotment				



Class 1 and/or 10 Building	Excluding GST	\$250.00		\$250.00
Classes 2-9 (not exceeding 200 sqm)		\$250.00		\$250.00
Exceeding 200sqm but less than 2000sqm		\$250 + \$0.50 /sqm over 200 sqm		\$250 + \$0.50 /sqm over 200 sqm
Exceeding 2000sqm		\$1,165 + \$0.075 /sqm>2,000sqm		\$1,165 + \$0.075 /sqm>2,000sqm
Additional Inspection		\$90.00		\$90.00
Occupation Certificate		\$90.00		\$90.00
Building Surveyor Certificate search of records> 2yrs Copy of Building Plans		\$60.00		\$60.00
Swimming Pool		\$200.00		\$200.00
Commercial Change of Use:		\$200.00		\$200.00
Bed & Breakfast		\$200.00		\$200.00
Activity Approvals		\$20.00		\$20.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Maintenance/Handywork/private works	Per Hour	\$60.00		\$60.00
Development Applications				
Basic Development Applications:				
Up to \$5000	Up to \$5000	\$110.00		\$110.00
\$170.00, plus an additional \$3 for each \$1,000 or part thereof of the by which the estimated cosy exceeds \$100,000.00	\$5,001 to \$50,000	\$170.00		\$170.00
\$352, plus an additional \$3.64 for each \$1,000 or part thereof by which the estimated cost exceeds \$50,000	\$50,001 to \$250,000	\$352.00		\$352.00



\$1,160 plus an additional \$2.34 for each \$1,000 or part thereof by which the estimated cost exceeds \$250,000	\$250,001 to \$500,000	\$1,160.00		\$1,160.00
\$1,745.00 plus an additional \$1.64 for each \$1,000 or part thereof by which the estimated costs exceeds \$500,000	\$500,001 to \$1,000,000	\$1,745.00		\$1,745.00
\$2,615 plus an additional \$1.44 for each \$1,000 or part thereof by which the estimated cost exceeds \$1,000,000	\$1,000,001 to \$10,000,000	\$2,615.00		\$2,615.00
\$15875 plus an additional \$1.19 for each \$1,000 or part thereof by which the estimated cost exceeds \$10,000,000	More than \$10,000,000	\$15,875.00		\$15,875.00
Erection of Dwelling House \$100,000 or less		\$455.00		\$455.00
		2019/20		2020/21
Title of Fee Charge	Unit/Note	Charge Inc. GST	Unit/Note	Charge Inc. GST
Application for Demolition		\$110.00		\$110.00
Development not involving a dwelling or subdivision		\$285.00		\$285.00
Subdivision-Opening a public road	+ \$65 additional lot	\$665.00		\$665.00
Subdivision-Not opening a public road	+ \$53 additional lot	\$330.00		\$330.00
Designated Development	Above other fees	\$920.00		\$920.00
Lodgement of Complying Development Certificate		\$2,220.00		\$2,220.00
Advertising Developments-Designated		\$1,105.00		\$1,105.00
Advertising Developments-Advertised, prohibited or under LEP/DCP		\$250.00		\$250.00
Development requiring Concurrence				



Integrated Development		\$250.00		\$250.00
Plan FIRST Fee (Over \$50,000)	\$0.64 per extra \$1,000			
Long Service Levy (Over \$25,000)	0.35% of value of works			
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Constructions Certificate Application Fees				
Not Exceeding \$5,000		\$79.00		\$79.00
From \$5,001 to < \$250,000		\$40 + 0.43% of building cost.		\$40 + 0.43% of building cost.
More than \$250,000		\$490 + 0.12% of building cost.		\$490 + 0.12% of building cost.
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Reinstatement Fees				
Road Opening (roads or footpaths)	service - unsealed	\$500.00		\$500.00
	service - sealed	\$750.00		\$750.00



Restoration of Road or Footpath	Minimum Charge/m	\$60.00		\$60.00
	Bitumen/m	\$90.00		\$90.00
	Concrete/m	\$130.00		\$130.00
Title of Fee Charge		2019/20 Charge Inc. GST	Unit/Note	2020/21 Charge Inc. GST
Caravan Park Tariffs				
White Cliffs Caravan Park				
Unpowered Campsite	Daily	\$15.00 \$5.00 per Additional Person	Daily	\$20.00 \$5.00 per Additional Person
Powered Site-Double	Daily	\$20.00 \$7.00 per Additional Person	Daily	\$25.00 \$7.00 per Additional Person
Cabins (Sleeps 4)	Daily	\$35.00	Daily	\$35.00
Shower Only	Per 5 Mins	\$1.00	Per 5 Mins	\$1.00
Victory Park Caravan Park (Wilcannia)				
Unpowered Campsite	Daily	\$15.00	Daily	\$15.00
Powered Site	Daily	\$25.00	Daily	\$25.00
Shower Only		\$5.00		\$5.00



Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Ivanhoe/Menindee/Wilcannia Waste Depot Fees				
Waste				
Council has determined to discontinue to charge gate fees for it's waste management facilities for domestic refuse. However, business, commercial and industrial waste will continue to attract fees for waste disposal at the waste management facilities.				
Truck/Bin/Trailer		\$50 up to 1m3 + \$10 per m3 over		\$50 up to 1m3 + \$10 per m3 over
Dumping of car bodies	Per Body	\$20.00		\$20.00
Septic Tank Contents	Per Septic Tank	\$40.00		\$40.00
Asbestos (plastic wrapped and labelled) Part thereof Asbestos	Per m3 Prior Council Consent	\$350.00		\$350.00
Animal Carcass	Per Carcass	\$20.00		\$20.00
Title of Fee Charge	Unit/Note	2019/20 Charge Inc. GST	Unit/No te	2020/21 Charge Inc. GST
Tyres				
Motorbike / Car Tyre	Per Tyre	\$10.00	Per Tyre	\$10.00
Truck / Tractor Tyre	Per Tyre	\$20.00	Per Tyre	\$20.00



Ivanhoe Multi Service Outlet - Menindee Rural Transaction Centre - Wilcannia Local Post Office
Printing/Scanning

Scanning	Per Page	\$0.30		\$0.30
Printing-Black and white text	Per Page	\$0.40		\$0.40
	With Own Paper	\$0.15		\$0.15
Black and white text + graphics being less than 1/4 of page	Per Page	\$1.00		\$1.00
All other black and white graphics	Per Page	\$2.00		\$2.00
Coloured graphics (pictures)	1/2 Page	\$2.00		\$2.00
Coloured graphics (pictures)	Per Page	\$4.60		\$4.60
Coloured text and graphics with graphics being less than 1/4 of page	Per Page	\$1.60		\$1.60
photographic printing A4		\$4.60		\$4.60

Title of Fee Charge	Unit/Note	2019/20	Unit/Note	2020/21
		Charge Inc. GST		Charge Inc. GST
Photocopying/FAX Services				
Photocopying Black and White-A4 (Unassisted)	Per Page	\$0.40		\$0.40
Photocopying Colour-A4 (Wilcannia Only)	Per Page	\$4.80		\$4.80
Photocopying Black and White-A3 (Unassisted)	Per Page	\$0.40		\$0.40
FAX Transmission	Per Page	\$2.00		\$2.00
Receive	Per Page	\$0.40		\$0.40
Misc. Services				
Laminating A4		\$2.00		\$2.00
A3		\$4.00		\$4.00
Binding-Per A4 Book Binding	Up to 100 Sheets	\$2.60		\$2.60
	100-250 Sheets	\$3.60		\$3.60



Secretarial Assistance	250-500 Sheets	\$4.60		\$4.60
	Per Hour	\$40.00		\$40.00
	Per Day (8Hrs)	\$80.00		\$80.00
Title of Fee Charge		Unit/Note	2019/20 Charge Inc. GST	2020/21 Charge Inc. GST
Menindee Rural Transaction Centre - Ivanhoe Multi Service Outlet				
VENUE HIRE Meeting/Function room				
Room Only	Per Hour	\$20.00		\$20.00
	Per Day (8Hrs)	\$150.00		\$150.00
	Per Week (5 Days)	\$500.00		\$500.00
Computer/Internet in room	/hour + \$14.00 Setup	\$6.00		\$6.00
Data Projector	Per Day	\$30.00		\$30.00
PA System	Per Day	\$25.00		\$25.00
<i>Catering Contacts Available</i>				

Plant Hire Rates

(Includes Operator and GST)

Plant Item	Rate Per Hour	Rate Per Day or km
Backhoe/Loader	\$160.00	
Loader	\$160.00	



Excavator	\$120.00	
Forklift	\$80.00	
Lawnmowers – Ride On	\$60.00	
Mobile Toilets		\$60.00 / Day
Skid Steer Loaders	\$120.00	
Skid Steer Attachment	\$10.00	
Tractor 4WD	\$120.00	
Tractor Attachment	\$10.00	
Trucks – Light	\$80.00	\$0.85 / km
Trucks – Medium Rigid	\$120.00	\$0.85 / KM
Trailers – Standard		\$60.00 / Day
Car Trailer		\$100.00 / Day



Hall hire fees for a wake can be reduced at the discretion of the General Manager



Central Darling Shire

**DRAFT
LONG TERM FINANCIAL PLAN 2025-2034**





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EXECUTIVE SUMMARY

The Central Darling Shire Council's Long Term Financial Plan 2025-2034 has been developed using a 10 year Financial Model to ensure Council's future financial sustainability. The financial model is a dynamic tool which analyses financial trends over a ten year future period based on a range of assumptions and produces a means by which Council can assess its financial requirements balanced with its strategic objectives.

The Plan has been developed on the following broad assumptions:

- Rates are forecast to increase in line with rate capping predictions by IPART being 4.5%.
- Annual charges for water, sewer and waste services to increase by the rate cap each year.
- No long-term debt
- All revenue sources other than rates and annual charges to rise by inflation, except if better information is available.
- Net staff levels will remain constant in line with current service provision.
- No reduction in the level of services provided.
- Assets that provide an income stream or allow Council to reduce operating costs may be leased.
- As it is expected that the shire's population will remain static for the life of the plan, no population growth factors have been factored into the plan.
- It is acknowledged that some assumptions used within the plan may become less relevant over a 10 year period.
- The plan is to be a living document and will be updated each year.

The key outcomes from the Long-Term Financial Plan include the following:

- Capital Works Program fluctuates in line with grant funding for the life of the plan .
- Not enough funding is being allocated for the renewal of assets.
- Council's service levels have been maintained at the current level and will be reviewed during the term of the plan.
- There is a reduction in funding for Roads and Maritime Services (RMS) works.
- Operating grant income remains relatively static.
- Council's overall financial position weakens over the life of the plan.

The Plan highlights the risk of the council becoming unsustainable in the future due to:

- Small value ratebase and rate-capping.
As council only has a small number of properties at low valuation due to their remote location, any increases in the rate-cap only have a minimal effect on councils' overall income. Council has no way of influencing this income, and it is unlikely to improve as there is only limited development occurring in the municipality.
- Reliance on Roads and Maritime Services (RMS) contract works and private works



A major component of fees and charges is the income the council receives from RMS for contracted works and income received from other private works.

Council has completed its latest major contracts for RMS, (sealing of the Cobb Highway and Pooncarie Road). Currently it is expected that council will not have any major RMS contract works for the foreseeable future and this has been reflected in the long-term financial plan, the reduction to income over the life of the plan is several million dollars.

- Reliance on government grants

Council is highly reliant on government grants, with operating grants contributing to, on average, over 40% of total income (not including capital grants) for the year. Any reduction in this government funding significantly affects operating surplus.

- Council is limited in the methods it can use to generate income.

Being remote and small council, it is not possible to levy a variety of fees and charges that a larger council could. E.g. parking.



FINANCIAL RESOURCES

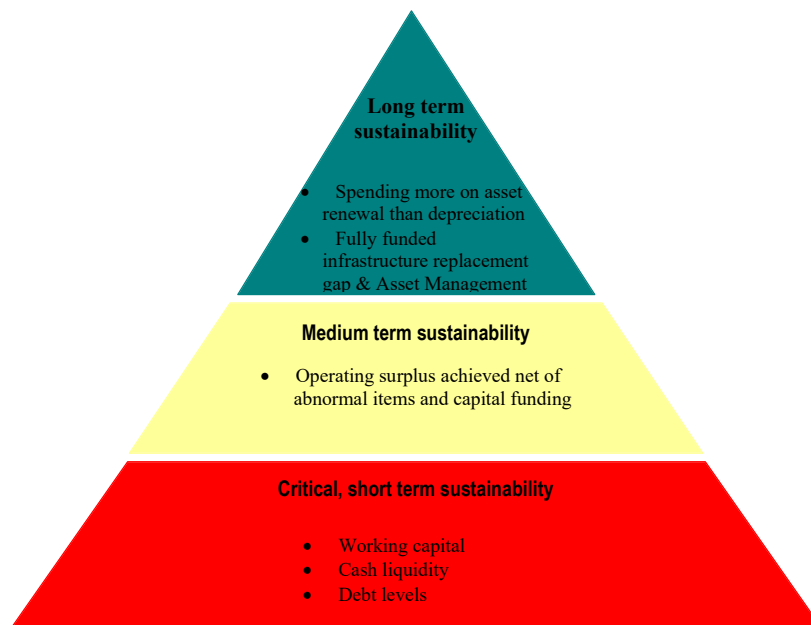
Financial Modelling

Objectives of the Long Term Financial Plan

The overall goal of the LTFP is to ensure that Central Darling Shire Council remains financially sustainable in the long term. It is intended that the 2025-2034 LTFP be based on the following guidelines:

- rate increases are in line with estimated IPART rate capping.
- a pricing strategy for services based on Council’s preferred options for service delivery and subsidisation vs. user pays principles
- increased funding levels for capital works and infrastructure asset maintenance
- improved liquidity
- achievement of Operating Statement surpluses with the exclusion of all non operational items such as granted assets, developer contributions and capital income.

Financial sustainability is a poorly defined term within Local Government. In order to clarify its meaning in the terms of this LTFP, the below diagram illustrates sustainability on a hierarchy of needs basis.



The most basic level of the pyramid diagram relates to issues of liquidity, debt ratios and working capital, which have an urgent, short-term focus. Without these building blocks in place, Council cannot operate successfully.

The success of this LTFP will be to progress in a structured and transparent way towards the two higher levels of sustainability that have a longer-term focus than the length of this Plan.



Modelling Methodology

Council maintains the ten year financial model on an ongoing basis. The model is based on a series of assumptions that drive the model and any changes made to the assumptions influence the results.

The base point used for modelling this year’s LTFP is the budgeted result for 30 June 2025 as prepared at the end of the March quarter during Council’s formal budget process.

Key Assumptions of the 10 Year Financial Model

The model is best described as a ‘business as usual’ scenario with a view to ensure the long-term financial sustainability of Council, and is based on the following assumptions:

- Existing service levels will be maintained.
- There will be no significant changes to the level of subsidization that existing services receive from general revenue.
- Net staff levels will remain constant in line with current service provision.
- Inflation is forecasted as follows and is based on RBA’s Statement on Monetary Policy February 2024

2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
3.5%	3.5%	3.5%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%

- Staff costs will increase by an average of 3.74% over the life of the plan due to increases in the cost of living being addressed through state government award provisions.
- All revenue sources other than rates, annual charges and statutory charges to rise by inflation within reason
- The replacement / refurbishment of existing assets will be maintained at current levels.
- Any new borrowings will be on a principal and interest basis.
- Assets that provide income streams or allow Council to reduce operating costs may be leased
- As it is expected that the shire’s population will remain static for the life of the plan, no population growth factors have been factored into the plan.



Summary of Key Outcomes

The following table shows the Summary of Key outcomes over the next 10 years.

Central Darling Shire Council 10 Year Financial Projections Summary of Key Outcomes										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$
Surplus (deficit) from Operations (Before Capital funding)	12,124	8,346	5,564	5,144	3,123	3,831	3,503	4,195	3,914	4,520
Underlying Surplus/(Deficit)	15	166	384	464	543	751	923	1,115	1,334	1,440
Net Cashflow from Operations	18,552	11,098	8,568	8,098	6,111	7,353	6,044	6,723	7,893	8,525
Projected Capital Expenditure	17,649	10,415	6,220	6,710	3,860	4,800	4,225	4,485	4,400	5,625
Closing Cash Balance	3,198	3,431	5,313	6,236	8,020	10,107	11,460	13,232	16,259	18,694
Long Term Borrowings	-	-	-	-	-	-	-	-	-	-

Key points of note:

- A small net underlying surplus’.
- A positive cash position.
- A reduction in capital works
- No long-term borrowings.



Income Statement Projections

The following tables show the income statement forecasted results, consolidated and for water and sewer, for 2025-34. Explanations on the major components of the statement are included below.

Consolidated

Central Darling Shire Council Projected Consolidated Income Statement Year Ending 30 June										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
INCOME										
Rates										
Residential	507	530	554	579	605	632	660	690	721	753
Farmland	386	403	422	440	460	481	503	525	549	574
Business	53	55	58	60	63	66	69	72	75	79
Total Rates	946	989	1,033	1,080	1,128	1,179	1,232	1,287	1,345	1,406
Annual Charges										
Water	682	706	731	756	779	798	814	831	847	864
Sewer	294	304	315	326	336	344	351	358	365	373
Waste	669	692	717	742	764	783	799	815	831	848
Total Annual Charges	1,645	1,703	1,762	1,824	1,879	1,926	1,964	2,003	2,043	2,084
User Charges & Fees	8,477	8,332	8,395	8,604	8,920	9,443	9,631	9,974	10,602	10,877
Interest & Investment Revenue	97	100	104	107	109	112	114	116	119	121
Other Revenues	434	475	541	605	620	635	648	661	674	688
Contributions	3,294	3,509	3,529	3,617	3,707	3,900	3,978	4,157	4,241	4,325
Operating Grants	9,003	11,526	11,745	12,158	12,367	12,582	13,158	13,495	13,789	14,259
Capital Grants	12,109	8,180	5,180	4,680	2,580	3,080	2,580	3,080	2,580	3,080
Total income	36,006	34,813	32,288	32,674	31,310	32,856	33,305	34,775	35,394	36,840
EXPENSES										
Employee Benefits	7,070	7,396	7,392	7,501	7,613	7,726	7,841	7,898	7,977	7,983
Borrowing Costs	40	39	39	39	39	39	39	39	39	39
Materials & Contracts	8,174	8,610	9,061	9,529	9,859	10,364	10,721	11,085	11,457	11,736
Depreciation	5,713	6,524	6,738	6,803	6,834	6,856	6,932	7,006	7,102	7,202
Other Expenses	2,885	3,898	3,494	3,658	3,841	4,040	4,269	4,551	4,905	5,360
Total expenses	23,882	26,467	26,724	27,530	28,187	29,025	29,802	30,579	31,479	32,320
Surplus(deficit) from Operations	12,124	8,346	5,564	5,144	3,123	3,831	3,503	4,195	3,914	4,520
Less CAPITAL FUNDING										
Capital Grants	12,109	8,180	5,180	4,680	2,580	3,080	2,580	3,080	2,580	3,080
Gain/(Loss) on Disposed Assets	-	-	-	-	-	-	-	-	-	-
	12,109	8,180	5,180	4,680	2,580	3,080	2,580	3,080	2,580	3,080
Net Surplus(deficit)	15	166	384	464	543	751	923	1,115	1,334	1,440

General Rates

General land is the balance of land defined by exception to the general rate. General land therefore consists of residential, commercial and agricultural properties and vacant land.

Council applies a Base Rate and an Ad Valorem rate when calculating the rate to be levied.

Rates are forecast to increase in line with rate capping predictions by IPART being 4.5%.

Annual Charges

Annual charges for water, sewer and waste services to increase by the rate cap for the life of the plan.



Government Grants

Council is in the lower range of grants received for regional centers. It actively seeks grants. However, its major grant funding is from the NSW Grants Commission which Council is unable to influence to a large degree.

In broad terms, a 3.5% per annum increase has been allowed for operating grants reflecting the nature of this revenue type.

Major capital grant funding will be received to complete:

- Water Treatment Plants at White Cliffs, Wilcannia and Ivanhoe

User Charges & Fees

Fees and charges have been increased by inflation, however a number of fees are set by legislation and are not under Council's control e.g. Planning Permits.

Interest on Investments

Interest on investments has been based upon year-end cash and investment balances. It has been assumed an average 3.5% return on funds over the life of the model.

Employee Benefits

Increases in labour and oncosts are composed of two elements. The elements are Enterprise Agreement increments and movements within bandings as part of the annual review process. Council's negotiated Enterprise Agreement increase has been 3.5% per annum, so given this and movements within banding levels, plus additional funded positions, a 3.74% average increase in total employee benefits has been factored into the Plan. This also highlights Council's continued reliance on external contractors to complete works.

Materials & Contracts

The broad assumption in materials and contracts is for an increase by inflation per annum based on our CPI assumptions.

Depreciation and Amortisation

Depreciation estimates have been based on the projected capital works outlays contained within this LTFP document. Future asset revaluations, levels of developer contributed infrastructure and unanticipated externally funded capital upgrade and expansion expenditure may further influence depreciation estimates. Additional depreciation will be charged in the 2025 year as the new water treatment plant comes online, and the Pooncarie Road Project is completed.

Gross Written Down Value (WDV) of Non-Current Assets Sold

All written down values relate to plant items disposed as part of the plant replacement program. No asset sales are predicted for the life of the plan.

Borrowing Cost Expenses

Interest costs have been assessed on the basis of Council not having any new borrowings over the life of the plan. Also included in borrowing costs is the discount adjustments relating to movements in the Provision for Landfill Rehabilitation.



Key Information Relayed by Statement

One of Councils first goals must be to achieve an operational surplus without the inclusion of any capital income (against which there is no matching expenditure in the Operating Statement) and abnormal items such as gifted assets. Under the current plan council does not achieve this result. For the following reasons:

- **Small value ratebase and rate-capping.**
 As council only has a small number of properties at low valuation due to their remote location, any increases in the rate-cap only have a minimal effect on councils’ overall income. Council has no way of influencing this income, and it is unlikely to improve as there is only limited development occurring in the municipality.

- **Reliance on Roads and Maritime Services (RMS) contract works and private works**
 A major component of fees and charges is the income the council receives from RMS for contracted works and income received from other private works.

 Council has completed its latest major contracts for RMS, (sealing of the Cobb Highway and Pooncarie Road). Currently it is expected that council will not have any major RMS contract works for the foreseeable future and this has been reflected in the long-term financial plan, the reduction to income over the life of the plan is several million dollars.

- **Reliance on government grants**
 Council is highly reliant on government grants, with operating grants contributing to, on average, over 40% of total income (not including capital grants) for the year. Any reduction in this government funding significantly affects operating surplus.

- **Council is limited in the methods it can use to generate income.**
 Being remote and small council, it is not possible to levy a variety of fees and charges that a larger council could. E.g. parking.

The above issues will also affect council’s financial ratios.



Water Services

Central Darling Shire Council Projected Water Income Statement Year Ending 30 June										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
INCOME	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Annual Charges										
Water	682	706	731	756	779	798	814	831	847	864
Total Annual Charges	682	706	731	756	779	798	814	831	847	864
User Charges & Fees	275	284	294	302	309	317	323	330	336	343
Interest & Investment Revenue	24	25	26	26	27	28	28	29	29	30
Capital Grants	5,000	4,500	2,500	1,000	-	-	-	-	-	-
Total income	5,981	5,515	3,550	2,084	1,115	1,143	1,166	1,189	1,213	1,237
EXPENSES										
Materials & Contracts	755	764	772	781	789	798	807	815	824	834
Depreciation	591	759	770	782	793	805	817	829	842	855
Total expenses	1,346	1,522	1,542	1,562	1,582	1,603	1,624	1,645	1,666	1,688
Surplus(deficit) from Operation	4,634	3,993	2,008	522	(467)	(460)	(458)	(456)	(454)	(451)
Less CAPITAL FUNDING										
Capital Grants	5,000	4,500	2,500	1,000	-	-	-	-	-	-
	5,000	4,500	2,500	1,000	-	-	-	-	-	-
Net Surplus(deficit)	(366)	(507)	(492)	(478)	(467)	(460)	(458)	(456)	(454)	(451)

Annual Charges

Council has the power to levy a service rate or service charge or combination service rate and charge to fund the provision of water supply, sewerage or waste services. Council need not necessarily use property value as the basis for levying a service rate or charge and could use some other criteria. However, this method is the most commonly used, council therefore, applies an annual charge based on property values.

The annual charge for water increases by the rate cap for the life of the plan.

Government Grants

Represent capital grants to provide water infrastructure. The \$12.0 million to be received for the 2024-25 to 2027-28 years is to fund a new water treatment plant for the White Cliffs community, and the upgrading of the water treatment plants at Wilcannia and Ivanhoe.

User Charges & Fees

Fees and charges generally represent excess water usage by consumers, as this is difficult to predict a conservative approach has been adopted, but in broad terms the increase will be in line with inflation.

Materials & Contracts

The broad assumption is materials and contracts will increase in line with inflation per annum based on our CPI assumption. However additional maintenance costs for the new White Cliffs water treatment plant, have been factored in from the 2022-23 year.



Depreciation and Amortisation

The anticipated increase in depreciation for the White Cliffs water treatment plant has been factored in from the 2025-26 year. However, it is acknowledged that this figure is conservative.

Key Information Relayed by Statement

One of Council’s first goals must be to achieve an operational surplus without the inclusion of any capital income (against which there is no matching expenditure in the Operating Statement) and abnormal items such as gifted assets.

The Projected Income Statement for the Water Fund does not achieve this objective over the life of this plan. This is mainly attributable to the increase in maintenance and depreciation for the new water treatment plants, the water pricing policies of the Council prior to the 2014-15 year, and Council’s decision to be conservative with any increase to the Annual Charge for Water.

Sewer Services

Central Darling Shire Council Projected Sewer Income Statement Year Ending 30 June										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$
INCOME										
Annual Charges										
Sewer	294	304	315	326	336	344	351	358	365	373
Total Annual Charges	294	304	315	326	336	344	351	358	365	373
User Charges & Fees	4	4	4	4	4	5	5	5	5	5
Interest & Investment Revenue	3	3	3	3	3	3	3	4	5	5
Operating Grants	125	127	129	131	133	135	137	139	141	143
Capital Grants	-	-	-	-	-	-	-	-	-	-
Total income	426	438	451	464	476	486	495	506	516	525
EXPENSES										
Materials & Contracts	190	192	195	198	201	204	207	210	214	217
Depreciation	138	140	142	144	146	149	151	153	155	158
Total expenses	328	332	337	343	348	353	358	364	369	375
Surplus(deficit) from Operations	98	106	114	122	128	134	137	142	147	151
Less CAPITAL FUNDING										
Capital Grants	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
Net Surplus(deficit)	98	106	114	122	128	134	137	142	147	151

Annual Charges

Council has the power to levy a service rate or service charge or combination service rate and charge to fund the provision of water supply, sewerage or waste services. Council need not necessarily use property value as the basis for levying a service rate or charge and could use some other criteria. However, this method is the most commonly used, council therefore, applies an annual charge based on property values.

The annual charge for sewer increases by the rate cap for the life of the plan.

**Government Grants**

Represent grants provided under the Aboriginal Sewer Scheme. It is expected this grant will continue for the life of the plan.

User Charges & Fees

Fees and charges in broad terms will increase in line with our estimates for inflation.

Materials & Contracts

The broad assumption in materials and contracts is for an increase in line with our estimates for CPI.

Depreciation and Amortisation

Depreciation of sewer infrastructure, no major capital works programs for the sewer system are expected for the life of the plan.

Key Information Relayed by Statement

One of Council's first goals must be to achieve an operational surplus without the inclusion of any capital income (against which there is no matching expenditure in the Operating Statement) and abnormal items such as gifted assets.

The Projected Income Statement for the Sewer Fund achieves this objective for the life of the plan and can be attributed to the increase in annual charges.



Balance Sheet Projections

The following table shows the balance sheet result for 2025-2034. Explanations on the major components of the statements are included below.

Central Darling Shire Council Projected Balance Sheet As At 30 June										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ASSETS										
Current Assets										
Cash & Cash Equivalents	3,198	3,410	5,312	6,235	8,019	10,106	11,459	13,231	16,258	18,693
Receivables	5,497	5,384	5,407	5,436	5,470	5,496	5,523	5,555	5,840	5,771
Inventories	400	393	386	378	371	364	357	357	357	357
	9,095	9,187	11,104	12,049	13,861	15,966	17,339	19,143	22,455	24,821
Non-current Assets										
Investment in JO	1,140	1,140	1,140	1,140	1,140	1,140	1,140	1,140	1,140	1,140
Property, plant and equipment	250,492	258,509	261,915	266,535	268,346	270,463	273,014	275,630	276,484	279,048
Receivables	188	188	188	188	188	188	188	188	188	188
Right of use assets	109	250	300	250	200	110	250	300	250	110
	251,929	260,087	263,543	268,113	269,874	271,901	274,592	277,258	278,062	280,486
Total assets	261,024	269,274	274,647	280,162	283,735	287,867	291,931	296,401	300,517	305,306
LIABILITIES										
Current Liabilities										
Payables	993	1,075	1,215	1,437	1,667	1,886	2,163	2,208	2,264	2,333
Contract liabilities	2,000	1,500	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Lease Liabilities	118	258	208	258	208	118	208	258	208	208
Income received in advance	88	88	88	88	88	88	88	88	88	88
Employee benefits provisions	1,030	1,056	1,105	1,028	1,117	1,086	1,092	1,092	1,092	1,092
	4,229	3,977	3,616	3,811	4,080	4,179	4,551	4,646	4,652	4,721
Non-current Liabilities										
Lease liability	133	133	133	133	133	133	133	133	133	133
Employee benefits provisions										
Provisions	700	736	763	790	819	866	896	914	946	977
	833	869	896	923	952	999	1,029	1,047	1,079	1,110
Total liabilities	5,062	4,846	4,511	4,734	5,032	5,178	5,581	5,694	5,731	5,832
Net Assets	255,962	264,429	270,136	275,428	278,703	282,689	286,351	290,708	294,787	299,475

Cash Assets and Cash Equivalents

Cash funds improve throughout the ten-year period. Council will require use of its overdraft facility after the 2026-27 year.

Receivables

A conservative approach has been taken on this item as reviews of previous years' activity reveals fluctuations in these balances.

Inventories

Although inventory levels have remained relatively constant in recent years, modelling assumptions are such that purchase prices will increase in line with CPI and this is reflected in the future asset values.



Property, Plant and Equipment

The fixed asset balance is the outcome of projected levels of capital expenditure, depreciation, gifted assets and asset disposals shown in the Income Statement.

Accounts Payable

A lack of a discernible trend has resulted in a conservative approach taken to accounts payable and a CPI inflation factor applied.

Provisions

It has been assumed in the model that the trend for employee provisions (Annual leave and Long Service Leave) will basically increase as staff wages increase.

Accumulated Surplus & Reserves

The accumulated equity of Council (including Reserve funds) continues to increase during the life of the LTFP in line with projected stable reserves and operating surpluses.

Funds are to be allocated to two Reserves from the 2025 financial year.

- Plant Replacement Reserve
 - This reserve was based on one percent of the net proceeds , from the previous financial year, generated from private works and works completed for RMS. This reserve will now be based on an allocation from Council's roads component of federal assistance funding, the allocation is to be made at councils discretion. The funds to be transferred into this reserve are not to have an adverse effect on the working capital of Council. This reserve is to be used for the long term replacement of Council plant.
- Waste Management Reserve
 - A loan was taken out during the 2013 financial year to fund the purchase of three garbage trucks and other operational expenditure. The loan was with the Westpac Banking Corporation and the loan balance as at the year ended 30 June 2013 was \$1,249,000. Council had been paying interest and principal payments of \$13,750 per month to service the loan for the garbage trucks. These payments were being funded by the Annual Charge levied for waste management. Council will now allocate these funds, into a waste reserve for the future funding for various waste management projects.

Key Information Relayed by Statement

The Balance Sheet highlights a number of key points:

- Council has no long term debt.
- Council continues to grow its equity and fixed asset levels.



Cash Flow Projections

The Statement of Cash Flows illustrated below is drawn directly from the cash-based transactions shown in the Income Statement and Balance Sheet.

Central Darling Shire Council Cashflow Projections Year Ending 30 June										
	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
Budget										
	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash Flows from Operating Activities										
Receipts										
Rates & Annual Charges	2,362	2,153	2,236	2,323	2,405	2,484	2,557	2,633	2,711	2,792
User Charges & Fees	6,782	6,666	6,716	6,884	7,136	7,554	7,705	7,979	8,482	8,702
Investment and interest Revenue Received	97	100	104	107	109	112	114	116	119	121
Grants & Contributions	24,406	22,054	19,431	19,432	17,722	19,562	19,715	20,732	20,609	21,664
Payments										
Employee Benefits & Oncosts	(7,070)	(7,602)	(7,598)	(7,707)	(7,819)	(7,726)	(7,841)	(7,898)	(7,977)	(7,983)
Materials and Contracts	(8,010)	(12,258)	(12,305)	(12,923)	(13,426)	(14,616)	(16,190)	(16,823)	(16,035)	(16,754)
Borrowing Costs	(15)	(15)	(16)	(16)	(16)	(16)	(16)	(16)	(16)	(16)
Cash flow from Operations	18,552	11,098	8,568	8,098	6,111	7,353	6,044	6,723	7,893	8,525
Cash Flows from Investing Activities										
Receipts										
Proceeds from sale of non-current assets	-	-	-	-	-	-	-	-	-	-
Payments										
Purchase of Assets	(17,649)	(10,415)	(6,220)	(6,710)	(3,860)	(4,800)	(4,225)	(4,485)	(4,400)	(5,625)
Cash flow from investing activities	(17,649)	(10,415)	(6,220)	(6,710)	(3,860)	(4,800)	(4,225)	(4,485)	(4,400)	(5,625)
Cash Flows from Financing Activities										
Payments										
Leasing payments	(450)	(450)	(466)	(466)	(466)	(466)	(466)	(466)	(466)	(466)
Cash flow from financing activities	(450)	(450)	(466)	(466)	(466)	(466)	(466)	(466)	(466)	(466)
Net Increase/(Decrease) in Cash and Cash Equivalents	453	233	1,882	922	1,785	2,087	1,353	1,772	3,027	2,434
Plus Cash and Cash Equivalents - Beginning of Year	2,745	3,198	3,431	5,313	6,236	8,020	10,107	11,460	13,232	16,259
Plus Cash and Cash Equivalents - End of Year	3,198	3,431	5,313	6,236	8,020	10,107	11,460	13,232	16,259	18,694
Less Employee Provisions	(1,030)	(1,056)	(1,105)	(1,028)	(1,117)	(1,286)	(1,122)	(1,092)	(1,092)	(1,092)
Less Tip Rehabilitation:	(700)	(736)	(763)	(790)	(819)	(866)	(896)	(914)	(946)	(977)
Available cash reserves	1,468	1,639	3,446	4,418	6,085	7,955	9,442	11,225	14,222	16,625

Key Information Relayed by this Statement

The cash flow statement shows Council’s cash reserves increase throughout the life of the plan. This is only due to Council’s reliance on grant funding and RMS works as previously discussed.

It should be noted that a number of capital grants are provided to council on a ‘milestone’ basis. This effectively means that council can only claim the funding when it has completed an agreed level of works for the particular capital project for which the funding applies. The implications for this are that council must use its own funds to achieve the milestone. This does put pressure on councils limited cash reserves.

It needs to also be noted that for a number of years prior to this plan council has accrued liabilities for employee entitlements and landfill rehabilitation. These liabilities have mostly remained unfunded. Council’s intention is that these liabilities will now be funded.



Capital Works

Level and Nature of Capital Works

The Capital Works Program is based on what is considered to be known and required expenditure. The program is based upon the fundamental elements of asset renewal, asset upgrade and asset expansion.

The table below sets out the proposed level and nature of capital works in the LTFP 2025-2034, based on Council’s activities.

Central Darling Shire Council Projected Capital Works Program As At 30 June										
<i>Capital Works Program</i>	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$	'000s \$
Renewal										
Roads	7,435	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Water Infrastructure	300	300	300	300	300	300	300	300	300	300
Sewer Infrastructure		100		50		50		50		50
Outdoor Infrastructure	378	150	150	150	150	150	150	150	150	150
Buildings	130	150	150	150	150	150	150	150	150	150
Stormwater Management	75	75	75				75	75	75	
Swimming Pools	165	75	75	150	75	75	150	75	75	150
Waste Management	-	75		75		75		75		75
Total Renewal	8,483	3,425	3,250	3,375	3,175	3,300	3,325	3,375	3,250	3,375
New Assets										
Water Infrastructure	95	100	100	100	-	-	-	-	-	-
Sewer Infrastructure		-	-	-	-	-	-	-	-	-
Stormwater Management		150								
Outdoor Infrastructure	96		100		100		100		100	
Buildings	-			550			650			750
Plant	575	240	270	685	585	500	150	110	1,050	500
Total Asset Expansion	766	490	470	1,335	685	500	900	110	1,150	1,250
Upgrade Assets										
Outdoor Infrastructure	1,150	1,000								
Water Infrastructure	5,000	4,500	2,500	1,000						
Roads	2,250	1,000		1,000		1,000		1,000		1,000
Total Upgrade	8,400	6,500	2,500	2,000	-	1,000	-	1,000	-	1,000
Total	17,649	10,415	6,220	6,710	3,860	4,800	4,225	4,485	4,400	5,625

Apart from the current year forecast, the table shows a degree of variation over time, but this correlates generally with the level of projects and renewal expenditure proposed.



Capital Funding Sources

In achieving the above capital works program, capital funding is a critical component and variations in this type of funding will have an immediate impact (positive or negative) on the level of works that can be performed. The table below highlights the capital funding sources.

Central Darling Shire Council Projected Funding for Capital Works As At 30 June										
<i>Capital Works Program</i>	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34
	Budget									
	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s	'000s
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
External										
Grants	12,109	8,180	5,180	4,680	2,580	3,080	2,580	3,080	2,580	3,080
Contributions	3,294	3,409	3,529	3,617	3,707	3,800	3,876	3,953	4,033	4,113
Total External	15,403	11,589	8,709	8,297	6,287	6,880	6,456	7,033	6,613	7,193
Internal										
Accumulated Funds	2,246	(1,174)	(2,489)	(1,587)	(2,427)	(2,080)	(2,231)	(2,548)	(2,213)	(1,568)
Total Internal	2,246	(1,174)	(2,489)	(1,587)	(2,427)	(2,080)	(2,231)	(2,548)	(2,213)	(1,568)
TOTAL	17,649	10,415	6,220	6,710	3,860	4,800	4,225	4,485	4,400	5,625
Capital Works	17,649	10,415	6,220	6,710	3,860	4,800	4,225	4,485	4,400	5,625

The importance of increased capital expenditure is crucial to establishing a position of long-term sustainability.

Long Term Borrowing Strategies

There are currently no plans to undertake long term borrowings

Other Scenarios

Council’s small rate base, limited ability to generate revenue and the reliance on government funding and RMS contract works somewhat limits the influence Council can exert on its financial plan, when you consider the main financial aim of Central Darling Shire Council is to remain financially sustainable in the long-term. However, council management did model a number of different scenarios with a view to relieving some financial stress to its residents particularly in the area of provision of water services.



Risks to The Financial Plan

Long term financial plans have a level of uncertainty as they are based on a number of assumptions that relate to income, expenditure, capital works and population growth. Some of these assumptions have a relatively minor impact if incorrect; others may have a major impact on future financial plans. By assessing risks associated with assumptions made within the plan, sensitivity scenarios can be considered. The LTFP is updated annually to ensure the assumptions and projections are based upon the latest information.

Changes in Economic Conditions

Changes in inflation will impact revenue and expenditure.

Changes in Employee Costs and Liability Conditions

Forecast employee costs have been adjusted to reflect any identified changes in staff numbers, as well as growth in staff numbers required to satisfy increased service levels. Council re-calculates its provision for leave entitlements on an annual basis. Over the past several years Council’s provisions for employee leave entitlements have increased significantly. This is mainly due to Council having a relatively small workforce, which limits the ability to backfill positions as staff take leave. It is predicted that this liability will continue to increase, and may not be able to be funded in the future.

Rate Pegging

Changes in rate pegging will impact revenue forecasts however rate pegging is aligned with the CPI (rate pegging is aligned to the Local Government Cost Index development by IPART each year) therefore any fluctuation in rate pegging will have the opposite effect on the expected expenditure forecast

Grant Funding

Due Council’s limited ability to generate its own revenue there is a reliance on government grants to fund Council operations. Any significant reduction in unrestricted government funding would seriously affect the operations of Council.

Further to this, the provision of capital funding for major works, will place pressure on future year budgets as Council will need to fund maintenance and depreciation out of its own source revenue.

Loss of Road Maintenance Contracts (RMS contract works)

Council is able to generate income from the provision of roads maintenance services to RMS. Loss of these contracts would affect council’s sustainability.

Conditions of Infrastructure Assets and Aging

The identified shortfall in infrastructure renewal expenditure and a substantial backlog in infrastructure spending is a major issue facing local government.

The development of asset management plans has confirmed that Council’s infrastructure continues to deteriorate, and that current levels of maintenance and renewal fall short of that required to maintain some assets in a satisfactory condition. This infrastructure challenge may place pressure on Council’s ability to remain financially sustainable in the long term.



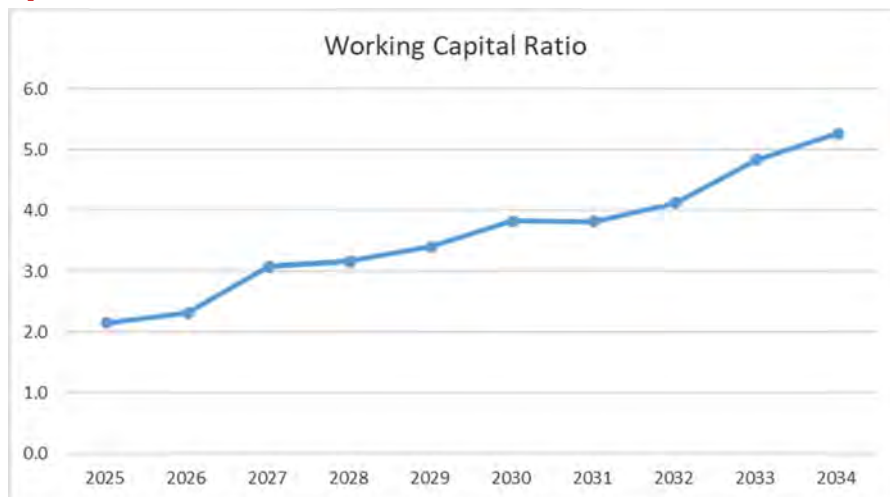
Landfill Rehabilitation

Council owns a number of landfill sites. These landfill sites will need to be rehabilitated sometime in the future. Council has maintained a provision for landfill rehabilitation, but as future costs are difficult to estimate, there is a risk that Council’s current provision may not be adequate.

Financial Ratio Analysis of Central Darling Shire Council

It is important that Council regularly assesses its financial performance and position against the projections contained in the LTFP. The planned model has been developed so that its implementation will meet a set of financial indicators:

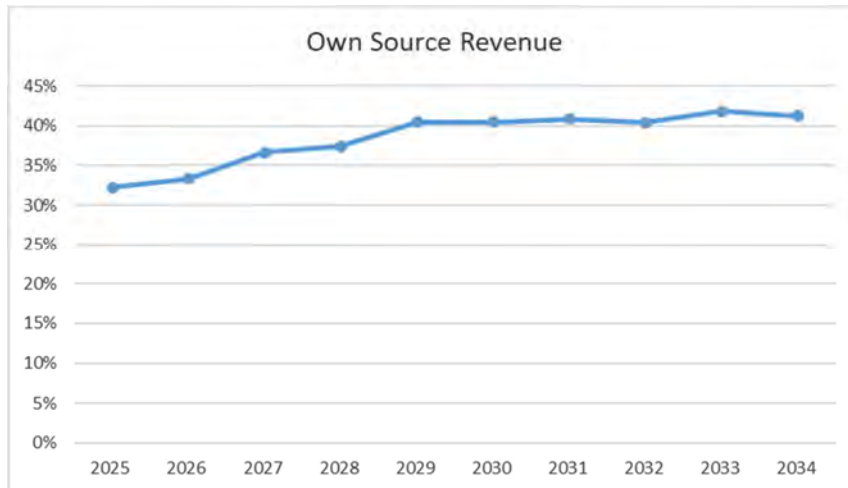
Working Capital Ratio



This ratio measures Council’s ability to pay its debts as they fall due. A ratio of 1.5 is a key threshold for testing liquidity issues, and is the benchmark set by the Local Government Accounting Code for NSW. Council’s working capital ratio. This ratio may be influenced by any external restrictions placed on Council funds.

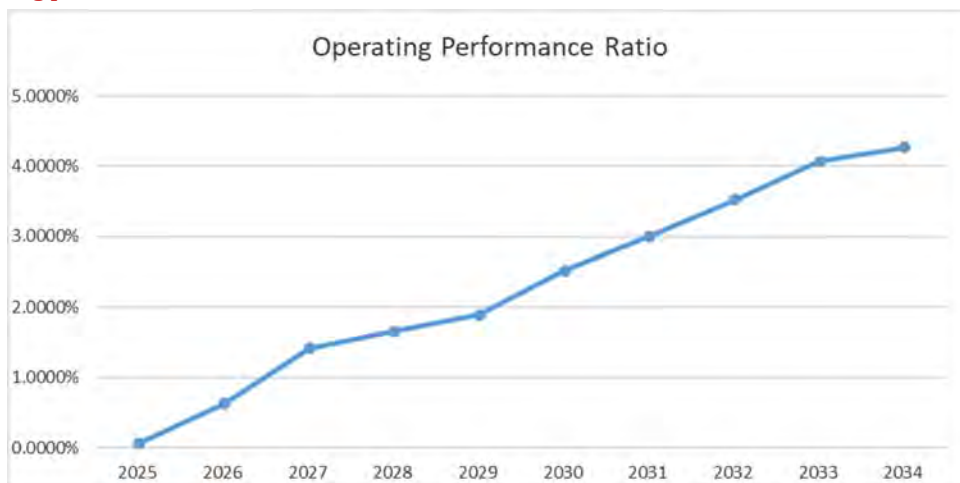


Own Source Revenue Ratio



This ratio shows the degree of reliance on external funding sources such as operating grants and contributions and its ability to generate own-source revenue. The benchmark for this ratio is >60% . Council has a relatively static Own Source Revenue Ratio which reflects a number of issues including, reliance on government grants, a static population base and a reliance on RMS works to drive income other than rates and charges as previously discussed.

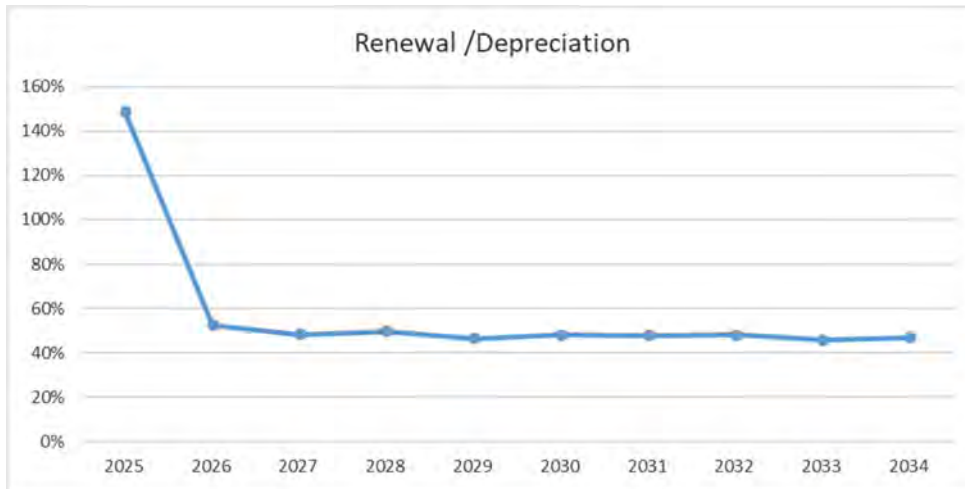
Operating performance Ratio



This ratio indicates Council’s ability to contain operating expenditure within operating revenue. The benchmark for this ratio is 0.00.



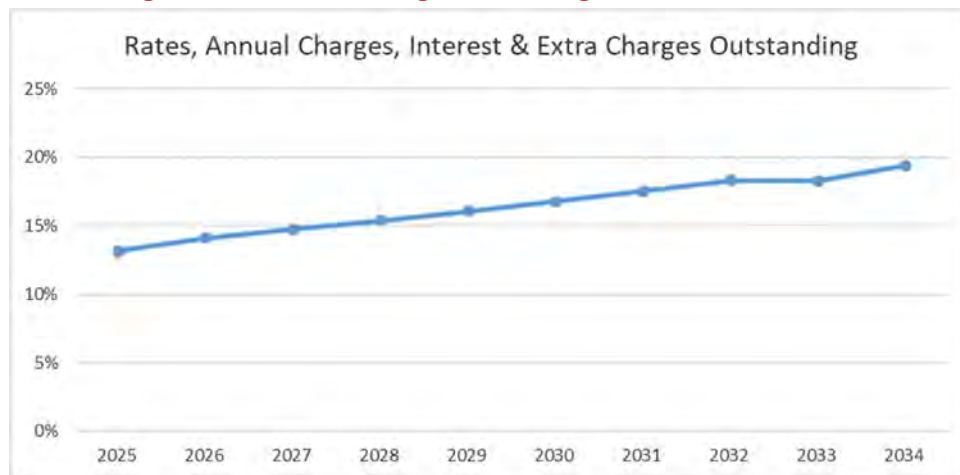
Renewal/Depreciation Ratio



The Renewal/Depreciation Ratio compares capital expenditure on renewal to depreciation. The threshold for this ratio is 100%. A ratio of less than 100% indicates that the capital being consumed in an accounting sense exceeds the capital being replaced into the asset base.

Council forecasted expenditure on renewal is not adequate, due to funding constraints. Also any unidentified backlog in renewal expenditure is not currently addressed in this plan.

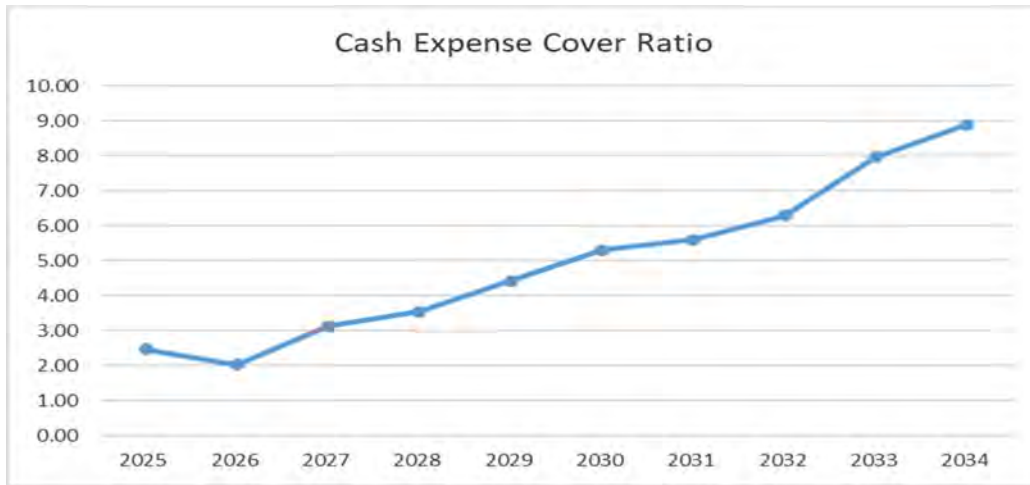
Rates, Annual Charges, Interest & Extra Charges Outstanding



The rates and annual charges outstanding percentage is a measure of the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts. The benchmark for this ratio is <5%. The ratio indicates Council’s ongoing issues with debt recovery due to a number of economic factors associated with small and remote councils.



Cash Expense Cover Ratio



This ratio shows the number of months Council can continue to pay its immediate expenses without additional cashflow up until the 2026-27 year. The benchmark for this ratio is >3 months. Council remains below this benchmark for the life of the plan, for reason previously discussed.

Ongoing Performance Measurement

The annual budgets are set to meet the financial indicator benchmarks. Consequently, budget control and monitoring is paramount for Council achieving the outcomes of this plan. Budgets are monitored internally via Quarterly Budget Reviews.

Conclusion

Council believes in the principle of a balanced budget but due to reasons often outside of council’s control this is not always achievable, and this presents several financial challenges ahead.

Council will be proactive in addressing these financial challenges through strong leadership and responsible financial management.

Council is committed to providing excellent services to its community.

Central Darling Shire Council
MONTHLY REPORT MAY 2024

Morris & Piper

Monthly Report

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Phillip, ACT, 2606
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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 May 2024 and sets out a proposed detailed work schedule for the month of June 2024. The report will also look forward to potential activities to be undertaken in the first quarter of 2024-25.

MAY 2024 UPDATE

Finalised and submitted the following applications:

- Safer Roads Program (NSW) – Four applications:
 - o Safer Roads - MR433 Menindee-Ivanhoe Rd Initial Seal Project - \$3,588,393 (ex GST).
 - o Walking and Cycling - Wilcannia linking remote communities - \$2,384,883 (ex GST).
 - o Walking and Cycling - Ivanhoe linking remote communities - \$1,704,318 (ex GST).
 - o School Zone - Ivanhoe Central School - \$281,377- (ex GST).
- FRRR- In a Good Place - Baaka Cultural Centre Yarning Circle - \$16,500 (ex GST) - Applied for on behalf of the Baaka Cultural Centre Wilcannia Aboriginal Corporation with CDSC permission and support.

Notified that the following grant applications were successful:

- N/A

Notified that the following grant applications were unsuccessful:

- Remote Airstrips Upgrade Program Rd 10 (AG) - Wilcannia Aerodrome Water and Amenities Upgrade - \$80,000 (ex GST). It is worth noting only one project was funded in NSW this round.
- Growing Regions Program (AG) - White Cliffs Caravan Park Redevelopment - \$1,080,000 (ex GST).
- 2023-24 Crown Reserves Improvement Fund (NSW):
 - o Menindee Commons replacement and repair of flood damaged fencing - \$25,894 (ex GST).
 - o Infrastructure and Amenity Improvements at the White Cliffs Gymkhana Grounds - \$437,870 (ex GST).

Drafting the following applications:

- N/A

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

- Community Events Program - 0137 acquittal submitted. The department has asked for further information from the council to finalise the report assessment
- Continued work on milestone report for LSP-041. The draft report is with the council for approval to submit.
- SCCF4-0915 milestone report has now been submitted. To department has advised that for its assessment to be finalised, evidence of the signage being installed is needed. Council is arranging that evidence.
- All required evidence to finalise the assessment of the SCCF3-0448 milestone report has now been provided to the department.
- BCW-001 acquittal report (Baaka Corporation Legal fees) submitted. The department has asked for additional information to finalise.
- OLG00028 report for the April 2024 quarter has been submitted.
- Final Report for the Murray Darling Basin Economic Development Program - Victory Caravan Park Amenity Block Upgrade Project submitted to department. Waiting on Independent Audit Report from Brett Hanger to finalise the grant. Please note the Department has asked us to prioritise this acquittal as it is overdue.
- 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.
- Continued to respond to Local Government Recovery Grants – NSW Severe Weather and – AGRN 1030/1034 queries from the Department. Projects 1,2,5 & 6 have been given approval to commence. Project 3 is being considered now additional information has been provided. Project 4 is being withdrawn and replaced by a similar project.
- Working with the council, the Department of Regional NSW and the Baaka Corporation to acquit BCW-002.

Provided general grant and project management advice, including:

- Regional Drought Resilience Plan (RDRP2-008) project management:
 - o Project Support.
 - o Meetings with CDSC, BHCC & Department of Regional NSW held on 8 & 29 May 2024.
 - o Draft plan completed, endorsed by PCG and submitted to CSIRO for review.
- Central Darling Shire Floodplain Risk Management Study and Plan project management:
 - o Meeting of PCG to review and assess RFQ response (8 May 2024).
 - o Variation to Workplan Submitted to Department for approval before CDSC can notify successful RFQ respondent.
- Andrew Morris visited Wilcannia 15-16 May and met with Council staff.
- Supporting CDSC with grants advice and planning.
- Supporting the Baaka Cultural Centre with grant strategy and advice.

PROPOSED JUNE 2024 WORK SCHEDULE

- Preparing and finalising applications for the following project(s):
 - o N/A
- Review NSW 2024-25 Budget and provide advice/recommendations on related actions.
- Continue with project management of both Central Darling Shire Floodplain Risk Management Study and Plan and Regional Drought Resilience Plan, including assisting Council with finalising procurement of consultants for Floodplain Risk Management Study and Plan project pending Departmental approval of revised workplan.
- 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.
- Finalise outstanding requirements for Local Government Recovery Grants – NSW Severe Weather and – AGRN 1030/1034 - Project 4 which is being withdrawn and replaced by a similar project.
- 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 Cultural Centre as agreed with CDSC.

PROPOSED SCHEDULE TO SEPTEMBER 2024

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

<ul style="list-style-type: none"> - Capital funding for Ivanhoe childcare start-up - Streetscapes - Review of the EMPlan. - Roads and Airstrips - Council cemeteries (fencing/plaques) - Menindee Street Art - Replacement of Shire Swimming Pools x 4. - Solar Panels for Council buildings Ivanhoe - Swimming Pool heating 	<ul style="list-style-type: none"> - Ivanhoe Community Golf Club (applications pending). Sound Dome Beautification – White Cliffs - White Cliffs Sporting Clubs Community Hub and outdoor amenities block - Landfill improvements (Litter fencing, CCTV, operational) - Water Security for White Cliffs - Ivanhoe RSL Tennis Court Resurface / Multipurpose Courts
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- 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	May 2024 Days Used	Days Remaining at 31 May 2024 ¹
84	77	10	4.50

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

Prepared by:

Andrew Morris
 Director, Morris & Piper Advisory
 3 June 2024
 Email: andrew@morrispiper.com
 Mobile: 0427 015 580

¹ Includes carry over of 7.5 days from 2022-23.
 3 June 2024

Terms of reference for Central Darling Shire Council Audit, Risk and Improvement Committee

Council has established an audit, risk and improvement committee in compliance with section 428A of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. These terms of reference set out the committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangement.

Objective

The objective of council's audit, risk and improvement committee is to provide independent assurance to council by monitoring, reviewing and providing advice about the council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

Independence

The committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide council with robust, objective and unbiased advice and assurance.

The committee is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the council. The committee will provide independent advice to the council that is informed by the council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The committee must always ensure it maintains a direct reporting line to and from the council's internal audit function and act as a mechanism for internal audit to report to the governing body and the general manager on matters affecting the performance of the internal audit function.

Authority

Council authorises the committee, for the purposes of exercising its responsibilities, to:

- access any information it needs from the council.
- use any council resources it needs.
- have direct and unrestricted access to the general manager and senior management of the council.

- seek the general manager’s permission to meet with any other council staff member or contractor.
- discuss any matters with the external auditor or other external parties.
- request the attendance of any employee at committee meetings, and
- obtain external legal or other professional advice in line with councils’ procurement policies.

Information and documents pertaining to the committee are confidential and are not to be made publicly available. The committee may only release council information to external parties that are assisting the committee to fulfil its responsibilities with the approval of the general manager, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Composition and tenure

The committee consists of an independent chairperson and three independent members who have voting rights and one non-voting councillor, as required under the *Local Government (General) Regulation 2021*.

The governing body is to appoint the chairperson and members of the committee. Current committee members are:

Dave Tanner	Independent chairperson (voting)
Jay Nankivell	Independent member (voting)
Allan Carter	Independent member (voting)
[name]	Independent member (voting)
[name]	Councillor member (non-voting)

All committee members must meet the independence and eligibility criteria prescribed under the *Local Government (General) Regulation 2021*.

Members will be appointed for up to a four-year term. Members can be reappointed for one further term, but the total period of continuous membership cannot exceed eight years. This includes any term as chairperson of the committee. Members who have served an eight-year term (either as a member or as chairperson) must have a two-year break from serving on the committee before being appointed again. To preserve the committee’s knowledge of the council, ideally, no more than one member should retire from the committee because of rotation in any one year.

The terms and conditions of each member’s appointment to the committee are to be set out in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

Prior to approving the reappointment or extension of the chairperson's or an independent member's term, the governing body is to undertake an assessment of the chairperson's or committee member's performance. Reappointment of the chairperson or a committee member is also to be subject to that person still meeting the independence and eligibility requirements prescribed under the *Local Government (General) Regulation 2021*.

Members of the committee must possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of the council, the environment in which the council operates, and the contribution that the committee makes to the council. At least one member of the committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the committee's consideration of the council's annual financial statements.

Role

As required under section 428A of the *Local Government Act 1993* (the Act), the role of the committee is to review and provide independent advice to the council regarding the following aspects of the council's operations:

- compliance
- risk management.
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program and strategies
- service reviews.
- collection of performance measurement data by the council and
- internal audit.

The committee must also provide information to the council for the purpose of improving the council's performance of its functions.

The committee's specific audit, risk and improvement responsibilities under section 428A of the Act are outlined in Schedule 1 to these terms of reference.

The committee will act as a forum for consideration of the council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The committee has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external audit findings.

The committee is directly responsible and accountable to the governing body for the exercise of its responsibilities. In carrying out its responsibilities, the committee must at all times recognise that primary responsibility for management of the council rests with the governing body and the general manager.

The responsibilities of the committee may be revised or expanded in consultation with, or as requested by, the governing body from time to time.

Responsibilities of members

Independent members

The chairperson and members of the committee are expected to understand and observe the requirements of the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings.
- contribute the time needed to review and understand information provided to it.
- apply good analytical skills, objectivity and judgement.
- act in the best interests of the council.
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry.
- maintain effective working relationships with the council.
- have strong leadership qualities (chairperson)
- lead effective committee meetings (chairperson), and
- oversee the council's internal audit function (chairperson).

Councillor member (if applicable)

To preserve the independence of the committee, the councillor member of the committee is a non-voting member. Their role is to:

- relay to the committee any concerns the governing body may have regarding the [council and issues being considered by the committee
- provide insights into local issues and the strategic priorities of the council that would add value to the committee's consideration of agenda items
- advise the governing body (as necessary) of the work of the committee and any issues arising from it, and
- assist the governing body to review the performance of the committee.

Issues or information the councillor member raises with or provides to the committee must relate to the matters listed in Schedule 1 and issues being considered by the committee.

The councillor member of the committee must conduct themselves in a non-partisan and professional manner. The councillor member of the committee must not engage in any conduct that seeks to politicise the activities of the committee or the internal audit function or that could be seen to do so.

If the councillor member of the committee engages in such conduct or in any other conduct that may bring the committee and its work into disrepute, the chairperson of the committee may recommend to the council that the councillor member be removed from membership of

the committee. Where the council does not agree to the committee chairperson's recommendation, the council must give reasons for its decision in writing to the chairperson.

Conduct

Independent committee members are required to comply with the council's code of conduct.

Complaints alleging breaches of the council's code of conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The general manager must consult with the governing body before taking any disciplinary action against an independent committee member in response to a breach of the council's code of conduct.

Conflicts of interest

Once a year, committee members must provide written declarations to the council stating that they do not have any conflicts of interest that would preclude them from being members of the committee. Independent committee members are 'designated persons' for the purposes of the council's code of conduct and must also complete and submit returns of their interests.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest they may have in a matter being considered at the meeting at the start of each meeting or as soon as they become aware of the conflict of interest. Where a committee member or observer declares a pecuniary or a significant non-pecuniary conflict of interest, they must remove themselves from committee deliberations on the issue. Details of conflicts of interest declared at meetings must be appropriately minuted.

Standards

Committee members are to conduct their work in accordance with the International Standards for the International Professional Practice Framework for Internal Auditing issued by the Institute of Internal Auditors and ISO31000 - 2018 where applicable.

Work plans.

The work of the committee is to be thoroughly planned and executed. The committee must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The committee may, in consultation with the governing body, vary the strategic work plan at any time to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the committee.

The committee must also develop an annual work plan to guide its work, and the work of the internal audit function over the forward year.

The committee may, in consultation with the governing body, vary the annual work plan to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the committee.

When considering whether to vary the strategic or annual work plans, the committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

Assurance reporting

The committee must regularly report to the council to ensure that it is kept informed of matters considered by the committee and any emerging issues that may influence the strategic direction of the council or the achievement of the council's goals and objectives.

The committee will provide an update to the governing body and the general manager of its activities and opinions after every committee meeting.

The committee will provide an annual assessment to the governing body and the general manager on the committee's work and its opinion on how the council is performing.

The committee will provide a comprehensive assessment every council term of the matters listed in Schedule 1 to the governing body and the general manager.

The committee may at any time report to the governing body or the general manager officer on any other matter it deems of sufficient importance to warrant their attention. The mayor and the chairperson of the committee may also meet at any time to discuss issues relating to the work of the committee.

Should the governing body require additional information, a request for the information may be made to the chairperson by resolution. The chairperson is only required to provide the information requested by the governing body where the chairperson is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual councillors are not entitled to request or receive information from the committee.

Administrative arrangements

Meetings

The committee will meet at least 4 times per year, including a special meeting to review the council's financial statements.

The committee can hold additional meetings when significant unexpected issues arise, or if the chairperson is asked to hold an additional meeting by a committee member, the general manager or the governing body.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a committee member cannot attend.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the chairperson has the casting vote.

The chairperson of the committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

The mayor, general manager and the internal audit coordinator should attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The chairperson can request the council's chief finance officer or equivalent, head of risk management function or equivalent, senior managers or equivalent, any councillors, any employee/contractor of the council and any subject matter expert to attend committee meetings. Where requested to attend a meeting, persons must attend the meeting where possible and provide any information requested. Observers have no voting rights and can be excluded from a meeting by the chairperson at any time.

The committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The committee must meet separately with the internal audit coordinator and the council's external auditor at least once each year.

Dispute resolution.

Members of the committee and the council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the committee and the general manager or other senior managers, the dispute is to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the Office of Local Government in writing.

Secretariat

The general manager will nominate a staff member to provide secretariat support to the committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the chairperson at least one week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the chairperson and circulated within [agreed timeframe] of the meeting to each member.

Resignation and dismissal of members

Where the chairperson or a committee member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give six months' notice to the chairperson and the governing body prior to their resignation to allow the council to ensure a smooth transition to a new chairperson or committee member.

The governing body can, by resolution, terminate the appointment of the chairperson or an independent committee member before the expiry of their term where that person has:

- breached the council's code of conduct.
- performed unsatisfactorily or not to expectations.
- declared, or is found to be in, a position of a conflict of interest which is unresolvable.
- been declared bankrupt or found to be insolvent.
- experienced an adverse change in business status.
- been charged with a serious criminal offence.
- been proven to be in serious breach of their obligations under any legislation, or
- experienced an adverse change in capacity or capability.

The position of a councillor member on the committee can be terminated at any time by the governing body by resolution.

Review arrangements.

At least once every council term, the governing body must review or arrange for an external review of the effectiveness of the committee.

These terms of reference must be reviewed annually by the committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

Further information

For further information on council's audit, risk and improvement committee, contact [name] on [email address] or by phone [phone number].

Reviewed by chairperson of the audit, risk and improvement committee.

Signed: Dave Tanner

Date: 6 June 2024

Reviewed by council in accordance with a resolution of the governing body.

Signed:

Date:

Resolution reference

Next review date: 30 September 2028

Schedule 1 – Audit, risk and improvement committee responsibilities

[Note: each council is to determine the responsibilities of its committee related to each matter listed in section 428A of the Local Government Act 1993 and list them in Schedule 1 to the committee's terms of reference. Suggested responsibilities are provided below and further detailed in core requirement 1 and Appendix 2 of the Guidelines for Risk Management and Internal Audit for Local Government in NSW.]

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities.
- Act as a forum for communication between the governing body, general manager, senior management, the internal audit function and external audit.
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions.
- Review and advise the council.
 - on whether the council is providing the resources necessary to successfully deliver the internal audit function
 - if the [council is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if the council's internal audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the council are suitable
 - of the strategic four-year work plan and annual work plan of internal audits to be undertaken by the council's internal audit function
 - if the council's internal audit activities are effective, including the performance of the internal audit coordinator and the internal audit function.
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised.
 - of the implementation by the council of these corrective actions
 - on the appointment of the internal audit coordinator and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities

External audit

- Act as a forum for communication between the governing body, general manager, senior management, the internal audit function and external audit.
- Coordinate as far as is practicable, the work programs of internal audit and external audit.

- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.
- Review all external plans and reports in respect of planned or completed audits and monitor council's implementation of audit recommendations.
- Provide advice to the governing body and/or general manager on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk management

Review and advise the council:

- if the council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the council is providing the resources necessary to successfully implement its risk management framework
- whether the council's risk management framework is adequate and effective for identifying and managing the risks the council faces, including those associated with individual projects, programs and other activities.
- if risk management is integrated across all levels of the council and across all processes, operations, services, decision-making, functions and reporting.
- of the adequacy of risk reports and documentation, for example, the council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the council's risk management approach impacts on the council's insurance arrangements
- of the effectiveness of the council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise the council:

- whether the council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective.

- whether the council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise the council of the adequacy and effectiveness of the council's compliance framework, including:

- if the council has appropriately considered legal and compliance risks as part of the council's risk management framework
- how the council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise the council of the adequacy and effectiveness of the council's fraud and corruption prevention framework and activities, including whether the council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise the council:

- if the council is complying with accounting standards and external accountability requirements.
- of the appropriateness of the council's accounting policies and disclosures.
- of the implications for the council of the findings of external audits and performance audits and the council's responses and implementation of recommendations
- whether the council's financial statement preparation procedures and timelines are sound
- the accuracy of the council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the council to account for significant or unusual transactions and areas of significant estimates or judgements.
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the council's annual report is consistent with signed financial statements

- if the **council's** financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the **council** are adequate
- if the **council's** grants and tied funding policies and procedures are sound.

Governance

Review and advise the council regarding its governance framework, including the council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge

Improvement

Strategic planning

Review and advise the council:

- of the adequacy and effectiveness of the council's integrated, planning and reporting (IP&R) processes.
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise the council:

- If the council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how the council can improve its service delivery and the council's performance of its business and functions generally

Performance data and measurement

Review and advise the council:

- if the council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the council uses are effective, and
- of the adequacy of performance data collection and reporting.

Internal Audit Charter

Central Darling Shire Council

Central Darling Shire Council has established an internal audit function as a key component of the council's governance and assurance framework, in compliance with the *Local Government (General) Regulation 2021* and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*. This charter provides the framework for the conduct of the internal audit function in the council and has been approved by the governing body taking into account the advice of the council's audit, risk and improvement committee.

Vision

The vision of the Internal Audit function is to embrace and operate in line with the relevant and recognised elements of 'world class' internal audit.

Purpose of internal audit

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve the council's operations. It helps the council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes¹.

Internal audit provides an independent and objective review and advisory service to provide advice to the governing body, general manager and audit, risk and improvement committee about the council's governance processes, risk management and control frameworks and its external accountability obligations. It also assists the council to improve its business performance.

Independence

Council's internal audit function is to be independent of the council so it can provide an unbiased assessment of the council's operations and risk and control activities.

The internal audit function reports functionally to the council's audit, risk and improvement committee on the results of completed audits, and for strategic direction and accountability purposes, and reports administratively to the general manager to facilitate day-to-day

¹ As defined by the International Standards for the Professional Practice of Internal Auditing (2017)

operations. Internal audit activities are not subject to direction by the council and the council's management has no role in the exercise of the council's internal audit activities.

The audit, risk and improvement committee is responsible for communicating any internal audit issues or information to the governing body. Should the governing body require additional information, a request for the information may be made to the chairperson by resolution. The chairperson is only required to provide the information requested by the governing body where the chairperson is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual councillors are not entitled to request or receive information from the committee.

The general manager must consult with the chairperson of the council's audit, risk and improvement committee before appointing or making decisions affecting the employment of the internal audit coordinator.

Where the chairperson of the council's audit, risk and improvement committee has any concerns about the treatment of the internal audit coordinator, or any action taken that may compromise their ability to undertake their functions independently, they can report their concerns to the governing body.

The internal audit coordinator is to confirm at least annually to the audit, risk and improvement committee the independence of internal audit activities from the council.

Authority

Council authorises the internal audit function to have full, free and unrestricted access to all functions, premises, assets, personnel, records and other documentation and information that the internal audit coordinator considers necessary for the internal audit function to undertake its responsibilities.

All records, documentation and information accessed while undertaking internal audit activities are to be used solely for the conduct of those activities. The internal audit coordinator and individual internal audit staff are responsible and accountable for maintaining the confidentiality of the information they receive when undertaking their work.

All internal audit documentation is to remain the property of council including where internal audit services are performed by an external third-party provider.

Information and documents pertaining to the internal audit function are not to be made publicly available. The internal audit function may only release council information to external parties that are assisting the internal audit function to undertake its responsibilities with the approval of the general manager except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Role

The internal audit function is to support the council's audit, risk and improvement committee to review and provide independent advice to the council in accordance with section 428A of the *Local Government Act 1993*. This includes conducting internal audits of council and monitoring the implementation of corrective actions.

The internal audit function is to also play an active role in:

- developing and maintaining a culture of accountability and integrity
- facilitating the integration of risk management into day-to-day business activities and processes, and
- promoting a culture of high ethical standards.

The internal audit function has no direct authority or responsibility for the activities it reviews. The internal audit function has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in council functions or activities (except in carrying out its own functions).

Role of Internal audit coordinator/CAE

Outsourced internal audit function.

Council's internal audit function is to be led by a member of council's staff with sufficient skills, knowledge and experience to ensure it fulfils its role and responsibilities to the council and the audit, risk and improvement committee. The internal audit coordinator/CAE must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

Responsibilities of the internal audit coordinator include:

- contract management.
- managing the internal audit budget
- ensuring the external provider completes internal audits in line with the audit, risk and improvement committee's annual work plan and four-year strategic work plan.
- forwarding audit reports by the external provider to the audit, risk and improvement committee
- acting as a liaison between the external provider and the audit, risk and improvement committee.
- monitoring the council's implementation of corrective actions that arise from the findings of audits and reporting progress to the audit, risk and improvement committee, and
- assisting the audit, risk and improvement committee to ensure the council's internal audit activities comply with the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*.

The internal audit team

Out-sourced internal audit team

Council is to contract an external third-party provider to undertake its internal audit activities. To ensure the independence of the external provider, the internal audit coordinator is to ensure the external provider:

- does not conduct any audits on specific council operations or areas that they have worked on within the last two years.
- is not the same provider conducting the council's external audit.
- is not the auditor of any contractors of the council that may be subject to the internal audit, and
- can satisfy the requirements of the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW*.

The internal audit coordinator must consult with the audit, risk and improvement committee and general manager regarding the appropriateness of the skills, knowledge and experience of any external provider before they are engaged by the council.

Performing internal audit activities

The work of the internal audit function is to be thoroughly planned and executed. The [council's audit, risk and improvement committee must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The committee must also develop an annual work plan to guide the work of the internal audit function over the forward year.

All internal audit activities are to be performed in a manner that is consistent with relevant professional standards including the International Professional Practice Framework for Internal Auditing issued by the Institute of Internal Auditors and ISO31000-2018

The internal audit coordinator is to provide the findings and recommendations of internal audits to the audit, risk and improvement committee at the end of each audit. Each report is to include a response from the relevant senior manager.

The internal audit coordinator is to establish an ongoing monitoring system to follow up council's progress in implementing corrective actions.

The general manager in consultation with the audit, risk and improvement committee, is to develop and maintain policies and procedures to guide the operation of the council's internal audit function.

The internal audit coordinator is to ensure that the audit, risk and improvement committee is advised at each of the committee's meetings of the internal audit activities completed during that quarter, progress in implementing the annual work plan and progress made implementing corrective actions.

Conduct

Internal audit personnel must comply with the council's code of conduct. Complaints about breaches of council's code of conduct by internal audit personnel are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The general manager must consult with the council's audit, risk and improvement committee before any disciplinary action is taken against the internal audit coordinator in response to a breach of the council's code of conduct.

Internal auditors must also comply with the Code of Ethics and the International Professional Practice Framework for Internal Auditing issued by the Institute of Internal Auditors.

Administrative arrangements

Audit, risk and improvement committee meetings.

The internal audit coordinator will attend audit, risk and improvement committee meetings as an independent non-voting observer. The internal audit coordinator can be excluded from meetings by the committee at any time.

The internal audit coordinator must meet separately with the audit, risk and improvement committee at least once per year.

The internal audit coordinator can meet with the chairperson of the audit, risk and improvement committee at any time, as necessary, between committee meetings.

External audit

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

Periodic meetings and contact between internal and external audit shall be held to discuss matters of mutual interest and to facilitate coordination.

External audit will have full and free access to all internal audit plans, working papers and reports.

Dispute resolution

The internal audit function should maintain an effective working relationship with the council and the audit, risk and improvement committee and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the internal audit function and council the dispute is to be resolved by the general manager and/or the audit, risk and improvement committee. Disputes between the internal audit function and the audit, risk and improvement committee are to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the Office of Local Government in writing.

Review arrangements

The council's audit, risk and improvement committee must review the performance of the internal audit function each year and report its findings to the governing body. A strategic review of the performance of the internal audit function must be conducted each council term that considers the views of an external party with a strong knowledge of internal audit and reported to the governing body.

This charter is to be reviewed annually by the committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

Further information

For further information on council's internal audit activities, contact [name] on [email address] or by phone [phone number].

Reviewed by the internal audit co-ordinator.

[sign and date]

Reviewed by chairperson of the council's audit, risk and improvement committee.

Dave Tanner 6 June 2024

Reviewed by general manager.

[sign and date]

Reviewed by council in accordance with a resolution of the governing body.

[sign and date]

Resolution reference:

Schedule 1 – internal audit function responsibilities

[Note: each council is to determine the responsibilities of its internal audit function in relation to each matter listed in section 428A of the Local Government Act 1993 and list them in Schedule 1 to the council's internal audit charter. Suggested responsibilities are provided below and further detailed in core requirement 3 and Appendix 2 of the Guidelines for Risk Management and Internal Audit for Local Government in NSW.]

Audit

Internal audit

- Conduct internal audits as directed by the council's audit, risk and improvement committee.
- Implement the council's annual and four-year strategic internal audit work plans.
- Monitor the implementation by the council of corrective actions.
- Assist the council to develop and maintain a culture of accountability and integrity.
- Facilitate the integration of risk management into day-to-day business activities and processes.
- Promote a culture of high ethical standards.

External audit

- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.
- Review all external plans and reports in respect of planned or completed audits and monitor the council's implementation of audit recommendations.
- Provide advice on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk management

Review and advise:

- if the council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the council's risk management framework is adequate and effective for identifying and managing the risks the council faces, including those associated with individual projects, programs and other activities.
- if risk management is integrated across all levels of the council and across all processes, operations, services, decision-making, functions and reporting.

- of the adequacy of risk reports and documentation, for example, the council's risk register and risk profile.
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the council's risk management approach impacts on the council's insurance arrangements
- of the effectiveness of the council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise:

- whether the council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective.
- whether the council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise of the adequacy and effectiveness of the council's compliance framework, including:

- if the council has appropriately considered legal and compliance risks as part of the council's risk management framework
- how the council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise of the adequacy and effectiveness of the council's fraud and corruption prevention framework and activities, including whether the council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise:

- if the council is complying with accounting standards and external accountability requirements
- of the appropriateness of the council's accounting policies and disclosures
- of the implications for the council of the findings of external audits and performance audits and the council's responses and implementation of recommendations
- whether the council's financial statement preparation procedures and timelines are sound
- the accuracy of the council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the council to account for significant or unusual transactions and areas of significant estimates or judgements.
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the council's report is consistent with signed financial statements
- if the council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the council are adequate
- if the council's grants and tied funding policies and procedures are sound.

Governance

Review and advise of the adequacy of the council governance framework, including the council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability

- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

Review and advise:

- of the adequacy and effectiveness of the council's integrated, planning and reporting (IP&R) processes.
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

Review and advise:

- if the council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how the council can improve its service delivery and the council's performance of its business and functions generally

Performance data and measurement

Review and advise:

- if the council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the council uses are effective, and
- of the adequacy of performance data collection and reporting.



ENTERPRISE RISK MANAGEMENT POLICY

TRIM No:		Version:	5
Service Unit:	All Staff		
Author:	RWHS Officer & Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	07 August 2019	Review Date:	
Minute No:			

1. Purpose

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Through integration with the approved Enterprise Risk Management Framework, the purpose of this policy is to:

- Establish the principles upon which our organisational risks are managed in accordance with the risk management standard, AS ISO 31000:2018 *Risk management – Guidelines*.
- Guide the integration of risk management into our governance structure, culture, and business processes.
- Implement an approach to risk management that is fit for purpose at all levels throughout Council.
- Integrate risk-based decision-making throughout Council for the benefit of the organisation, our community, and our stakeholders.
- Develop a culture of risk awareness, accountability and shared attitudes that promotes a willingness and capability to manage risk at all levels across the organisation.

2. Scope

This policy applies to all areas of Council operations and includes all Councillors, staff, contractors, and volunteers undertaking any function for, or on behalf of, Central Darling Shire Council.

2.1 Relevant legislation and Standards

- *Local Government Act (NSW) 1993*
 - Chapter 3, Section 8B Principles of sound financial management
 - Chapter 3, Section 8C Integrated planning and reporting principles apply to councils
- NSW Government – Integrated Planning and Reporting Guidelines
- NSW Government - Integrated Planning and Reporting Manual
- AS ISO 31000:2018 *Risk management – Guidelines*
- ISO Guide 73:2009 Risk management – Vocabulary,
- COSO – Enterprise Risk Management: Integrating with Strategy and Performance, and
- ISO 31010:2009 *Risk management – Risk assessment techniques*.

3. Risk Management Policy Statement

Central Darling Shire Council (CDSC) is committed to taking a structured and innovative approach to the management of risk throughout the organisation in order to promote and demonstrate good corporate governance, to minimise loss and maximise opportunities to improve service provision, in the pursuit of strategic goals.

The Enterprise Risk Management (ERM) approach utilised by Council primarily follows *AS ISO 31000:2018 Risk management – Guidelines*. Other risk management standards will be utilised in the Council's ERM Plan as appropriate. Additionally, any relevant legislation or regulations such as Work Health & Safety (WH&S) will be incorporated into the planning, governance, management of assets, and operational processes of the Council, as is appropriate.

Note: 'Enterprise Risk Management' is defined in this document as the noun applied to the holistic management of all risks that could affect the achievement of Council's goals, whereas 'risk management' is the verb applied

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to the activity of managing risks in specific areas or at specific levels.

3.1. Policy Objectives

Within the confines of the current CDSC Strategic Plan, the objectives of this policy are to:

1. Manage risk in accordance with the process and principles as detailed in *AS ISO 31000:2018 Risk management – Guidelines*.
2. Acknowledge that managing risk is part of governance and leadership and is fundamental to how the Council is managed at all levels.
3. Promote a holistic approach to risk management and to the development of an integrated risk management framework (including associated documentation and processes) that effectively address enterprise risk management.
4. Integrate risk management into Council's decision-making to assist in making informed choices for the benefit of the organisation, the Central Darling Shire Community, and our stakeholders.
5. Promote an atmosphere of risk awareness and willingness to manage risk at all levels of the organisation (including the consideration of the external and internal context of the organisation, such as human behavior and cultural factors).

3.2. Within Policy Background and Context

For any organisation, risks exist in all aspects of its strategies, goals, objectives, undertakings and/or operations. ISO 31000 defines risk as the *'effect of uncertainty on objectives'*. This effect can be a positive or negative deviation from expected pathways or outcomes.

The effective implementation of a risk management policy, as a part of a broader Enterprise Risk Management Framework, will ensure that the management of risk is seen as the normal operating standard for good decision-making. This will facilitate confidence in understanding:

- which risks to take/accept for the benefit of the Council,
- which risks to avoid to prevent adverse impact on the Council, and
- how to manage the most risk effective path towards achieving Council's strategic goals.

To achieve strategic objectives, it is essential that the organisation manages the threats and opportunities associated with those objectives. This in turn will see the organisation recognised for the excellence of its services and for the strength of its partnerships with the Central Darling Shire Community, customers, employees, and stakeholders. Consequently, risk management must be championed by the Councillors (Administrator), overseen by the Audit, Risk, and Improvement Committee (ARIC), implemented by the Executive, and carried out in all operations at all times by Management.

4. Accountabilities and Responsibilities

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The roles and responsibilities for risk management at Council are specified in this policy, committee charters and individual position descriptions.

Position	Accountabilities And Responsibilities
Mayor, Councillors or Administrator (Governing Body)	<ul style="list-style-type: none"> • In consultation with the Executive Management Team (EMT) and Audit, Risk, and Improvement Committee (ARIC), the Administrator will: <ul style="list-style-type: none"> ○ Endorse the Council's appetite for taking and/or retaining risk ○ Set the Council's strategy with consideration of the risk appetite and the threats and opportunities to the Council from that strategy. ○ Set the strategic goals required to achieve the strategy and clearly articulates the critical success factors in achieving those strategic goals. ○ Articulates, the strategic risks (threat and opportunity) to the Council from the objectives and strategy. • Require the EMT to actively manage strategic risks and report frequently on their status. • Recognise their responsibilities for making informed decisions that take into consideration the associated risks and opportunities. • Actively support the implementation of the ERM Policy and ERMP.
Audit, Risk and Improvement Committee (ARIC)	<ul style="list-style-type: none"> • Independent review and oversight of Council's governance, risk management and control activities. • Oversight of risk management at Council and the Internal Audit function • Requires the periodic review of Council's strategic and other significant operational and project risks to ensure appropriate risk treatment/controls have been implemented and maintain effectiveness.
Internal Audit	<ul style="list-style-type: none"> • Risk assurance to the ARIC and CEO/GM through execution of the annual internal audit plan.
General Manager	<ul style="list-style-type: none"> • Overall accountability for Council's management of its risks • Accountable for the establishment of the Enterprise Risk Management system in the Council and leads the conversation about risk – Council's chief 'Risk Champion' • Setting the tone, culture and expectations for risk management and governance activities, and assigns appropriate responsibilities to the EMT • Ensures adequacy of resources for risk management activities and sets appropriate delegations for risk management activities • Establishes performance measures for the strategic goals' critical success factors and drives the Council's Enterprise Risk Management objectives.
Executive Management Team	<ul style="list-style-type: none"> • Accountable for ownership and management of risks in their respective areas • Creates an environment where managing risk is an accepted and expected part of normal operations. • Accountable for the effective implementation and continual improvement of the ERMP. • Implements monitoring and management of relevant performance measures for strategic goal's critical success factors within their area of responsibility. • Ensures that strategic and significant risks are reported in accordance with the ERM reporting requirements.

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	<ul style="list-style-type: none"> • Recommends recurrent and discretionary allocation of funding to the broader EMT, for the purpose of managing risks identified as priority in accordance with the ERMP.
Risk & Work Health Safety Officer	<ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting strategic risks and certain residual risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework
Governance Officer	<p>In the absence of the Risk & Work Health Safety Officer, and at other times as required:</p> <ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting strategic risks and certain operational risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework.
Department Managers	<ul style="list-style-type: none"> • Accountable for managing risk within their area of responsibility, including monitoring, and managing measures for the strategic goals' critical success factors. • Ensures that employees and relevant stakeholders apply the appropriate risk management tools and templates in the correct manner. • Are responsible for providing assistance and advice to staff in relation to the management of risks but not taking on the responsibility of another individual. • Monitor the respective operational risk profile assessments, determine and ensure implementation of control measures for risks identified, and escalate any significant risks to management in accordance with the risk management protocols. • Responsible Contract/Project Managers are to ensure risks associated with the engagement of contractors are appropriately identified and managed. • Responsible Contract/Project Managers are to ensure the responsibilities and accountabilities vested in the contractor are clearly documented and communicated to the Contractor.
All Staff and Contractors	<ul style="list-style-type: none"> • Applying sound risk management practices in accordance with Council policies and frameworks.

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5. Associated Documents

This policy is the foundation document in the Enterprise Risk Management Framework and should be read in conjunction with the following:

- Enterprise Risk Management Plan
- Risk Management Procedure
- Risk Appetite Statements
- Enterprise risk management tools, systems, and reports
- Audit, Risk and Improvement Committee Charter

6. Policy Administration

Business Executive:	General Manager
Responsible Officer:	Risk and Work Health Safety Officer
Approval:	Approved by the Audit, Risk, and Improvement Committee on <i>[date and meeting ref]</i>
Policy Review Date:	2 years from date of approval or during planning for a new Strategic Plan (whichever is sooner)
File Number:	
Relevant Legislation/Standard/etc.:	Australian/international risk standard – AS ISO 31000:2018, <i>Risk management – Guidelines</i>

6.1 Policy History

Version	Date Approved	Description Of Changes
1		Initial Policy document, May 2019
2		5 Feb 2020 - Mid-cycle review. Updated some language for consistency. Removed ANSI/RIMS reference as it is virtually identical to ISO 31000.
3		7 June 2021 - Inclusion of Integrated Planning & Reporting Guidelines and Manual in 'Relevant Legislation and Standards'. Full wording review with some minor typographical alterations and corrections
4		18 Aug 2022 – Mid-cycle review. Inclusions of Governance Officer in Roles and Responsibilities
5		



ENTERPRISE RISK MANAGEMENT POLICY

TRIM No:		Version:	5
Service Unit:	Governance		
Author:	RWHS Officer & Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	26 June 2024	Review Date:	June 2026
Minute No:			

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- which risks to avoid to prevent adverse impact on the Council, and
- how to manage the most risk effective path towards achieving Council's strategic goals.

To achieve strategic objectives, it is essential that the organisation manages the threats and opportunities associated with those objectives. This in turn will see the organisation recognised for the excellence of its services and for the strength of its partnerships with the Central Darling Shire Community, customers, employees, and stakeholders. Consequently, risk management must be championed by the Councillors (Administrator), overseen by the Audit, Risk, and Improvement Committee (ARIC), implemented by the Management/Executive Group (ManEx), and carried out in all operations at all times by Management.

4. Accountabilities and Responsibilities

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The roles and responsibilities for risk management at Council are specified in this policy, committee charters and individual position descriptions.

Position	Accountabilities And Responsibilities
Mayor, Councillors or Administrator (Governing Body)	<ul style="list-style-type: none"> • In consultation with the Management Executive Team (ManEx) and Audit, Risk, and Improvement Committee (ARIC), the Council will: <ul style="list-style-type: none"> ○ Determine the Council's appetite for taking and/or retaining risk ○ Set the Council's strategy with consideration of the risk appetite and the threats and opportunities to the Council from that strategy. ○ Set the strategic goals required to achieve the strategy and clearly articulates the critical success factors in achieving those strategic goals. ○ Articulates, the strategic risks (threat and opportunity) to the Council from the objectives and strategy. • Require ManEx to actively manage strategic risks and report frequently on their status. • Recognise their responsibilities for making informed decisions that take into consideration the associated risks and opportunities. • Actively support the implementation of the ERM Policy and ERMP.
Audit, Risk and Improvement Committee (ARIC)	<ul style="list-style-type: none"> • Independent review and oversight of Council's governance, risk management and control activities. • Oversight of risk management at Council and the Internal Audit function • Requires the periodic review of Council's strategic and other significant operational and project risks to ensure appropriate risk treatment/controls have been implemented and maintain effectiveness.
Internal Audit	<ul style="list-style-type: none"> • Risk assurance to the ARIC and GM through execution of the annual internal audit plan.
General Manager	<ul style="list-style-type: none"> • Overall accountability for Council's management of its risks • Accountable for the establishment of the Enterprise Risk Management system in the Council and leads the conversation about risk – Council's chief 'Risk Champion' • Setting the tone, culture and expectations for risk management and governance activities, and assigns appropriate responsibilities to ManEx • Ensures adequacy of resources for risk management activities and sets appropriate delegations for risk management activities • Establishes performance measures for the strategic goals' critical success factors and drives the Council's Enterprise Risk Management objectives.
Management Executive Team	<ul style="list-style-type: none"> • Accountable for ownership and management of risks in their respective areas • Creates an environment where managing risk is an accepted and expected part of normal operations. • Accountable for the effective implementation and continual improvement of the ERMP. • Implements monitoring and management of relevant performance measures for strategic goal's critical success factors within their area of responsibility. • Ensures that strategic and significant risks are reported in accordance with the ERM reporting requirements.

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	<ul style="list-style-type: none"> • Recommends recurrent and discretionary allocation of funding, for the purpose of managing risks identified as priority in accordance with the ERMP.
Risk & Work Health Safety Officer	<ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework
Governance Officer	<p>In the absence of the Risk & Work Health Safety Officer, and at other times as required:</p> <ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework.
Department Managers	<ul style="list-style-type: none"> • Accountable for managing risk within their area of responsibility, including monitoring, and managing measures for the strategic goals' critical success factors. • Ensures that employees and relevant stakeholders apply the appropriate risk management tools and templates in the correct manner. • Are responsible for providing assistance and advice to staff in relation to the management of risks but not taking on the responsibility of another individual. • Monitor the respective operational risk profile assessments, determine and ensure implementation of control measures for risks identified, and escalate any significant risks to management in accordance with the risk management protocols. • Responsible Contract/Project Managers are to ensure risks associated with the engagement of contractors are appropriately identified and managed. • Responsible Contract/Project Managers are to ensure the responsibilities and accountabilities vested in the contractor are clearly documented and communicated to the Contractor.
All Staff and Contractors	<ul style="list-style-type: none"> • Applying sound risk management practices in accordance with Council policies and frameworks.

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5. Associated Documents

This policy is the foundation document in the Enterprise Risk Management Framework and should be read in conjunction with the following:

- Enterprise Risk Management Plan
- Risk Management Procedure
- Risk Appetite Statements
- Enterprise risk management tools, systems, and reports
- Audit, Risk and Improvement Committee Charter

6. Policy Administration

Business Executive:	General Manager
Responsible Officer:	Risk and Work Health Safety Officer
Approval:	Approved by the Audit, Risk, and Improvement Committee on 24 August 2022
Policy Review Date:	2 years from date of approval or during planning for a new Strategic Plan (whichever is sooner)
Relevant Legislation/Standard/etc.:	Australian/international risk standard – AS ISO 31000:2018, <i>Risk management – Guidelines</i>

6.1 Policy History

Version	Date Approved	Description Of Changes
1		Initial Policy document, May 2019
2		5 Feb 2020 - Mid-cycle review. Updated some language for consistency. Removed ANSI/RIMS reference as it is virtually identical to ISO 31000.
3		7 June 2021 - Inclusion of Integrated Planning & Reporting Guidelines and Manual in 'Relevant Legislation and Standards'. Full wording review with some minor typographical alterations and corrections
4		18 Aug 2022 – Mid-cycle review. Inclusions of Governance Officer in Roles and Responsibilities
5		17 June 2024 – Reviewed by Risk/WHS Officer and Governance Officer



Title of Plan	Enterprise Risk Management Plan		
This applies to	All Council Officials		
Author		Date approved:	June 2024
Position of Author		Authorised by:	General Manager
Legislation, Australian Standards, Code of Practice	<ul style="list-style-type: none"> • <i>Local Government Act (NSW) 1993:</i> <ul style="list-style-type: none"> ○ Chapter 3, Section 8B Principles of sound financial management ○ Chapter 3, Section 8C Integrated planning and reporting principles apply to councils • AS ISO 31000:2018 Risk management – Guidelines • ISO Guide 73:2009 Risk management – Vocabulary, • COSO – Enterprise Risk Management: Integrating with Strategy and Performance, and • ISO 31010:2009 Risk management – Risk assessment techniques. 		
Related Policies/Procedures	<ul style="list-style-type: none"> • Enterprise Risk Management Policy • Risk Management Procedure 		
TRIM Reference:			
Document Reference:	PR008		

Date	Description of Amendments	Responsible Officers	Version
XX May 2019	Initial document	Director Business Services	1.0
07 Aug 2019	Diagrammatical updates	RHWSO	1.1
05 Feb 2020	Updates and corrections	Director Business Services	2.0
09 Jun 2021	Annual Review	Director Business Services	2.1
18 Aug 2022	Annual Review. Inclusion of Governance Officer. Update of ISO Diagram acknowledgment	Director Business Services	3
June 2024	Review	RWHSO and Governance Officer	4

Forward

The Central Darling Shire Council (CDSC) Management Executive Team (ManEx), in conjunction with the Risk, Audit and Improvement Committee (ARIC) has set the risk management direction for all service areas operating within Council. Management of risk, in conjunction with other management directions, is integral to achieving excellent governance and corporate support for delivery of our Strategic Plan and achievement of our strategic goals.

Effective management of risk begins with Council’s leadership and the consideration of our operating environment and our appetite for taking risk. We do this with all our decisions but especially when formulating an effective strategy and goals for the Council. Our pragmatic approach for managing risk includes the identification, evaluation, and implementation of appropriate treatment strategies to manage our risks, and therefore better manage our operations. Risks that would disrupt operations and therefore our strategic goals encompass threats (potential adverse impacts) and opportunities (potential favourable impacts), both of which we must be prepared to identify and manage.

Council recognises risk management as an integral part of better management practice and decision-making. As such, the objectives of this Enterprise Risk Management Plan are to:

- Adhere to the Enterprise Risk Management Policy,
- Provide a framework within which we can sustainably create, preserve, and protect the value inherent in our community, our assets, and our operations,
- Create an environment where all employees assume responsibility for managing risk,
- Achieve and maintain legislative and regulatory compliance,
- Ensure resources and operational capabilities are identified and responsibly allocated for managing risk,
- Ensure Council can appropriately deal with risk,
- Demonstrate transparent and responsible risk management processes which align with accepted better practices,
- Provide documented evidence of Council’s commitment to adopting risk management principles as an integral part of operations and decision-making, and
- Develop and implement the risk management program and make recommendations for continuous improvement of the program.

It is important that the Council develops a risk-intelligent and proactive culture at all levels. This risk management plan is a broad document covering the requirements of all staff and I request the continued and ongoing commitment of all staff to the plan.

Greg Hill

General Manager – Central Darling Shire Council

Signed: _____

Date: _____

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1. Introduction

1.1. Purpose

This document should be read in conjunction with the Enterprise Risk Management Policy, the Risk Management Procedure, and the Risk Appetite Statements.

AS ISO 31000:2018 Risk management - Guidelines (the Standard) states that an organisation should implement a risk management framework by developing an appropriate Plan, and the *ISO Guide 73:2009 Risk Management – Vocabulary* (the Guide) defines a risk management Plan as an element of the risk management framework that specifies:

- the approach,
- the management components, and
- the resources to be applied to the management of risk.

Typically, the management components will include procedures, practices, assignment of responsibilities, and the sequencing and timing of activities.

As per the Standard and the Guide this Plan is a key component of CDSC's Enterprise Risk Management Framework, which also consists of the Risk Appetite Statements, the Enterprise Risk Management Policy, and the Risk Management Procedure. This document, the Enterprise Risk Management Plan (ERMP), will be reviewed annually, or as key references are updated. The ERMP will provide an overview of:

- how the various Risk Management Framework components are linked and support each other,
- the key concepts of risk management and why we do it,
- details regarding the recording, reporting, and reviewing of risks, and
- guidance to staff in relation to the governance of risk management.

The aim of CDSC Enterprise Risk Management activities is to:

- Identify Strategic risks that can potentially impact (positively or negatively) on the achievement of Strategic goals.
- Identify Operational risks that are inherent in the main functions performed by Council.
- Develop and maintain a common Risk Register for Strategic, Operational (including Financial) risks. Projects risk registers will be linked to the common register and the risk of project failure, or failure to take on specific projects will be included in the common register.
- Establish a culture where individual activities are risk assessed as part of every function performed.

The ERMP will drive the integration of the risk management process throughout the organisation.

1.2. Scope

This document applies to all of CDSC's Councillors (Administrator), executives, staff, contractors, operations, and activities.

The management of risk is an essential element of better management practices and impacts on every element of the organisation's activity. As such, the principles and processes of Enterprise Risk Management (ERM) will be applied as standard and normal practice throughout the Council's management processes and operations.

The ERMP will apply to, but not be limited to, the following areas of Council activities:

- Administration and Governance
- General and legal compliance
- Infrastructure and Works operations
- Planning, Environment and Lifestyle
- Strategy and Performance
- Human Resources
- Information Communication and Technology systems
- Financial management and procurement
- Project Management
- Contract Management
- Environmental Management
- Disaster and Emergency Planning, and Business Continuity Planning, and
- Workplace Health & Safety (*as far as it is an important component of good ERM*)

2. The CDSC Enterprise Risk Management Framework

The CDSC Enterprise Risk Management Framework has both behavioural and tangible components including a suite of documents that together provide a comprehensive coverage of the Council's approach to the management of its risks. The Framework documents include:

- The Enterprise Risk Management Policy – provides the approach that CDSC uses in the management of risk as aligned to the principles of risk management that are detailed in AS ISO 31000:2018, together with the related documents and standards that should be used.
- The Enterprise Risk Management Plan (this document) provides an overview of the Framework components, key concepts of risk management, communication plans, and risk governance structures.
- The Risk Management Procedure – provides guidance to staff on the risk management process and its direct relationship to the entry of risk details into the risk register.
- The Risk Appetite Statements – indicates the level of risk that CDSC is willing to take in pursuit of its objectives, values, purpose, and vision. The risk appetite statements provide an indication of how much risk the Council is willing to take within each Risk Category in pursuit of its strategic goals.

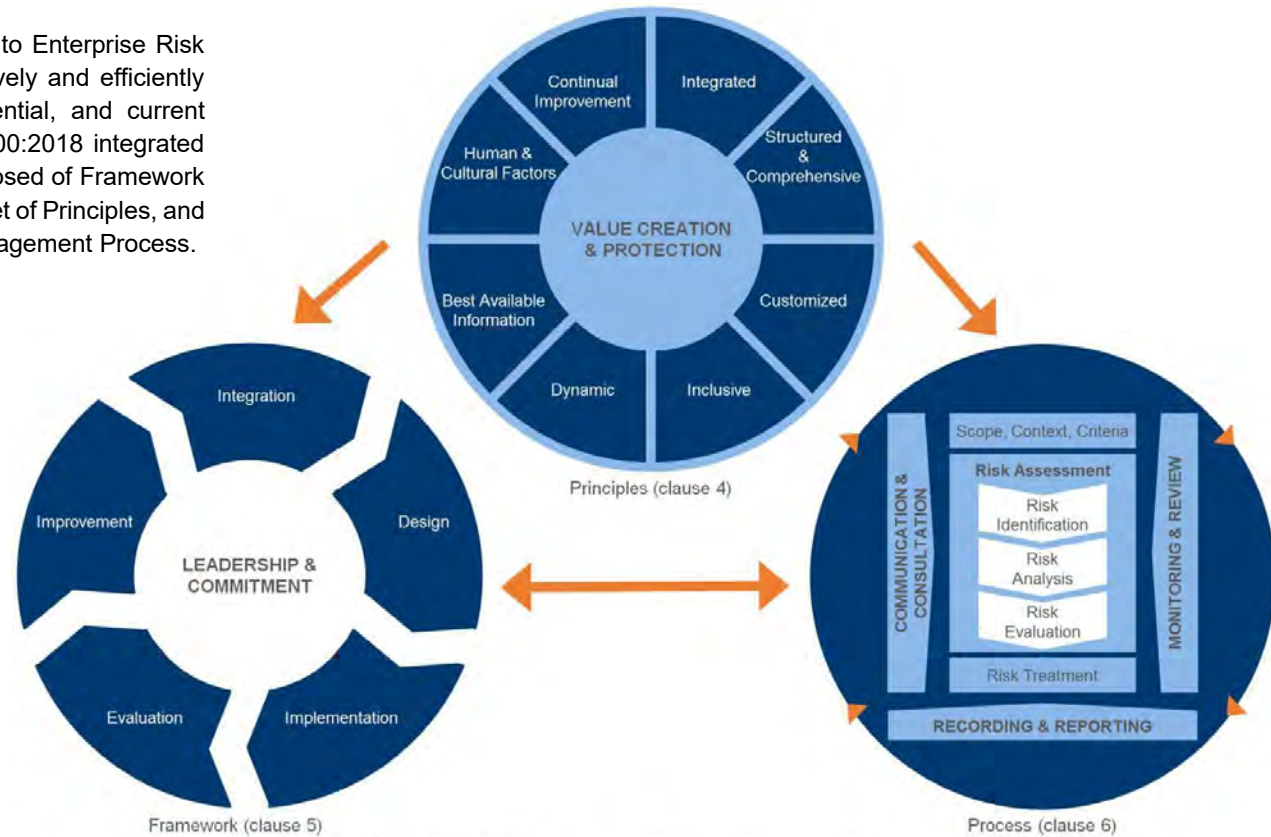
3. Accountabilities and Responsibilities

Position	Accountabilities And Responsibilities
Mayor, Councillors or Administrator (Governing Body)	<ul style="list-style-type: none"> • In consultation with the Management Executive Team (ManEx) and Audit, Risk, and Improvement Committee (ARIC), the Council will: <ul style="list-style-type: none"> ○ Determine the Council's appetite for taking and/or retaining risk ○ Set the Council's strategy with consideration of the risk appetite and the threats and opportunities to the Council from that strategy. ○ Set the strategic goals required to achieve the strategy and clearly articulate the critical success factors in achieving those strategic goals. ○ Articulates, the strategic risks (threat and opportunity) to the Council from the objectives and strategy. • Require ManEx to actively manage strategic risks and report frequently on their status. • Recognise their responsibilities for making informed decisions that take into consideration the associated risks and opportunities. • Actively support the implementation of the ERM Policy and ERMP.
Audit, Risk and Improvement Committee (ARIC)	<ul style="list-style-type: none"> • Independent review and oversight of Council's governance, risk management and control activities. • Oversight of risk management at Council and the Internal Audit function • Requires the periodic review of Council's strategic and other significant operational and project risks to ensure appropriate risk treatment/controls have been implemented and maintain effectiveness.
Internal Audit	<ul style="list-style-type: none"> • Risk assurance to the ARIC and GM through execution of the annual internal audit plan.
General Manager	<ul style="list-style-type: none"> • Overall accountability for Council's management of its risks • Accountable for the establishment of the Enterprise Risk Management system in the Council and leads the conversation about risk – Council's chief 'Risk Champion' • Setting the tone, culture and expectations for risk management and governance activities, and assigns appropriate responsibilities to ManEx • Ensures adequacy of resources for risk management activities and sets appropriate delegations for risk management activities • Establishes performance measures for the strategic goals' critical success factors and drives the Council's Enterprise Risk Management objectives.
Management Executive Team	<ul style="list-style-type: none"> • Accountable for ownership and management of risks in their respective areas • Creates an environment where managing risk is an accepted and expected part of normal operations. • Accountable for the effective implementation and continual improvement of the ERMP. • Implements monitoring and management of relevant performance measures for strategic goal's critical success factors within their area of responsibility. • Ensures that strategic and significant risks are reported in accordance with the ERM reporting requirements. • Recommends recurrent and discretionary allocation of funding, for the purpose of managing risks identified as priority in accordance with the ERMP.

<p>Risk & Work Health Safety Officer</p>	<ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework
<p>Governance Officer</p>	<p>In the absence of the Risk & Work Health Safety Officer, and at other times as required:</p> <ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing, and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting risks to the Audit, Risk, and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> ○ provision of risk management advice and guidance to staff, and ○ maintenance of the risk management framework
<p>Department Managers</p>	<ul style="list-style-type: none"> • Accountable for managing risk within their area of responsibility, including monitoring, and managing measures for the strategic goals' critical success factors. • Ensures that employees and relevant stakeholders apply the appropriate risk management tools and templates in the correct manner. • Are responsible for providing assistance and advice to staff in relation to the management of risks but not taking on the responsibility of another individual. • Monitor the respective operational risk profile assessments, determine, and ensure implementation of control measures for risks identified, and escalate any significant risks to management in accordance with the risk management protocols. • Responsible Contract/Project Managers are to ensure risks associated with the engagement of contractors are appropriately identified and managed. • Responsible Contract/Project Managers are to ensure the responsibilities and accountabilities vested in the contractor are clearly documented and communicated to the Contractor.
<p>All Staff and Contractors</p>	<ul style="list-style-type: none"> • Applying sound risk management practices in accordance with Council policies and frameworks.

4. Risk Management Principles, Framework and Process

A whole of organisation approach to Enterprise Risk Management is required to effectively and efficiently manage Council's emerging, potential, and current risks. To do this the AS ISO 31000:2018 integrated model is used. This model is composed of Framework attributes that are influenced by a set of Principles, and both of which influence a Risk Management Process.



AS ISO 31000:2018, Figure 1 – Principles, framework and process

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5. Risk Management Principles

ERM is not a function or a department. It is a discipline that encapsulates the culture, capabilities, and practices which organisations integrate with strategy-setting, with the purpose of managing risk in order to create, preserve, and realise value¹. To do this AS ISO 31000:2018 advocates eight principles that provide guidance on the characteristics of effective and efficient risk management activities. These principles are:



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An explanation of each element of the Risk Management Principles is provided at Appendix A.

¹ COSO. *Enterprise Risk Management – Integrating with Strategy and Performance*. June 2017. P. 14

6. Risk Management Framework

The concept of a risk management framework is to facilitate the integration of risk into significant activities and functions of organisations. The framework does this by encompassing integration, design, implementation, evaluation, and improvement elements into its development, all with explicit commitment from the organisation’s leadership.

The practical application of these elements creates a risk management framework that consists of tangible artefacts such as policies, plans, procedures and risk appetite statements, and behavioural aspects such as organisational culture and understood appetites for taking risk.

The key component of the Risk Management Framework is Leadership and Commitment. Regarding this AS ISO 31000 specifically states that;

“Top management is accountable for managing risk while oversight bodies are accountable for overseeing risk management.”

Further to this statement, the Standard, in defining ‘Integration’ states, *“Determining risk management accountability and oversight roles within an organization are integral parts of the organization’s governance.”*



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Descriptions of the ISO 31000 risk management framework elements are provided at Appendix B.

7. Risk Management Process

The risk management process is a structured approach for the Council to identify, assess and respond to risk. The process adopted by Council to manage risks follows the process published in AS ISO 31000:2018 *Risk management – Guidelines*. This process can, and should, be applied at strategic, operational, program or project levels.



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The main elements of the risk management process are defined below. A deeper level explanation and pragmatic guidance on their application is also provided in the **CDSC Risk Management Procedure** document, which is a standalone document and part of the CDSC Enterprise Risk Management Framework.

Communication and Consultation

It is an essential part of the risk management process to develop and implement an effective framework to communicate and consult with all relevant stakeholders, internal and external as appropriate, at each stage of the risk management process and concerning the process as a whole. The level of communication and consultation will vary depending on the level of interest and or influence of that particular stakeholder individual or group.

Scope, Context and Criteria

This part of the process establishes the strategic, organisational and risk management context in which the rest of the process will take place. This includes the criteria against which risk will be evaluated, the risk appetite of the organisation and corrective actions for the different rating achieved in the assessment of the risks.

Risk Identification

This is the first, and arguably most critical, part of the Risk Assessment phase. Risk identification is the process of finding, recognising, and recording risks. *“Risk is the effect of uncertainty on objectives”*, it is therefore very important to distil the things that are identified down to only those things that may have a positive or negative impact on reaching organisational objectives.

At the risk identification stage, the organisation identifies what, why, and how things can arise, that may affect the organisation, as the basis for further analysis. This is done at both strategic and operational levels of the organisation.

Risk Analysis

This is the second part of the Risk Assessment phase and determines various characteristics of the identified risk. This part is where biases, perceptions, judgements, and opinions can have a strong influence – so caution should be used. Risk analysis is where the causes, impacts, consequences, likelihoods, and controls are identified. Both quantification and qualification methods can be used.

Risk Evaluation

In this final part of Risk Assessment, the evaluation of the analysed risks is used to support decision-making and is usually where the level of risk or ‘Risk Rating’ is derived. Evaluation involves comparing estimated levels of risk against the pre-established criteria. This enables risks to be ranked in order to identify the priorities for the management of these risks.

Risk Treatment

Selecting the most appropriate risk treatment option(s) involves balancing the potential benefits derived in relation to the achievement of the objectives against costs, effort, or disadvantages of implementation. This is an iterative process that involves formulating, planning, and implementing a

risk treatment, followed by assessing its effectiveness and deciding if any residual risk is acceptable. If the treatment is less effective than desired and/or the residual risk is not acceptable, then further treatment action will be required.

Awareness that a risk treatment can introduce additional risk is also required. There are multiple risk treatment options to select from, including:

- Avoid the risk by deciding not to start or continue an activity.
- Taking or increasing risk to pursue an opportunity.
- Removing the risk source.
- Developing or improving controls to change the likelihood or consequence.
- Sharing the risk through contracts or insurance.
- Retaining the risk by informed decision.

Monitoring and Review

Monitoring and review transcends all stages of the risk management process. It is integral to continuous improvement and establishes consistent review of the performance of the risk management system and outcomes from risk management activity. This stage is the most effective at flagging changes that might affect risk management performance or changes that facilitate new risks that will require assessment.

Recording and Reporting

The risk management process and its outcomes should be recorded and reported through appropriate mechanisms and governance structures of the organisation. This will ensure effective transparency of the risk management function, aid in decision-making of the organisation’s leadership and facilitate interaction with stakeholders.

8. Risk analysis and evaluation criteria

For ease of evaluation risks are grouped into categories. Any given risk may belong in one or more categories, however based on the context in which it is identified it should be grouped into whichever category is most suitable. The risk categories are also used to differentiate risks when assessing consequence.

The **CDSC Risk Categories** are:

❖ Financial	❖ Environmental
❖ People	❖ Reputation
❖ Workplace Health and Safety	❖ Information Technology
❖ Service Delivery	❖ Project Budget
❖ Compliance and Governance	❖ Project Timeframe

To effectively undertake risk analysis and risk evaluation, a set of criteria are required to ensure that all risks are assessed with the same tools and in the same way. The criteria for these two critical aspects of the risk management process are manifested as tables for assessing likelihood (probability of causes) and consequence (probability and magnitude of impacts), and through the use of a matrix that will provide a risk rating or level for a given risk. Additionally, processes for escalation of risks provide the required communication aspects for the next phase – Risk Treatment.

The use of the Likelihood and Consequence Tables is a part of a qualitative risk assessment process. Whilst quantification is possible when assessing risks, CDSC has chosen to remain with a predominantly qualification-based process until Council risk management maturity is in a better position to effectively take advantage of quantification tools.

8.1. CDSC Consequence and Likelihood Tables

Consequence and Likelihood can be determined against set criteria known as 'descriptors', which provide a five-level nominal scale for each risk category. Whilst likelihood descriptors are static across categories, the consequence descriptors can vary based on the category of risk being analysed. Table 1, below, is the Consequence Table for CDSC and provides descriptors at each level of consequence for each risk category.

Table 1 – CDSC Consequence Table

Category	Insignificant	Minor	Moderate	Major	Severe
Financial <i>(including economic risk)</i>	<ul style="list-style-type: none"> Negligible adverse impact < 2.5% of annual budget no expected impact on program or business operation 	<ul style="list-style-type: none"> Minor adverse impact 2.5% to <10% of annual budget minimal expected impact on program or business operation 	<ul style="list-style-type: none"> Moderate adverse impact 10% to < 20% of annual budget considerable expected impact on program or business operation 	<ul style="list-style-type: none"> Major adverse impact 20% to < 25% of annual budget large, expected impact on program or business operation 	<ul style="list-style-type: none"> Extensive adverse impact 25% or more of annual budget loss of program or business operation
	None to minimal adverse impact or inconvenience to single business operation	Minor and inconvenient adverse impact to a group of business operations in one sector or locally within the region	Moderate adverse impact to a group of business operations in one sector or locally within the region	Major adverse impact to a smaller industry or a whole sector of the region	Severe adverse impact to at least one major industry (e.g. Tourism, Agriculture, Education, Construction, Manufacturing, Retail, Fishing etc.) within the region are severely threatened
People <i>(including Community and Stakeholders)</i>	Staff issues cause negligible impact of day-to-day service delivery	Staff issues cause several days interruption of day-to-day service delivery	Staff issues cause failure to service delivery; up to 1 week	Staff issues cause failure to service delivery; 1 to 4 weeks	Staff issues cause continuing failure to deliver essential services; in excess of 1 month
	None to minimal complaints; primarily acceptance and approval exists	Some inconvenience to the community	Considerable disruption or inconvenience to sectors of the community and negative press coverage	Public protests and dislocation. Potential for significant psychological or physical harm to sectors of the community. Damage to relationships and loss of support	Reasonable expectation for civil commotion, protests and/or rioting

Category	Insignificant	Minor	Moderate	Major	Severe
WH&S	<ul style="list-style-type: none"> No reasonable expectation of injury No loss of time 	<ul style="list-style-type: none"> Reasonable expectation for first-aid or minor medical treatment only Minor loss of time. 	<ul style="list-style-type: none"> Reasonable potential for significant injury involving medical treatment or hospitalisation Moderate loss of time 	<ul style="list-style-type: none"> Reasonable potential for serious injury or illness Long-term loss of time 	<ul style="list-style-type: none"> Reasonable potential for fatality, permanent disability, or disease Very long-term loss of time
Service Delivery	<ul style="list-style-type: none"> Negligible expected adverse impact on service delivery Potential brief service interruption 	<ul style="list-style-type: none"> Temporary and recoverable failure of one Council service causing intermittent service interruption up to 24 hours 	<ul style="list-style-type: none"> Temporary and recoverable failure of one or more Council services causing intermittent service interruption >24 hours to 1 week 	<ul style="list-style-type: none"> Failure of more than one Council service causing lengthy service interruption >24 hours to 1 week 	<ul style="list-style-type: none"> Continuing failure of Council to deliver essential services Removal of key revenue generation services Substantial loss of operating capacity for a period of a greater than 1 week
Compliance Governance <i>(including Legislative or Regulatory Risk)</i>	<ul style="list-style-type: none"> Isolated non-compliance or breach Minimal failure of internal controls managed by normal operations Negligible financial impact 	<ul style="list-style-type: none"> Contained non-compliance or breach with short-term significance Minor financial impact Minor impact on normal operations 	<ul style="list-style-type: none"> Serious breach involving statutory authorities or investigation Significant failure of internal controls Prosecution possible with significant financial impact 	<ul style="list-style-type: none"> Major breach with fines and litigation Critical failure of internal controls Long-term significance and major financial impact 	<ul style="list-style-type: none"> Extensive breach involving multiple individuals Extensive fines and litigation with possible class action Viability of program, service or organisation threatened
	<ul style="list-style-type: none"> Insignificant breach with no fine or litigation No OLG involvement Insignificant impact from legislation or regulations 	<ul style="list-style-type: none"> Minor breach with no fine or litigation OLG notified Minor impact from legislation or regulations 	<ul style="list-style-type: none"> Serious breach with possible fine or litigation OLG notified with potential deeper involvement Moderate impact from legislation or regulations 	<ul style="list-style-type: none"> Major breach with fine or litigation OLG involvement; Administrator may be appointed; Major impact from legislation or regulations 	<ul style="list-style-type: none"> Extensive breaches with fines and litigation OLG review of organisation Administrator appointed Severe impact from legislation or regulations

Category	Insignificant	Minor	Moderate	Major	Severe
Environmental <i>(Natural and Built Environments)</i>	<ul style="list-style-type: none"> Minimal physical or environmental impact Isolated hazard only Dealt with through normal operations 	Minor physical or environmental impact, hazards immediately controlled with local resources	<ul style="list-style-type: none"> Significant physical or environmental impact Hazards contained with assistance of external resources 	<ul style="list-style-type: none"> Major physical or environmental impact; Hazard extending off-site External services required to manage 	<ul style="list-style-type: none"> Extensive physical or environmental impact extending off-site Managed by external services Long-term remediation required
	<ul style="list-style-type: none"> Isolated or minimal loss Short-term impact repairable through normal operations facility still operational 	<ul style="list-style-type: none"> Minor loss with limited downtime Short-term impact Mostly repairable through normal operations 	<ul style="list-style-type: none"> Significant loss with temporary disruption of key facility and services Medium-term impact on organisation 	<ul style="list-style-type: none"> Critical loss event requiring replacement of key property or infrastructure Medium to long-term impact on organisation 	<ul style="list-style-type: none"> Disaster with extensive loss of key assets and infrastructure with long term consequences Threat to viability of services or operation
Reputation	Isolated, internal, or minimal adverse attention or complaint	Heightened local community concern or criticism	Significant public criticism with or without media attention	Serious public or media outcry with broad media attention	<ul style="list-style-type: none"> Extensive public outcry potential national media attention
Information Technology	No measurable operational impact to organisation	<ul style="list-style-type: none"> Minor downtime or outage in single area of organisation Addressed with local management and resources 	<ul style="list-style-type: none"> Significant downtime or outage in multiple areas of organisation Substantial management required and local resources 	<ul style="list-style-type: none"> Loss of critical functions across multiple areas of organisation Long-term outage Extensive management required and extensive resources 	<ul style="list-style-type: none"> Extensive and total loss of functions across organisation Disaster management required
Project Budget	<ul style="list-style-type: none"> Negligible adverse impact < 2.5% of project budget No expected impact on project quality or timeline targets 	<ul style="list-style-type: none"> Minor adverse impact 2.5% to <10% of project budget Minimal expected impact on project quality or timeline targets 	<ul style="list-style-type: none"> Significant adverse impact 10% to < 20% of project budget Considerable expected impact on project quality or timeline targets 	<ul style="list-style-type: none"> Major adverse impact 20% to < 25% of project budget) Severe expected impact on project quality or timeline targets 	<ul style="list-style-type: none"> Extensive adverse impact 25% or more of project budget) Expected wind-up of project

Category	Insignificant	Minor	Moderate	Major	Severe
Project Timeframe	<ul style="list-style-type: none"> Negligible adverse impact < 2.5% on project timeframe No expected impact on project quality targets or budget 	<ul style="list-style-type: none"> Minor adverse impact 2.5% to <10% of project timeframe Minimal expected impact on project quality targets or budget 	<ul style="list-style-type: none"> Significant adverse impact 10% to < 20% of project timeframe Considerable expected impact on project quality targets or budget 	<ul style="list-style-type: none"> Major adverse impact 20% to < 25% of project timeframe) Severe expected impact on project quality targets or budget 	<ul style="list-style-type: none"> Extensive adverse impact 25% or more of project timeframe Expected wind-up of project

Table 2, below, provides the likelihood descriptors for CDSC. These descriptors are provided on a five-level nominal scale and are the same for all risk categories.

Table 2 – CDSC Likelihood Table

Likelihood	Estimated Probability	Description
Almost Certain	80% or more	A Risk Event is <u>expected to occur</u> during normal operations
Likely	60% - <80%	<u>Will likely occur</u> at some stage during normal operations
Plausible	35% - <60%	Not generally expected to occur but <u>may occur</u> under specific circumstances
Unlikely	10% - <35%	<ul style="list-style-type: none"> Conceivable but <u>not likely to occur</u> under normal operations little evidence of previous events
Rare	<10%	<ul style="list-style-type: none"> Only ever <u>occurs under exceptional circumstances</u> No known evidence of previous events

8.2 CDSC Risk Matrix

Once the likelihood and consequence of any given risk has been analysed the risk itself will need to be prioritised for further mitigating action or ongoing monitoring. In order to enable the best use of resources, risks are rated as Low, Medium, High or Very High through the mapping of likelihood and consequence values on a risk matrix. The structure of the matrix provides a rating for the given risk. Table 3 contains the CDSC Risk Matrix and the **CDSC Risk Management Procedure** document provides a step-by-step guide on its use.

Table 3 – CDSC Risk Matrix

	CONSEQUENCES				
LIKELIHOOD	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Medium 11	High 16	High 20	Very High 23	Very High 25
Likely	Medium 7	Medium 12	High 17	High 21	Very High 24
Plausible	Low 4	Medium 8	Medium 13	High 18	High 22
Unlikely	Low 2	Low 5	Medium 9	Medium 14	High 19
Rare	Low 1	Low 3	Low 6	Medium 10	Medium 15

8.3 Risk Assessment for Opportunities

Most dictionary definitions state that risks are the potential for undesirable outcomes. However, there is also the risk that outcomes may occur that are beyond objectives, for example ‘a major project finishes early or is under budget’ or ‘external circumstances lead to major improvements in reputation’. Instead of calling these ‘risks’ they are often referred to as ‘Opportunities’ or sometimes ‘Rewards’. It is a worthwhile exercise to use the Risk

Assessment process to determine what Opportunities exist and how best to cost effectively facilitate them.

The risk assessment process outlined above can be used for this exercise with a few notable differences in wording. Whilst the Risk Likelihood Table is equally useable for Risks or Opportunities, using the Risk Consequence Table for Opportunities can be challenging due to the ‘negative’ language. However, the table is useable for this purpose if the idea is maintained that the purpose is to determine how ‘good the risk is. One mental technique is to reverse the meaning of words such as ‘adverse’ and ‘loss’. The Opportunity Matrix is provided below in Table 4.

Table 4 – CDSC Opportunity Matrix

	Impact				
Chance	Insignificant	Minor	Moderate	Major	Excellent
Almost Certain	Medium 11	Good 16	Good 20	Very Good 23	Very Good 25
Likely	Medium 7	Medium 12	Good 17	Good 21	Very Good 24
Plausible	Low 4	Medium 8	Medium 13	Good 18	Good 22
Unlikely	Low 2	Low 5	Medium 9	Medium 14	Good 19
Rare	Low 1	Low 3	Low 6	Medium 10	Medium 15

8.4 Actions required for different risk ratings

The analysis and evaluation processes include an initial process that assesses the likelihood and consequence of a risk with no mitigating Controls in place, which provides a raw understanding of the risk and results in an Inherent Risk Rating. Once mitigating Controls are in place, a second risk assessment process will provide a Residual Risk Rating, normally resulting in a lower risk rating.

A key part of the Risk Treatment process is to advocate different actions when various risk ratings are determined. Table 5, below, provides general instructions to be followed in the event of each risk rating, for every risk.

Table 5 – Actions per risk rating for Residual Risk Ratings

Risk Level	Action Required	Monitoring Level
Very High	<ul style="list-style-type: none"> This risk level requires immediate actions for mitigation Risk Owner to develop specific Treatment Plans for immediate implementation to address both likelihood and consequence levels of the risk Risk Owner to create a Risk Exception Report and send immediately to the Executive Management Team via regular management channels ManEx to allocate actions and budget for implementation within one month of notification Include in normal Risk Profile Reports 	<ul style="list-style-type: none"> Regular agenda item for Audit, Risk & Improvement Committee Fortnightly agenda item for ManEx Daily monitoring of controls and treatments by the Risk Owner
High	<ul style="list-style-type: none"> Risk Owner to develop and implement a specific Treatment Plan for high risks ManEx to allocate actions and budget to minimise risk for High Risks over 2 months old Risk Owner to report to Senior Management within one month Include in normal Risk Profile Reports 	<ul style="list-style-type: none"> Regular agenda item for Audit, Risk & Improvement Committee for High Risks over 3 months old Fortnightly agenda item for ManEx for High Risks over 2 months old Weekly monitoring of controls and treatments by Risk Owner
Medium	<ul style="list-style-type: none"> Risk Owner to develop and implement a specific Treatment Plan for Medium risks <u>that are above their Target rating</u> Risk Owner to report to Senior Management within the quarter for Medium Risks <u>that are above their Target Rating</u> Senior Manager to allocate actions and budget to minimise risk where existing controls deemed inadequate and monitor Treatment Plan implementation Include in normal Risk Profile Reports. 	<ul style="list-style-type: none"> Senior Management to receive quarterly Risk Profile Report that highlights Medium Risks that exceed their Target Rating Weekly monitoring of controls by Risk Owner
Low	<ul style="list-style-type: none"> Risk Owner to monitor low rated risks and test controls periodically Risk Owner to ensure the risk and controls are managed via routine procedures where possible Include in normal Risk Profile Reports 	<ul style="list-style-type: none"> Weekly monitoring of controls by Risk Owner

Note: If a risk review changes the rating of a risk by more than one level, up or down (*i.e. Low to High or Very High to Medium*), create a CDSC Risk Exception Report and treat, for reporting purposes, as per a Very High Risk. A template for the Risk Exception Report is at Appendix D.

9. Risk recording, review, and reporting

Effective management of risk within any organisation depends on good communication and the effectiveness of its reporting mechanisms, recording processes, risk review protocols.

9.1 Risk recording at CDSC

Risks are recorded after a risk assessment process has been undertaken. All CDSC Risks are to be recorded in the **Master Risk Register** by the **Risk and Work Health Safety Officer (RWHSO)** or their delegate.

All projects are to have their own separate risk register which are periodically copied to additional dedicated tabs in the Master Risk Register. In doing this, at any given time, the entire Risk Profile of the Council is available in one document. In addition to their separate risk registers, each project should also have an assessed risk within the Master Risk Register that covers the risk of project failure, risk of non-completion, and any risks that the project's completion will introduce to the Council.

9.2 The Master Risk Register

To effectively understand all the risks that CDSC has (the Risk Profile), it is imperative that an accurate, up to date and relevant register of risks is kept. This is the Master Risk Register, which in order to maintain its integrity must only be updated by the *Risk and Work Health Safety Officer* or their delegate.

However, the Register must also be visible to all Executives and Risk Owners.

9.3 When to enter a risk in the Master Risk Register

When a staff member identifies a risk, whether through a risk workshop, interview with the RWHSO, Toolbox meeting, an incident, or any other method they should fill in the **CDSC Risk Identification Template** (Appendix E) and ensure that they have the following information before contacting the RWHSO:

- A description of the risk
- How might it disrupt CDSC Goals, Department Goals or Projects
- What are the potential causes of the risk
- What are the potential impacts from a risk event
- Any factors that might mitigate or control the risk
- Who should own the risk

The RWHSO will then liaise with the appropriate staff to analyse, evaluate, and record the risk in the Master Risk Register. If the risk is given a residual rating of Very High, it is immediately reported, via a CDSC Risk Exception Report to the ManEx, via the RWHSO's management line.

9.4 Risk review at CDSC

9.4.1 Quick Review

Risk Owners should conduct a 'quick review' of their risks on a weekly basis and report any required changes to the *Risk and Work Health Safety Officer* for recording in the Master Risk Register. The 'quick review' is a reminder exercise, which includes:

- Familiarising what risks the Risk Owner has,
- what the ratings of these risks are,
- what risks are on increased reporting:
 - Very High risks
 - High risks that are over 2 months old
 - Medium risks that have exceeded their Target Risk Ratings
 - Risks that have recently changed rating by more than one risk level,
- which controls require closer monitoring.

9.4.2 Semi-annual Review

All risks are to be fully reviewed on a 6-monthly basis jointly by the Risk Owner and the *Risk and Work Health Safety Officer*. These reviews will be scheduled by the RWHSO and are mandatory. The reviews will include:

- a review of each element of the risk recorded in the Master Risk Register,
- consideration of whether the circumstances surrounding the risk have changed,
- consideration of whether the operating environment has changed, and
- consideration of whether the risk still belongs in the Master Risk Register.

At the end of the review the staff undertaking it should feel satisfied that the risk is as up to date and accurate as it can be.

9.4 Risk reporting at CDSC

All risks need to be reported on a periodic basis to ensure that they are understood and being effectively managed. Table 6, below, provides details of the risk reporting regime that is required at CDSC.

Table 6 – CDSC Risk reporting regime

Risk Report	Purpose	Prepared by	Prepared for	Frequency
Risk Profile Report	Provides a snapshot of the Council's Risk Profile including a dashboard and rationale for actions and trends	Risk and Work Health Safety Officer Or Governance Officer	Management Executive Team	Monthly

Risk Report	Purpose	Prepared by	Prepared for	Frequency
Risk Exception Report	<p>Provides information on risks recently rated as Very High, High risks that have been High for greater than 3 months, or any risk that has recently changed rating by more than 1 risk level</p> <p><i>A Risk Exception Report Template is at Appendix D</i></p>	Risk Owner	Management Executive Team	As required
High Risk Report	Part of the Risk Profile reporting for the Audit, Risk & Improvement Committee, and it includes all risks rated High (for longer than 3 months) and Very High	Management Executive Team	Audit, Risk & Improvement Committee	Quarterly
Key Risk Indicator Report	Provides a dashboard of risk indicators which help understanding of some risk profiles and enhance decision-making capability	Risk and Work Health Safety Officer Or Governance Officer	Management Executive Team & Audit, Risk & Improvement Committee	Quarterly

10. Implementing the Enterprise Risk Management Plan

This Enterprise Risk Management Plan (ERMP), as a key component of the Enterprise Risk Management Framework (ERMF), provides the 'What' of risk management for CDSC – meaning that it describes what CDSC will do to manage its risks. However, to be an effective ERMF tool it must first be implemented to ensure that staff understand what CDSC does to management risk. To ensure that the Plan (and the broader ERMF) is implemented, CDSC will do the following:

- Provide annual Fundamental Risk Management Training for all Relevant staff
- Provide periodic presentations on the ERMF
- Provide a Communications Plan for the initial implementation and ongoing implementation of the ERMP

10.1 Risk Management Training

It is imperative that staff at the Council understand risk management and how it can be an effective tool for improving efficiency and avoiding foreseeable issues. As such, it is required that all staff at Supervisor level and above undergo annual face-to-face risk management training. Completion of this training should be a key component of staff annual professional development plans.

The training will cover the fundamental aspects of ERM and the risk management process, with a deeper level demonstration of simple analytical techniques.

The training will be co-ordinated by the Governance Team. It should take between one and two hours.

10.2 Periodic Presentations on the ERMF

The ERMF presentations are an important reminder of both the tangible and behavioural aspects of the ERMF, especially the role that organisational culture plays in the development of risk management maturity.

To be effective all documents that advocate certain actions and positions need to be read and understood by those people with responsibilities and accountabilities associated with the document/s. In order to ensure that the ERMF is read and understood, the RWHSO or their delegate will provide a presentation on the ERMF and how it integrates into CDSC strategic direction and operations.

These presentations will take approximately 1 hour and should be delivered annually, as a minimum.

11. Key Risk Indicators

Key Risk Indicators (KRI's) will be used to measure the performance of the organisations risk management activities and in the monitoring of risk exposures.

The KRI's will be reported to ManEx (at least on a quarterly basis) in assisting the Council to maximise Enterprise Risk Management outcomes.

- a. Integrity risk culture – number of fraud & corruption activities and the number of integrity related disciplinary matters handled and reported.
- b. The number and % of major (Very High and High) level of risks having had further treatment and the level of risk having been reduced to a lower residual level of risk.
- c. The number and % of operational service areas involved in the Enterprise Risk Management process.
- d. The number of insurance claims submitted to Council – and the areas to which the claims relate to.
- e. The number and \$ value of insurance claims paid by Council – and the areas to which the claims relate to.
- f. The number and % of staff trained/educated in Enterprise Risk Management related topics – includes annual risk management training.
- g. The risk maturity level of Council – level of awareness and understanding throughout the organisation of the Enterprise Risk Management Framework, Policy and associated processes and procedures. Normally to be undertaken bi-annually.

12. Continuous Improvement Review

As part of efforts to maintain a continuous improvement cycle, this plan will be reviewed every three years by the ManEx and reported to the Audit, Risk, and Improvement Committee to ensure that it continues to meet the requirements and its intent.

Review of this Plan and the broader Enterprise Risk Management Program may be conducted by using any or a combination of the following:

- Obtaining feedback from Managers/ supervisors;
- Surveying staff at all levels;
- Conducting random interviews of sections of council;
- The engagement of a consultant to conduct an external review and provide recommendations for a way forward. This may be done after 12-18mths or later in the implementation process or when the Council considers it would be useful to do so.

Other reviews should be conducted prior to the scheduled formal review if the need warrants it.

Appendix A – Risk Management Principles

Integrated

To be truly effective the management of risks should be a standardised and integrated component of day-to-day activities in the organisation.

Structured and comprehensive

An effective organisation will have a structured approach in the pursuit of its strategy and strategic objectives. ERM should be an integrated component of this structure, which will, if comprehensive enough, contribute to consistent and comparable results.

Customised

Understand the organisation's operating environment, inside and out. The risk management framework and process are customised and proportionate to the organisation's external and internal context related to its objectives.

Inclusive

Multiple relevant perspectives regarding risks and their management are a very effective method of combating the various inherent human biases. Therefore, appropriate, and timely involvement of stakeholders enables their knowledge, views, and perceptions to be considered. This results in improved awareness and informed risk management.

Dynamic

Risks can emerge, change, or disappear as an organisation's external and internal context changes. Risk management anticipates, detects, acknowledges, and responds to those changes and events in an appropriate and timely manner.

Best available information

The inputs to risk management can come from a variety of sources with varying levels of accuracy and relevance, and are based on historical and current information, as well as on anticipation of future outcomes. Effective risk management explicitly considers the timeliness, any biases, limitations, and uncertainties associated with such information. Additionally, an acknowledgement of information that is not known or complete is necessary.

Human and cultural factors

Human behaviour and culture significantly influence all aspects of risk management at each level and stage. As such awareness of human biases and an understanding of the desired culture is important at all organisational levels. The organisation defines the desired behaviours that characterise its desired culture, not the environment it operates in.

Continual improvement

Risk management is continually improved through learning and experience. The organisation should pursue this as standard operating procedure.

Appendix B – Risk Management Framework Elements

Leadership and commitment

Top management and oversight bodies provide explicit commitment to the integration of risk management into all activities of the organisation. Top management will be accountable for managing risk and ensuring that the organisation's risk profile is within acceptable limits. Whereas the oversight bodies are accountable for risk management as a function of the organisation and will set risk-aware strategic objectives and determine the acceptable limits for the risk profile.

Integration

Integrating risk management into an organisation is a dynamic and iterative process and should be customised to the organization's needs and culture. Risk management should be a part of, and not separate from, the organisational purpose, core values, governance, leadership and commitment, strategy, objectives, and operations.

Design

This facet represents the opportunity for the organisation to embed elements of its culture and core values into the framework and make the framework relevant for all stakeholders. In designing the framework, with a thorough understanding of the organisation's internal and external operating environment (context), the organisation should clearly articulate its commitment to risk management. It can assign responsibilities, roles, authorities, and accountabilities, and then make the risk management framework relevant to staff by allocating dedicated or delegated resources to fulfil these responsibilities and establish appropriate communication and consultation protocols.

Implementation

The allocation of appropriate resources is the key element to successful implementation of an effective enterprise risk management function in the organisation. Successful implementation requires the engagement of stakeholders to enable the organisation to explicitly address uncertainty in decision-making and strategy formulation.

Evaluation

Like all other aspects of the organisation the risk management framework should not be developed or exist in isolation. It must be periodically tested against its purpose, implementation, plans, indicators and expected behaviour, to determine whether it remains suitable in its role of supporting the achievement of organisational objectives.

Improvement

A culture of constant vigilance regarding the quality of risk management and the effectiveness of the framework is essential to maintain the required flexibility when unexpected changes occur. Such a culture will also embed a continual improvement mindset within the organisation.

Appendix C - Glossary of Terms

Term	Definition
Cause	A circumstance, thing or event that may lead to an identified Risk Event
Consequence	Outcome of a risk event affecting objectives – one part of a Risk Rating
Enterprise Risk Management	Risk management is the culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects that may occur within an organisation. The word 'Enterprise' denotes that the program will include the whole organisation; therefore, all risks within all areas of an organisation's operation will be included.
Enterprise Risk Management Framework	A set of components that provide the foundations, framework, and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation. It will also indicate how risk management will be integrated within/across the organisation.
Enterprise Risk Management Plan	Element of the Risk Management Framework documents - The ERMP details what CDSC will do to manage risk, including the criteria that it uses, the roles and responsibilities of specific staff, the tools that will be used and the process that will be used
Enterprise Risk Management Policy	Element of the Risk Management Framework documents – The ERM Policy details why CDSC manages risk. It affirms Council's commitment to risk management and reflects the value it places on the management of risk throughout the organisation.
Enterprise Risk Management Process	The systematic application of management policies, procedures, and practices to the activities of communicating, consulting, establishing the context, identifying, analysing, evaluating, treating, monitoring, and reviewing risk.
Enterprise Risk Management Procedure	Element of the Risk Management Framework documents – The ERM Procedure details how CDSC will undertake the risk management process.
Impact	A potential outcome from a Risk Event
Inherent Level of Risk	The true or real level of risk to the organisation. It is the level of risk prior to taking into consideration the treatment/controls that are currently in place to address the risk.
Key Performance Indicators	Are used to measure the performance of the organisations risk management activities and in the monitoring of risk exposures.
Level of Risk	Is the level of risk (i.e. extreme, high medium or low) that is determined by utilising a risk matrix during a risk assessment process after taking into consideration the likelihood and consequence of a risk or opportunity event.
Likelihood	Chance or probability of a risk event occurring – one part of a Risk Rating
Operational Risk	Risks or opportunities that may impact on an organisations core operational activities. These are risks that the organisation may be exposed to or opportunities that may be available whilst undertaking the day-to-day operational services.
Project Risk	Risks or opportunities that could endanger or enhance the planned budget, outcome quality, timeframe, or goals of an approved project or one that is under consideration.
Residual Risk	The remaining level of risk after current risk treatment/control measures have been taken into consideration.
Risk or Risk Event	The effect of uncertainty on objectives. An effect is a deviation from the expected – positive and/or negative. Risk is a combination of the consequences of an event (including changes in circumstances or knowledge) and the associated likelihood of the occurrence.

Term	Definition
Risk Acceptance	An informed decision to accept the consequences and the likelihood of a particular risk.
Risk Analysis	A systematic use of available information to determine how often specified events may occur and the magnitude of their consequences.
Risk Appetite	The amount of risk an entity is willing to accept or retain in order to achieve its objectives. It is a statement or series of statements that describe the entity's attitude towards risk taking.
Risk Assessment	The overall process of risk analysis and risk evaluation.
Risk Attitude	The organisations approach to assess and eventually pursue, retain, take, or turn away from risk.
Risk Category	Refers to the type of risk or opportunity that exists within Council's operations e.g. Liability, financial, reputational, WHS, economic etc.
Risk Control	That part of risk management which involves the implementation of policies, standards, procedures, and physical changes to eliminate or minimise adverse risks or to ensure an opportunity is realised.
Risk Criteria/Context	Terms of reference against which the significance of a risk is identified and evaluated. Will include the defining of the internal and external parameters to be considered.
Risk Evaluation	The process used to determine risk management priorities by comparing the level of risk against predetermined standards, target risk levels or other criteria.
Risk Identification	The process of determining what can happen, why and how.
Risk Matrix	A matrix that is used during a risk assessment process. The matrix is used to determine the level of risk (extreme, high medium or low) after taking into consideration the likelihood and consequence of the risk or opportunity event.
Risk Oversight	The supervision of the risk management framework and associated risk management processes.
Risk Profile	A description of any set of identified risks. The set of risks can contain those that relate to the whole organisation, part of the organisation or as otherwise defined.
Risk Register	A register (electronic or manual) that records Council's enterprise risk profile data whether it be Strategic, Project or Operational risks.
Risk Tolerance	The levels of risk taking that are acceptable in order to achieve a specific objective or manage a category of risk.
Risk Treatment	Is a risk modification process. It involves selecting and implementing one or more treatment options. Once a treatment has been implemented, it becomes a control, or it modifies existing controls.
Strategic Risk	Risks or opportunities that may impact on the Council's direction, external environment, and the achievement of its strategic plans. These risks or opportunities will inhibit or enhance Council's ability to achieve its corporate strategy and strategic objectives with the ultimate goal of creating and protecting community and stakeholder value.
Stakeholder	Person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity of the organisation.
Worker	Person who carries out work for Central Darling Shire Council, whether paid or unpaid, or directly or indirectly engaged. Includes an employee, labour hire staff, volunteer, apprentice, work experience student, subcontractor, and contractor.

Appendix D – CDSC Risk Exception Report Template

Risk Exception Report Template						
What's this Report for	New Very High Risk <input type="radio"/>	New High Risk older than 2 months <input type="radio"/>	New High Risk older than 3 months <input type="radio"/>	Risk increased by 2 levels or more <input type="radio"/>	Department of Reporter	
Risk Owner				Date Risk Rated at current level		
Risk #.	Risk Name / Description	What changed to alter the risk rating? <i>Causes, consequences, controls etc.</i>	Is there a plan to mitigate the risk? <i>If yes, attach with report</i>	WHEN will the plan be implemented	Who will monitor the plan progress?	Monitoring frequency

Appendix E – CDSC Risk Identification Template for informing the RWHSO of the risk

CDSC Risk Identification Template			
Department of Reporter		Most likely Risk Owner	
Section of Reporter		Why will this person be the Risk Owner?	
Name of Reporter		Date risk identified	
Risk (What is it that might happen to prevent Council from achieving its goals)	What might cause a risk event? <i>Example list:</i> <ul style="list-style-type: none"> • <i>poor training</i> • <i>unqualified staff</i> • <i>wet weather</i> • <i>power loss</i> 	What might the impact of a risk event be? <i>Example list:</i> <ul style="list-style-type: none"> • <i>loss of revenue</i> • <i>community complaints</i> • <i>increased hazard</i> • <i>data breach</i> 	Control Measures (What controls exist or can be implemented to manage the situation?)



CONTROL OF ACCESS TO RESTRICTED LOCATIONS POLICY

Document Reference No:	PL007	Version:	1
Service Unit:	All Staff		
Author:	WHS/Risk Officer		
Responsible Director:	General Manager		
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TRIM			

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1 OVERVIEW

Central Darling Shire Council (CDSC) is responsible for ensuring the health and safety of all workers conducting work for Council and to ensure that the health and safety of other persons is not put at risk by the work being conducted.

In the workplace, workers are responsible for their own health and safety and for that of other persons, including being fit for work and being able to safely perform the inherent requirements and demands of their position or the work they were engaged to perform.

The policy describes how Central Darling Shire Council manages access to restricted locations in the workplace. It ensures that the legal and other obligations of the Work Health and Safety Act 2011 and Work Health and Safety Regulations 2017 are defined for managing the health and safety of all workers.

2 SCOPE

This policy applies to all personnel and visitors wishing to gain access to Central Darling Shire Council facilities and must be adhered to at all Central Darling Shire Council workplaces and other places where individuals covered by the policy may be working or representing Council. For example, when visiting a customer, client or supplier, field work, road work, and offices.

3 DEFINITIONS

Councillor Councillor refers to all elected representatives of Central Darling Shire Council as defined by the Local Government Act 1993. Councillors as a group direct and control Council's affairs, allocate resources, determine policy, and monitor Council's performance. As individuals, Councillors communicate Council Policy and decisions to the community, exercise community leadership and represent the views of residents and ratepayers to Council.

Council Workplaces are all workplaces where Council staff or contractors are expected to work. This extends to buildings, construction sites, parks, and reserves.

Staff A person who is directly employed by Council on a full time, part time, temporary, or casual basis.

4 RESPONSIBILITIES

General Manager: accepts overall responsibility for the effective management of workplace - health, safety, and welfare by endorsing and fully supporting the Control of Access to Restricted Locations Policy for all Council workers, contractors, volunteers, and visitors.

Directors/Managers: are accountable, within the scope of their authority, for ensuring that the objectives of this policy are integrated into work practices.

Workers: are responsible for ensuring that access to the council chambers, mayor's office remain securely locked during business hours except during business hours for meetings; to ensure that internal doors connecting staff spaces connected to public spaces remain closed at all times; and to ensure all internal depot gates are closed to limit the access to the depot during business hours.

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5 ACCESS

General Access: Central Darling Shire Council's access control strategy, operations and hardware are managed by the Customer Service Team to provide safety and security to people and assets.

The general principles in relation to access control systems and hardware are:

- Central Darling Shire Council facilities will be open and accessible to staff and members of the community where suitable, subject to the safety and security of people and assets.
- Access control points (locked doors) will be established within facilities based on consideration of operations, functions, and associated environments.

The following conditions or environments lead to an access control point:

- Staff spaces connected to public spaces, where staff and/or assets within the staff space are required to be protected.
- Spaces with plant/equipment that present a safety risk.
- Spaces where hazardous tasks are undertaken or that produce a hazardous environment.
- Spaces with a high confidentiality requirement.
- Spaces with easily removable attractive equipment (high theft risk)
- Spaces or infrastructure that are important to business continuity.
- Space under the control of external parties such as commercial tenancies.

No member of the public has access to any work areas; staff work areas or depot yards for their safety and confidentiality reasons, unless supervised by a Central Darling Shire Council staff member.

If a member of the public needs to meet with any staff member, this shall be done at reception or in a dedicated meeting room with the door closed, and not in shared spaces of the work area.

Contractors, consultants, and other government officials entering Council worksites will must always be supervised by a Central Darling Shire Council staff member.

All visitors are to sign in and out of the facilities via the visitor log.

Electronic access control is preferred to key access due to the benefits such as ease of management of access fobs, movement monitoring and flexibility of control.

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Councillor Access to Council Buildings: Councillors are entitled to have access to the council chambers, mayor's office (subject to availability), and public areas of Council's buildings during normal business hours for official business. Councillors requiring access to these facilities at other times must obtain approval from the General Manager.

Councillors must not enter staff-only areas of Council buildings without the approval of the General Manager.

Access to Council Depots: As part of Council's continuous improvements in Work Health and Safety and Public Safety, council has identified that community members accessing the Wilcannia, Menindee, White Cliffs and Ivanhoe Depot and Yard are potentially at risk from the operations conducted within the depot including the regular movement of plant and equipment. In an effort to ensure the safety of workers and contractors, Central Darling Shire Council have developed additional risk mitigation strategies that must be complied with by the public at all times for the Wilcannia Depot and yard, which are as follows:

1. During business hours the front gate is to remain opened to allow the public to have access to the depot office. The internal gate into the depot yard is to remain closed unless staff are entering and exiting. Contractors and Freight Services are not to have access through the internal gate unless accompanied by the Store Person.

2. Delivery and Pickup of freight – Delivery and Pick up of freight from the Wilcannia Depot is by prior arrangement with the Storeperson under the following conditions:

a. The minimum PPE requirements are for high visibility clothing or vest is to be worn and closed in footwear must also be worn at all times:

b. Comply with the 10km/h speed limit, enter, and exit in a safe manner and maintain vigilance especially for pedestrians and plant movement. Entry and Exit is via Front Gate located on Myers Street.

c. Parking is strictly limited to the stores area where the goods are being collected from.

3. When Visiting Council Staff - when visiting any council staff member, the visitor must not drive into the depot or yard areas. The visitor is to enter through the front door of the Administration Building only, sign in on the visitor register and will be attended to by council staff who will arrange for access to any specific staff member and / or Council areas. Under no circumstances are visitors to enter other areas of council premises such as, but not limited to the workshop or yard areas unless being escorted by council staff.

4. Other Council depots - Community members are strictly prohibited from accessing other council depots and storage yards in Ivanhoe, Menindee and White Cliffs unless escorted by an authorised council staff member. The layout of each of these Depots is such that one must pass through a gated area to enter the office to be escorted. Each of the Depots do not have a communication system at the gate. Menindee has two gates to enter the office. Ivanhoe has one gate some distance from the gate.)

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Access to Council Water Treatment Plants: As part of Council's continuous improvements in Work Health and Safety and Public Safety, council has identified that community members may have access to the Wilcannia, White Cliff and Ivanhoe Water Treatment Plants and are potentially at risk from the operations conducted within the treatment plants including the regular movement of plant and equipment. In an effort to ensure the safety of workers and contractors, council have developed additional risk mitigation strategies that must be complied with by the public at all times, which are as follows:

1. Gates are to be kept locked at all times.
2. All Contractors must be inducted and signed in and out of the Treatment Plants.
3. Comply with the 10km/h speed limit, enter, and exit in a safe manner and maintain vigilance especially for pedestrians and plant movement.
4. The minimum PPE requirements are for high visibility clothing or vest is to be worn and closed in footwear must also be worn at all times.

6 LEGISLATIVE REQUIREMENTS

General employer/worker obligations in relation to workplace occupational health and safety laws exist under

- *The Work Health and Safety Act 2011 (NSW), and*
- *The Work Health and Safety Regulations 2017 (NSW)*

7 RELATED POLICIES

- Payment of expenses and provision of facilities to the Administrator, Councillors and Mayor Policy
- Councillor and Staff Interaction
- Public Access to Council Meetings

8 REFERENCES

- *The Work Health and Safety Act 2011 (NSW)*
- *The Work Health and Safety Regulations 2017 (NSW)*

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DATA BREACH POLICY

Document Reference No:	GD/	Version:	One
Service Unit:	Customer Service		
Author:	Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	26 June 2024	Review Date:	
Minute No:			

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Data Breach Policy

Purpose

Central Darling Shire Council (CDSC) has adopted the Data Breach Policy to inform the public of our processes for identifying, responding to, and reporting data breaches of CDSC held information. This is required by the Information and Privacy Commissioner of NSW (IPC).

In accordance with the guidelines provided by the IPC, the Data Breach Policy includes:

- Examples of situations considered to constitute a data breach.
- Key steps involved in responding to a data breach.
- Considerations around notifying persons whose privacy may be affected by a data breach on a mandatory basis where required, or on a voluntary basis where warranted, to ensure CDSC responds appropriately.
- Assisting CDSC in avoiding or reducing possible harm to both the affected individuals and CDSC.

Application

The Data Breach Policy applies to all Council Officials and contractors of Central Darling Shire Council (CDSC), as they are responsible for:

- Using and preserving CDSC's systems and digital assets in a secure way.
- Familiarising themselves with CDSC's policies and standards and being aware of, and complying with, their responsibilities.
- Reporting incidents or suspected records security breaches to the General Manager or delegate.
- Considering what measures could be taken to prevent any recurrence.

Definitions

For the purposes of this policy:

Data Breach – a failure that has caused unauthorised access to, or inadvertent disclosure, access, modification, misuse or loss of, or interference with, confidential information held by CDSC.

Confidential Information - Information and data (including metadata) including Personal Information, Health Information, information protected under legal professional privilege, information covered by secrecy provisions under any legislation, commercial-in-confidence provisions, floor plans of significant buildings, Security Classified Information and information related to the CDSC's IT/cyber security systems.

Council Official – as defined by the Council Code of Conduct and including Councillors, members of staff, administrators, council committee members, delegates of council, volunteers, contractors, and council advisors.

Data Breach Review Team – appropriate members of the Management/Executive (ManEx) Group appointed by the General Manager according to the nature and circumstances of the breach.

Eligible Data Breach – where there is unauthorised access to or unauthorised disclosure of personal information, and a reasonable person would conclude that this would be likely to result in serious harm to an individual to whom the information relates.

Data Breach Policy

Health Information - A specific type of Personal Information which may include information about a person's physical or mental health or their disability. This includes, for example, medical certificates, information about medical appointments or test results.

Personal Information - Information or an opinion (including information or an opinion forming part of a database and in recorded form) about an individual whose identity is apparent or can be reasonably ascertained from the information or opinion. This includes, for example, their name, address, email address, phone number, date of birth or photographs.

Security Classified Information - Information and data (including metadata) that is marked as Protected, Secret, or Top Secret as per the Commonwealth Attorney Generals' Department's Protective Security Policy Framework.

Unauthorised access – examples include a Council Official browsing records without a legitimate purpose, and a computer network being compromised by an external hacker or social engineering fraud resulting in personal information being accessed without authority.

Provisions

CDSC has established a range of measures for managing data security. These include policies and procedures, projects to increase cyber security maturity, cyber security training and a records management framework. The risk of a data breach, which may involve a cyber-security incident, is identified in the Risk Register along with established controls to mitigate this risk and its impacts on CDSC systems, and individuals. The loss of ITC systems and responses are also included in CDSC's Business Continuity Plan.

CDSC will form a Data Breach Review Team, which has the role of investigating, responding to, and reporting on any known or notified Data Breach involving confidential information. A data breach may occur as the result of malicious action, systems failure, or human error. The General Manager will appoint team members from the ManEx Group according to the type of incident, to:

Contain the breach

Containing the Data Breach will be prioritized by CDSC. All necessary steps possible will be taken to contain the breach and minimize any resulting damage. This may include recovering or requesting deletion of the information, shutting down the system that has been breached, suspending the activity that led to the breach, and revoking or changing access codes or passwords.

Evaluate the associated risks

To determine what other steps are needed, an assessment of the type of information involved in the breach and the risks associated with the breach will be undertaken. Some types of information are more likely to cause harm if compromised. For example, financial account information, health information, and security classified information will be more significant than names and email addresses on a newsletter subscription list.

Release of case-related personal information will be treated very seriously, as combination of information will typically create a greater potential for harm than a single piece of data (for example, an address, date of birth and bank account details, if combined, could be used for identity theft).

Factors included in this assessment will be:

- Who is affected by the Data Breach?
- What was the cause?
- What is the foreseeable harm to the affected individuals?

Data Breach Policy

Consideration of notification

CDSC recognises that notification to individuals/organisations affected by a Data Breach can assist in mitigating any damage for those affected individuals/organisations. CDSC will also consider the impact of notification compared to any potential harm that may result from the breach, as there could be occasions where notification would be counter-productive – for example, notifying individuals about a privacy breach which is unlikely to result in an adverse outcome for the individual, may cause unnecessary anxiety and de-sensitise individuals to a significant privacy breach.

In situations when notification is required it should be done promptly to help to avoid or lessen any potential damage by enabling the individual/organisation to take steps to protect themselves. The method of notifying will depend on the type and scale of the breach, as well as immediate practical issues such as having contact details for the affected individuals/organisations.

CDSC will notify the IPC of a data breach in accordance with the IPC's guidelines, where personal information has been disclosed and there are risks to the privacy of individuals.

Preventing a Repeat

CDSC will investigate the circumstances of the breach to determine all relevant causes and consider what short or long-term measures could be taken to prevent any reoccurrence.

Preventative actions could include a:

- Security audit of both physical and technical security controls
- Review of policies and procedures
- Review of staff/contractor training practices
- Review of contractual obligations with service providers.

Roles and responsibilities

All Council Officials

- Immediately report any actual or suspected data breach by way of an incident report to the Risk & WHS Officer

Risk and WHS Officer

- Notify the General Manager and appropriate members of the Management Executive Group (ManEx) to form a Data Breach Review Team, according to the type of incident

Data Breach Review Team

- assemble promptly to review and respond to a data breach
- follow this policy when responding to a data breach
- consult with internal and external stakeholders as required
- review reports for each separate Data Breach incident.

Customer Services Manager

- take immediate action to contain and respond to security threats to CDSC's records and information technology systems, including notification to ITC/Cyber Security providers
- recommend longer-term steps to prevent a repeat
- ensure all records relating to data breaches are securely secured in CDSC's Electronic Document Management System

Data Breach Policy

Governance Officer

- undertake external notifications as needed, including mandatory eligible data breach notifications per legislation and to CDSC's insurers.

Legislation

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

Related Documents

External

IPC Data Breach Guidance for NSW Agencies (May 2023)

Office of Local Government Circular to Councils 24-06 / 29/05/2024 Privacy and the Mandatory Notification of Data Breach Scheme

Internal

Business Continuity Plan

Incident Reporting Procedure

Legislative Compliance Policy

Records Management Framework

Risk Management Framework

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.



Mandatory Notification of Data Breach Scheme: Guide to Preparing a Data Breach Policy

May 2023

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1 Introduction

Part 6A of the *Privacy and Personal Information Protection Act 1998* (NSW) (**PPIP Act**) establishes the NSW Mandatory Notification of Data Breach (**MNDB**) scheme.

The MNDB Scheme requires every NSW public sector agency bound by the PPIP Act to notify the Privacy Commissioner and affected individuals of eligible data breaches.

Under the scheme, public sector agencies are required to prepare and publish a Data Breach Policy (**DBP**) for managing such breaches.

This Guide to Preparing a Data Breach Policy (**Guide**) is designed to assist NSW public sector agencies to understand the type of information expected to be included in a DBP under the MNDB scheme. It sets out the Privacy Commissioner's expectations in relation to what agencies should consider and document in their DBPs, to ensure compliance with section 59ZC of the PPIP Act.

More comprehensive guidance about your obligations under the MNDB Scheme is available on the Information and Privacy Commission's (IPC) website.¹

1.1 Who should use this Guide?

All 'public sector agencies' as defined in section 3 of the PPIP Act are required to prepare and publish a DBP. This includes all NSW agencies and departments, statutory authorities, local councils, state-owned corporations, Ministers' offices, and some universities.

NSW public sector agencies should use this Guide to understand what should be included in a DBP.

1.2 How to use this Guide

This Guide is not prescriptive in nature and is not intended as a one-size-fits-all approach to managing data breaches. It is designed to be of general application to agencies of all sizes and in all sectors.

This Guide is not legal advice. It is published by the IPC to provide general information to help entities understand how to approach compliance with section 59ZD of the PPIP Act. Entities are encouraged to seek professional advice tailored to their own circumstances where required.

2 Background and terminology

2.1 What is an eligible data breach?

An 'eligible data breach' occurs where:

1. There is an unauthorised access to, or unauthorised disclosure of, personal information held by a public sector agency or there is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information, and
2. A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

Breaches can occur between agencies, within an agency and external to an agency.

The MNDB scheme applies to breaches of 'personal information' as defined in section 4 of the PPIP Act, meaning information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

¹ See - <https://www.ipc.nsw.gov.au/privacy/MNDB-scheme>.

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The scheme also applies to 'health information,' defined in section 6 of the *Health Records and Information Privacy Act 2002 (HRIP Act)*, covering personal information about an individual's physical or mental health, disability, and information connected to the provision of a health service.

The scheme does not apply to data breaches that do not involve personal information or health information, or to breaches that are not likely to result in serious harm to an individual. Where the scheme does not apply, agencies are not required to notify individuals or the Commissioner but should still take action to respond to the breach. Agencies may still provide voluntary notification to individuals where appropriate.

2.2 What is a DBP?

A DBP is a documented policy or plan setting out how an agency will respond to a data breach. Agencies are required to draft a DBP under section 59ZD of the PPIP Act. A DBP should establish the roles and responsibilities of agency staff in relation to managing a breach, and the steps the agency will follow when a breach occurs.

Agencies are required to ensure their DBP is publicly accessible.² In practice, this means agencies should publish their DBP on their website. Agencies should also consider including a link to the policy on their intranet or other central repository and should ensure staff know how to access the policy.

2.3 Why is a DBP necessary?

Depending on the size and nature of a data breach, the consequences for individuals can be significant. They can give rise to a range of actual or potential harm to individuals. These consequences can include financial fraud, identity theft, damage to reputation and even violence.

Data breaches can also have serious consequences for government agencies. A breach may create risk through the disclosure of sensitive information, or otherwise impact an agency's reputation, finances, interests, or operations. Ultimately, data breaches can lead to a loss of trust and confidence in an agency and the services it provides.

Responding quickly when a breach occurs can substantially reduce its impact on affected individuals, reduce the costs to agencies of dealing with a breach, and reduce the potential reputational damage that can result.

For these reasons, it is important that agencies have a documented and operationalised plan or framework for quickly and effectively responding to and managing data breaches.

2.4 Why must agencies publish their DBP?

Making a DBP publicly accessible enhances transparency and ensures agencies remain accountable for the way they respond to data breaches. It also enhances public trust and confidence in government and the services it provides.

2.5 What if an agency is also required to notify the Commonwealth regulator?

In some cases, agencies will have notification obligations under both the MNDB scheme and under the Commonwealth Notifiable Data Breach (**NDB**) scheme.

For example, a data breach at a NSW public sector agency that involves Tax File Numbers and is likely to result in serious harm would be reportable to both the Office of the Australian Information Commissioner (**OAIC**) under the Commonwealth NDB scheme, and the NSW Privacy Commissioner under the MNDB scheme.

² s59ZD(2).

The MNDB scheme has been designed to be consistent with and adopt, as far as possible, key features of the Commonwealth NDB scheme.³ For example, the MNDB scheme adopts the same thresholds for assessing and notifying data breaches so that agencies can meet both requirements with a single process.

3 What should be included in a DBP?

A DBP should outline an agency's overall strategy for managing data breaches from start to finish. Having a clear and well-defined DBP enables agencies to:

- prepare for, evaluate, respond to and report on data breaches at the appropriate level and in a timely fashion
- mitigate potential harm to affected individuals and the agency itself
- meet compliance obligations under the PPIP Act.

Agencies should include at least the following in their DBPs:

1. How the agency has prepared for a data breach.
2. A clear description of what constitutes a breach.
3. Strategy for containing, assessing, and managing eligible data breaches.
4. Roles and responsibilities of staff members.
5. Record keeping requirements.
6. Post-breach review and evaluation.

3.1 How the agency has prepared for a data breach

A DBP should provide a high-level outline of the steps that an agency has taken to prepare for a data breach, and how these fit within the agency's broader systems, policies and procedures (such as cyber response, broader incident or emergency management processes, communications strategies and risk management frameworks). The DBP should cover key controls, systems and processes that the agency has in place to promptly identify actual or suspected data breaches, and to ensure they are effectively managed.

3.1.1 Training and awareness

Most data breaches, both in Australia and internationally, involve a human element (e.g., either through direct human error or cyber-attacks that rely on a human compromise). Building a well-trained and aware workforce is a strong front-line defence against breaches and other privacy risks.

An agency's DBP should outline its approach to staff training and awareness, (e.g., by enhancing staff awareness of privacy and cyber principles and current threat trends), in addition to training and awareness around identifying, responding to and managing data breaches.

3.1.2 Processes for identifying and reporting breaches

The quicker an agency can detect a data breach, the better the chance that it may be contained, and potential harms mitigated through prompt action.

An agency's DBP should clearly state how an actual or suspected data breach can be reported by staff or contractors within the agency, but also by any member of the public outside the agency.

³ [Data breach preparation and response \(oaic.gov.au\)](https://www.oaic.gov.au/data-breach-preparation-and-response)

An agency's DBP could also outline the kinds of processes the agency has in place for identifying data breaches, though agencies should consider whether publishing details of specific controls places them at an additional risk. Other measures for identifying and preventing data breaches will depend on the size and sophistication of an agency and its security program, but could include:

- technical controls (such as Data Loss Prevention tools)
- monitoring services (such as dark web monitoring, or social media monitoring)
- audits and reviews
- staff training and awareness.

3.1.3 Appropriate provisions in contracts / other collaborations

Agencies are often required to outsource functions to external service providers or another agency (for example, for IT solutions). These relationships are usually covered by legally binding contracts, memorandums of understanding or non-disclosure agreements. To ensure agencies meet their obligations under the PPIP Act, these agreements often include provisions in relation to the management and notification of data breaches.

A DBP should outline the agency's approach to managing these collaborations and the contractual controls in place for ensuring external stakeholders comply with relevant privacy requirements. This could extend to third-party assurances made in relation to assisting the agency manage third-party data breaches (including in relation to notification and remediation).

3.1.4 Schedule for testing and updating the DBP

A DBP will only be effective if it is current, appropriately targeted and operationalised. As both the external threat environment, and agencies' internal makeup and functions, are continuously developing and changing, a DBP should be regularly reviewed to ensure it remains fit for purpose.

Agencies should develop a schedule for reviewing and updating their DBPs. This schedule should be set out in the DBP.

Regular testing of the data breach response process is the best way to ensure that all relevant staff understand their roles and responsibilities, and to check that the details of the response process (contact numbers, reporting lines, approval processes, etc.) are up to date. Testing the DBP could involve the development of a hypothetical or test incident and a review of the way agency personnel manage the event.

DBPs should be reviewed, tested and updated annually.

3.1.5 Alignment with other policies

Agencies should ensure that their DBP is aligned with existing policies, procedures, and capabilities. For example, an agency's DBP should align with their cyber security response plan and Privacy Management Plan, including cross references where relevant. If an agency has existing incident or crisis management processes, the DBP should be integrated into those processes as well.

Agencies should also ensure that their DBP is aligned to NSW government protocols on information security event reporting and incident response.

3.2 What a data breach is and how to identify one

To assist staff and others in identifying data breaches, a DBP should include a clear description of what a data breach is and how a data breach may occur. Consistent with the definition of 'eligible data breach' in section 59D of the PPIP Act, a DBP should note that a data breach may involve unauthorised access, unauthorised disclosure, or loss of personal information. A DBP should also be clear that each data breach should be assessed on a case-by-case basis and no template response can be applied in all cases.

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Further, a DBP could note that a data breach may be deliberate or accidental and may occur by a range of different means or channels, including but not limited to, loss or theft of physical devices, misconfiguration or over-provisioning of access to sensitive systems, inadvertent disclosure, social engineering or hacking.

Agencies should also consider contextualising what a data breach is most likely to look like for internal agency staff by providing agency-relevant examples or scenarios. For example, an agency that handles a large amount of health information could provide examples or scenarios touching on the actual ways that health information is collected, used, stored, and disclosed in practice, reflecting any known risk factors for that agency.

Providing context-specific examples focusing on real life events can help agency personnel more quickly identify a future breach or high-risk activities and processes that could lead to a breach. It can also help agency staff identify how a breach might impact the agency, its functions and the people whose information it handles.

3.3 Plan for managing data breaches

A DBP should outline the steps an agency will take to respond to a reported, suspected or confirmed data breach.

3.3.1 Plan to triage, contain, assess, notify, prevent

To help ensure responses to data breaches are easily and quickly put into action, the DBP should clearly outline the agency's process for:

1. Initial assessment and triage of breach reports.
2. Containing a breach or suspected breach to minimise the possible damage.
3. Assessing or evaluating the information involved in the breach and the risks associated with the breach to determine next steps and implementing any additional actions identified to mitigate risks.
4. Notifying individuals / organisations affected by the breach, and the Privacy Commissioner.
5. Post incident review and preventative efforts, based on the type and seriousness of the breach.

3.3.2 Strategies for managing supplier and/or partner agency breaches

The DBP should outline strategies for managing data breaches that may occur at business-critical suppliers or partners that affect agency data. This could include documenting key contacts and clarifying roles in relation to assessment, remediation, notification to affected individuals and reporting to the IPC.

3.3.3 Other obligations including external engagement or reporting

Agencies may be required by contract or by other laws or administrative arrangements to take specific steps in response to a data breach. These may include taking specific containment or remediation steps, or engaging with or notifying external stakeholders (in addition to the Privacy Commissioner), where a data breach occurs.

Depending on the circumstances of the data breach and the categories of data involved, agencies may need to notify or engage with:

- NSW Police Force
- Department of Customer Service
- Cyber Security NSW
- The Office of the Australian Information Commissioner
- Australian Federal Police

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- The Australian Taxation Office
- The Australian Digital Health Authority
- The Department of Health
- The Office of the Government Chief Information Security Officer
- The Australian Cyber Security Centre
- Any third-party organisations or agencies whose data may be affected
- Financial services providers
- Professional associations, regulatory bodies or insurers
- Foreign regulatory agencies.

An agency's DBP should outline the situations in which external notification or engagement is necessary and where there is a discretion, how that decision is made.

3.3.4 Clear communication strategy

The DBP should include a clear communication strategy that enables agency staff to quickly communicate with affected individuals and other stakeholders.

The strategy should outline:

- Responsibilities for implementing the communication strategy.
- How to determine when affected individuals or organisations must be notified.
- Key contacts for communications.
- How affected individuals will be contacted and managed.
- Responsibilities for consulting with external stakeholders.

3.3.5 Capability, expertise and resourcing

To be effective, the strategies outlined above must be able to be quickly and effectively implemented and actioned. However, this depends on having staff with the relevant skillsets available to deal with the breach. Where relevant, a DBP should outline the agency's strategy for ensuring:

- That it has access to requisite expertise and resourcing to respond effectively. This may involve engaging (in advance) an outsourced cyber incident response service provider.
- Where agency staff are called upon to assess a data breach or make an escalation decision, that those staff are trained and capable of adequately assessing the breach and its impact.

3.4 Roles and responsibilities

A DBP should establish clear roles and responsibilities for managing a data breach or suspected data breach, including:

- Clear guidance for agency heads, executive officers, privacy officers, staff and any other personnel of their roles and functions in relation to identifying, reporting and responding to a breach or suspected breach.
- The constitution of the response team, including:
 - The roles and functions within the team.

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- Subject matter expertise required in the team (this could include incident response specialists, legal, communications, cybersecurity, physical security, human resources, key agency operations staff, key outsourcing/relationship managers).
- Delineation of responsibility for dealing with relevant elements of a breach within that team.
- Escalation procedures for staff, including how to immediately report a suspected breach and when line managers can handle a breach.
- The circumstances in which a breach should be escalated to the response team (typically based on severity or the level of response required).
- Responsibility for:
 - Escalation decisions at each level.
 - Determining reporting obligations including notification to the IPC, affected individuals, external stakeholders or other bodies.
 - Maintaining, testing and updating the DBP.
 - Record keeping (see below).
 - Post-breach review and evaluation (see below).

3.5 Record-keeping

Agencies should maintain appropriate records to provide evidence of how suspected breaches are managed, including those not escalated to the response team or notified to the Privacy Commissioner. Tracking data breaches allows organisations to monitor, analyse and review the type and severity of suspected breaches along with the effectiveness of the response methods. This may help agencies to identify and remedy weaknesses in security or processes that are prone to error. Agencies' approach to this documentation should be included in the DBP.

The DBP should also outline who has responsibility for this record keeping and how an agency approaches their record keeping obligations under the PPIP Act to:

- Maintain and publish (on their website) a public notification register for any notifications given under section 59N(2).⁴
- Establish and maintain an internal register for eligible data breaches.⁵

3.6 Post-breach review and evaluation

Understanding what went wrong, how issues were addressed and whether changes were needed to processes and procedures following a breach will mitigate future risks and are key to ensuring agencies continue to proactively manage data breaches in line with regulator and community expectations.

Agencies' DBPs should include:

- A strategy to identify and remediate any processes or weaknesses in data handling that may have contributed to the breach.
- A post-response assessment of how the agency responded to the breach and the effectiveness of the DBP.

⁴ Section 59P

⁵ Section 59ZE

Annexure A

Data Breach Policy quick checklist

Agencies can use this checklist to confirm their DBPs addresses relevant issues in line with IPC expectations.

Information to be included	Yes/No	Comments
Steps the agency has taken to prepare for a data breach		
What a data breach is and how staff can identify one		
The agency's plan for containing, assessing, and managing data breaches		
Processes that outline when and how individuals are notified		
Processes for responding to incidents that involve another entity		
Circumstances in which external engagement, including with law enforcement, regulators (such as the Privacy Commissioner), or other third parties may be necessary		
Requirements under agreements with third parties such as insurance policies or service agreements		
A clear communication strategy		
Clear escalation procedures and reporting lines for suspected data breaches		
Members of the data breach response team, including roles, reporting lines and responsibilities		
Details of any relevant external expertise or resources and when they should be engaged		
A record-keeping policy to ensure that breaches are documented		
A schedule for regular review and testing of the DBP		
A review process for identifying and addressing any root causes that contributed to the breach		
A system for a post-breach review and assessment of the data breach response and the effectiveness of the data breach policy		

Guide to Preparing a Data Breach Policy

May 2023

Document information

Identifier/Title:	Guide to Preparing a Data Breach Policy
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Author:	Legal Counsel and Regulatory Advice
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Access to Information POLICY

Document Reference No:	GD24/7691 GF22/729	Version:	4
Service Unit:	Customer Services		
Author:	Records and Administration Officer Records Management Consultant		
Responsible Officer:	General Manager		
Authorisation Date:	26 June 2024	Review Date:	June 2026
Minute No:	xxx		

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Access to Information Policy

Purpose

The purpose of the Access to Information Policy at Central Darling Shire Council (CDSC) is subject to NSW legislation that requires the Council to be open and accountable in the exercise of its functions, and to handle personal and health information in a fair and reasonable manner. CDSC will seek to ensure that legitimate requests for access to information are handled promptly and that members of the public are able to access information, subject to the public interest.

In doing so CDSC recognises that it must take into account the privacy of others, legal and commercially sensitive information.

This policy sets out the documents and types of information that are available to members of the public as a matter of routine, and those that will not generally be available for inspection and copying. Where practicable, CDSC will deal with requests to inspect documents in accordance with the Government Information (Public Access) Act (GIPAA) free of charge, but a reasonable photocopying fee may be payable under the Act and for access to versions of documents that are neither current nor immediately preceding versions of the document and are not reasonably accessible. All charges are detailed in CDSC's Schedule of Fees and Charges.

There is a right of access under the GIPAA to certain documents held by CDSC unless there is an overriding public interest not to do so. Any applications under GIPAA will be processed in accordance with the Act's requirements and a determination made to release the documents or refuse access on the basis of the relevant considerations under that Act. Charges for formal applications are in accordance with the GIPAA Fees and Charges and include a \$30 application fee. In some circumstances processing charges may also be applied.

CDSC also may provide access to information under other legislation. Under the NSW Privacy and Personal Information Protection Act (PPIPA) 1998 and the NSW Health Records and Information Privacy Act (HRIPA) 2002, an individual also has a right to access and amend records held by Council which contain their personal details, matters related to their business affairs and any records containing information about their health. Where information about an individual is held in documents, files or systems that include information about other persons, any request should be made under the GIPAA. The Act provides for consultation with other affected parties prior to disclosure of information concerning their personal or business affairs.

Under the State Records Act 1998 CDSC is required to give an access direction (whether the records are open or closed) for all their records that are at least thirty (30) years old in what is described as the "open access period". Under the NSW Environmental Planning and Assessment (EPA) Act 1979 and Regulations 2000 there is a right to access Development Application registers and documents held by CDSC subject to restrictions set out in s.268(3).

Access to Information Policy

Application

CDSC publishes open access, or mandatory release, information on its website unless there is an overriding public interest against disclosure or do so would impose an unreasonable additional cost on CDSC. In respect of the latter the CDSC will make the information freely available in another format e.g., hard copy at the CDSC Administration Office. The open access information is:

- CDSC's policy documents.
- a publication guide with information about the CDSC's structure and functions and listing the type of information that is publicly available.
- a disclosure log of formal access applications where in CDSC's opinion the information released may be of interest to other members of the public.
- a register of contracts worth more than \$150,000 that CDSCs have with private sector bodies.
- a record of open access information that CDSC does not make publicly available on the basis of an overriding public interest against disclosure.

In addition, schedule 5 of the GIPA Act requires that certain documents held by CDSC, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents either on CDSC's website (unless there is an unreasonable additional cost to CDSC to publish these documents on the website) or at the offices of the CDSC during ordinary office hours or at any other place as determined by the CDSC. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

These documents are:

1. Information about CDSC

- The model code of conduct prescribed under section 440(1) of the Local Government Act
- CDSC's adopted Code of Conduct
- Code of Meeting Practice
- Annual Report
- Annual Financial Reports
- Auditor's Report
- Workforce Management Plan
- Equal Employment Opportunity Policy concerning the Payment of Expenses and Provision of Facilities to the Mayor and Councillors
- Annual Reports of Bodies Exercising Functions Delegated by CDSC (e.g., Section 355/377 Committees)
- Any Codes referred to in the Local Government Act
- Returns of the Interests of Councillors,
- Designated Persons and Delegates
- Agendas, Business Papers, and Minutes of CDSC/Committee meetings (except meetings that are closed to the public)
- Division of Local Government, NSW Department of Premier and Cabinet Representative Reports presented at a meeting of CDSC.
- Land Register
- Register of Investments
- Register of Delegations

Access to Information Policy

- Register of Graffiti removal works.
- Register of current Declarations of Disclosures of Political donations
- Register of Voting on Planning Matters

2. Plans and Policies

- Local Policies adopted by CDSC concerning approvals and orders.
- Plans of Management for Community Land
- Environmental Planning Instruments, Development Control Plans and Contribution Plans

3. Information about Development Applications

Development Applications and any associated documents received in relation to a proposed development, e.g.

- Home Warranty Insurance documents
- Construction Certificates
- Occupation Certificates
- Structural Certification Documents
- Town Planner Reports
- Submissions received on Development Applications
- Heritage Consultant Reports
- Tree Inspections Consultant Reports
- Acoustic Consultant Reports
- Land Contamination Consultant Reports
- Records of decisions on Development Applications including decisions on appeals
- Records describing the general nature of documents that CDSC decides to exclude from public view after application of public interest test considerations.

4. Approvals, Orders and Other Documents

- Applications for approvals under part 7 of the LGA
- Applications for approvals under any other Act and any associated documents received.
- Records of approvals granted or refused, any variation from CDSC Policies with reasons for the variation, and decisions made on appeals concerning approvals.
- Orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA.
- Orders given under the Authority of any other Act.
- Records of Building Certificates under the Environmental Planning and Assessment Act 1979
- Plans of land proposed to be compulsorily acquired by CDSC.
- Compulsory Acquisition Notices
- Leases and Licenses for use of Public Land classified as Community Land

Copies of documents provided are given for information purposes only and are provided by CDSC to meet its requirements under relevant legislation. Copyright laws still apply to each document. The copyright-owner's consent is required for documents where copyright applies such as documents on development applications. This information would generally be available for inspection however may not be able to be copied.

In addition, from time-to-time CDSC will make as much other information as possible publicly available in an appropriate manner, including on their website. The information will be available free of charge or at the lowest reasonable cost. Such other information includes frequently requested information or information of public interest that has been released as a result of other requests.

Access to Information Policy

CDSC will endeavour to release other information in response to an informal request, subject to any reasonable conditions as CDSC thinks fit to impose. However, notwithstanding the lodgement of an informal application, CDSC may require a formal access application to be submitted where the information sought:

- is of a sensitive nature that requires careful weighing of the considerations in favour of and against disclosure, or
- contains personal or confidential information about a third party that requires consultation, or
- would involve an unreasonable amount of time and resources to produce.

Exemptions to Access

CDSC may refuse a request for information if there is an overriding public interest against disclosure or if searching for the requested information would require unreasonable and substantial diversion of the CDSC's resources.

CDSC will always explain to the applicant its reasons for applying an exemption. CDSC will not classify information as exempt unless there are clear reasons for doing so. Where documents contain exempt information, any remaining information contained within the requested document will be available under the Act.

In determining whether there is an overriding public interest against the disclosure of the information, CDSC will fully consider the Public Interest Test.

The GIPA Act provides an exhaustive list of public interest considerations against disclosure. These are the **only** considerations against disclosure that CDSC will consider in applying the public interest test.

Considerations are grouped under the following headings:

- responsible and effective government
- law enforcement and security
- individual rights, judicial processes, and natural justice
- business interests of agencies and other persons
- environment, culture, economy, and general matters
- secrecy provisions (in legislation other than those listed in Schedule 1)
- exempt documents under interstate Freedom of Information legislation.

In applying the public interest test, CDSC will **not** take into account:

- that disclosure might cause embarrassment to, or loss of confidence in, the CDSC.
- that any information disclosed might be misinterpreted or misunderstood by any person.

Access to Information Policy

CDSC will consider any submissions made by an applicant in relation to public interest considerations, as well as any factors personal to the applicant.

Under GIPAA there are 12 categories of information (eight of which appear to affect local government) for which there is a conclusive presumption of an overriding public interest against disclosure. These eight are:

1. Information subject to an overriding secrecy law (26 specifically named Acts)
2. Information subject to the direction or order of a court or other body with the power to receive evidence on oath.
3. Information subject to legal professional privilege
4. 'Excluded information' (judicial and prosecutorial information, information about complaints handling and investigative functions, competitive and market sensitive information and information in relation to specific functions of the Public Trustee)
5. Documents affecting law enforcement and public safety.
6. Specific information relating to transport safety.
7. Specific reports concerning the care and protection of children.
8. Specific information relating to Aboriginal and environmental heritage.

Generally, under GIPAA, CDSC must not publish and must refuse requests to disclose information in the above categories. Formal applications for 'excluded information' are invalid under the Act.

In dealing with informal applications CDSC will apply a similar decision-making framework.

Accessing Information and Making an application

The public may obtain access to information as follows:

- by searching the CDSC's website to see if it is already available
- by contacting CDSC and requesting the information. CDSC will advise whether the information requested:
 - is *open access*, or *mandatory release* information that is readily available and where and how to get the information.
 - should be made available as part of a *proactive release* of information.
 - can be disclosed through an *informal release*, for example where no third-party personal information is involved.
 - requires a *formal access application*, for example because consultation with a third party is required.

Access to Information Policy

To make an **informal request** for access to information under GIPA Act, CDSC may require the completion of an 'Informal Access to Information Request' form. No fee is required on application.

To make a **formal request** for access to information under GIPA Act, the 'Formal Access to Information' Request Form should be completed. The Formal Application fee is \$30.00 and processing charges may be applicable (there is no GST in relation to these charges). An acknowledgement of such application will be provided by CDSC within five working days.

If a fee for photocopies of documents provided under the GIPA Act is payable, it will be listed in CDSC's adopted Fees and Charges and is GST inclusive.

Time Limits

In respect of formal applications, CDSC will notify applicants of the decision on an application within 20 working days, unless the applicant agrees to extend the time. CDSC may also extend the time by up to 15 working days where consultation with a third party is required or if CDSC needs to retrieve records from archives.

If access is deferred by CDSC, then CDSC will notify the applicant and include the reason for deferral and the date on which the applicant will be given access. A decision to defer access is reviewable (see Rights of Review and Appeal). If CDSC does not decide the applicant's access application within the above timeframes, it is deemed 'refused'. CDSC will refund the application fee and the applicant may seek internal or external review (see Rights of Review and Appeal) of this refusal. This will not apply if an extension of time has been arranged or payment of an advance deposit is pending.

Rights of Review and Appeal

Where a member of the public is refused access under a formal application under GIPA Act, CDSC will provide details of the reasons for refusal to the member of the public in writing. An applicant who has been refused access by CDSC to information requested under a formal request for access to information under the GIPA Act has three options of review available.

1. Applicants can apply to CDSC for an **internal review**. This is review by someone more senior than the original decision maker and there is a \$40 fee. Applicants have 20 working days from receiving notice of a decision to ask for an internal review.
2. If an applicant is not satisfied with the internal review, or does not want one, they can ask for a **review by the Information Commissioner**. Applicants have eight weeks from being notified of a decision to ask for this review.
3. If an applicant is not satisfied with the decision of the Information Commissioner or the internal reviewer or if they do not want to take these options, they can **apply to the Administrative Decisions Tribunal (ADT)**. If the applicant has already had a review by the Information Commissioner, they have four weeks from notification of the decision to make this application. If they haven't had a review by the Information Commissioner, they have eight weeks from notification of the decision to make this application.

Access to Information Policy

It is noted that there are no rights of review in respect of informal applications, but the applicant may make a formal application at any time.

Responsibilities

This policy and associated business rules will be formally reviewed, on a two-yearly basis.

The success of the Policy relies on everyone recognising information as an asset of strategic, operational, and administrative value; and handling it in a manner that is transparent and accountable. Policies can specify tasks, but unless responsibility is assigned and individuals are held accountable for carrying them out, implementation will be ineffective.

The **General Manager** is responsible for:

- authorising and promulgating Council Instructions regarding records Management.
- promoting compliance with this policy.
- managing the Council's information governance and management frameworks, policies and practices, and provision of advice to staff.
- provides sufficient support and resources for ensuring the successful implementation of the policy and guidance.
- ensures that adequate guidance is produced to support Council staff, contractors and outsourced providers in understanding and implementing the policy.
- promoting compliance with the policy and procedures; and
- fostering a culture of information as an asset and best practice recordkeeping and information management within the Council.

The Director, Managers, and Supervisors shall be responsible for:

- ensuring that officers under their management are aware of their information management obligations; and
- supporting and fostering a culture of information as an asset.
- ensuring full and accurate records of decisions and agreed actions of the project are created and captured into the corporate recordkeeping system.
- ensuring that high risk and high value records and information are identified for protection from loss and disaster; and
- ensuring records and information management is considered and included in systems and processes used.
-

The Customer Service Manager shall be responsible for:

- advocating and fostering a culture of information as an asset and best practice recordkeeping and information management practices.
- approving Council's information management procedures and guidelines.
- approving strategies to support records management in Council; and
- preserving information of continuing value.

Access to Information Policy

- advocating and fostering a culture of information as an asset and best practice recordkeeping and information management practices.
- reviewing, developing, and updating records management policies, procedures.
- reviewing, developing, and implementing strategies to support records and information.
- providing advice on records and information management.
- encouraging the incorporation of policy directives into business unit work procedures.

The Records Management and Administration Officer shall be responsible for:

- advocating and fostering a culture of information as an asset best practice recordkeeping and information management practices.
- managing the archiving and disposal of records over time.
- maintaining, monitoring, and reviewing Council's recordkeeping program.
- providing support to CM10 users through effective service desk support arrangements.
- creating and maintaining recordkeeping procedures; and
- delivering recordkeeping and CM10 training, support, and advice to all staff.
- the information management monitoring and review program.

Customer Service Team shall be responsible for:

- for maintaining the technology for Council's business information systems, including maintaining appropriate system accessibility, security and back up.
- ensuring that any actions, such as removing data from systems, storage, or folders, are undertaken in accordance with this and other relevant policies; and
- Maintenance of the corporate recordkeeping and business systems, the servers where the metadata and data reside, and the network environment to enable access to the recordkeeping and business applications, ensuring that all records and information are reliable, available, and accessible to staff when required.

All Staff must ensure that they:

- understand their records management obligations and policies that relate to their role.
- support and build a culture that promotes information as an asset.
- make sure that the record they destroy is not an agreement, contract, or a legal document.
-

Provisions

To meet the obligations of the Access to Information policy, CDSC will abide by the fundamental principles of the GIPA Act and the State Records Act

Access to Information Policy

Legislation

Council's records management practices comply with relevant Acts and Regulations and standards relating to records management.

Legislation Includes:

- *State Records Act 1998* - (Reviewed 2004)– *(including standards and retention and disposal)*
- *Government Information (Public Access) Act 2009: 2022 – 2023 (GIPA)*
- *Privacy and Protection of Personal information Act 1998*
- *Evidence Act 1995*
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- Standard on Full and Accurate Records (Standard 7)
- Standard on Managing a Records Management Program (Standard 8)
- Standard on the Physical Storage of State Records
- *Standard on Recordkeeping in the Electronic Business Environment (Standard 4)*
- *Environment Protection Act*
- *Environmental Planning & Assessment Act*
- *Evidence Act 1995 (NSW)*
- *Fringe Benefits & Income Tax Assessment Act*
- *Insurance Act*
- *Local Government Act 1993*
- *Public Health Act & Regulations*
- *Public Sector Management Act 1988*
- *Roads Act & General Regulation*
- *Roads & Traffic Act*
- *State Emergency & Rescue Management Act*
- *Swimming Pools Act*

Access to Information Policy

Related Documents

- Records Management Framework
- Records Management Strategic Plan
- Access to Information Policy
- Internet and Email Policy
- Privacy Management Plan
- Bring Your Own Devices (BYOD) Policy
- Normal Administrative Practices (NAP)
- Workplace Surveillance Procedure – (which covers off on how information obtained through surveillance devices will be treated.)
- Workplace Privacy - Employee Information Procedure (*which outlines how employee records will be managed.*)

Monitoring and Review

This policy will be monitored and reviewed by the responsible person 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.



ACCESS TO INFORMATION POLICY

Policy | Governance

Policy Purpose Statement

To establish the principles that apply and Council's approach to, disclosure of information and rights of public access to documents.

Policy No:	GD19/17250	Version:	2
Service Unit:	Corporate Services		
Responsible Officer:	Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	XXX	Review Date:	09/2026
Minute No:	XXX		

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Access to Information Policy

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1 Background

1.1 Title of the Policy and Commencement Date

The Access to Information Policy takes effect from [XXX].

1.2 Purpose of the Policy

To establish the principles that apply and Council's approach to, disclosure of information and rights of public access to documents.

Council is subject to NSW legislation regarding disclosure of information, in particular the Local Government Act (LGA), the Government Information (Public Access) Act 2009 (GIPA Act) and the Environmental Planning and Assessment Act (EP&A Act). It also is subject to the NSW Privacy and Personal Information Protection Act (PPIPA) and Health Records Information Privacy Act (HRIPA) that establish standards for information handling practices for personal and health information.

The Commonwealth Copyright Act may apply in some circumstances to limit the copying of certain documents held by the Council.

2 Objective

2.1 Objectives and Coverage of the Policy

This policy prescribes the documents and types of information available to members of the public on a proactive basis, and those that will not generally be available.

This policy is intended to encourage and achieve compliance with the *Government Information (Public Access) Act 2009* (NSW).

3 Application

3.1 Application of this Policy

The Access to Information Policy applies to all public officials and any members of the public or elected representatives who wish to make an application to Council for the provision of information.

4 Definitions

For the purposes of this policy:

Access to Information Policy

Term	Meaning
GIPA	<i>Government Information (Public Access) Act 2009 (NSW)</i>
Information	Any information sought by members of the public or elected representatives involving an application to Council.

5 Principles/Body

5.1 Procedural Statement

Council will promote disclosure and dissemination of information about operations, plans and decisions, and information that promotes community advancement on its website wherever practicable, and will facilitate public access through this and other appropriate mediums.

Documents required by law to be available for public inspection will be posted on the website, unless internet access poses an unacceptable risk of interference with privacy through potential data gathering and matching techniques or unless to do so would impose unreasonable additional costs on Council.

Any person is entitled to have information about their place of residence suppressed from documents available for inspection where disclosure would endanger personal safety, or removed from any register available for public inspection in accordance with the PPIPA.

Other Council documents not posted on the website will be available for inspection unless disclosure on balance is contrary to the public interest.

Copying of some documents may be restricted where the Copyright Act imposes limitations.

Council's Guidelines on Access to Information (attached) list the types of documents available including public registers available for inspection.

The Guidelines also list the categories of documents not available because of legislative restrictions or because disclosure is likely to be contrary to the public interest. Documents of this kind include those that contain information about the personal affairs of other ratepayers, commercially sensitive information, or information which if disclosed would have an adverse effect on Council's law enforcement or other functions, such as the identifying particulars of complainants.

Inspection of Council documents which are specified as Open Access Information as outlined in Clause 18 of the GIPA Act, is free of charge, or on payment of reasonable copying charges. Fees for Formal Applications are outlined in the attached Guidelines.

Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests, or from performing other Council functions may be refused on



the grounds that such a diversion of resources is contrary to the public interest (Clause 60 GIPA Act).

Any member of the public may also lodge a formal application under the GIPA Act, which will be dealt with in accordance with the Act’s provisions. Formal applications will not be required where documents are otherwise available in accordance with this policy and associated guidelines.

Any individual also has a right to know what personal or health information Council holds about him or her, to access that information in accordance with the provisions of the PPIPA and the HRIPA, and to amend that information in certain circumstances.

6 Relevant Legislation

Copyright Act 1968 (Cth).

Environment Planning & Assessment Act 1979 (NSW).

Government Information (Public Access) 2009 (NSW).

Government Information (Public Access) Regulation 2009 (NSW).

Health Records and Information Privacy Act 2002 (NSW).

Local Government Act 1993 (NSW).

Privacy and Personal Information Protection Act 1998 (NSW).

7 Document Information

This policy is to be read in conjunction with Central Darling Shire Council Guidelines on Information Access.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
XXX	Councillors Access to Information and Interaction with Staff Policy
XXX	Privacy Management Plan

Table 7-1 – Related documents

Access to Information Policy

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the General Manager and Governance Officer.

9 Approval

As per cover sheet.

10 Monitoring

This policy will be monitored by the Governance Officer to ensure compliance.

11 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every four (4) years to ensure that it meets legislative requirements.

12 Last Review Date

September 2022.

13 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

14 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

15 Document History

The below table provides a summary of changes and amendments to this document.

Version.	Date Amended	Author	Comments (e.g. reasons for review)
2	September 2022	Governance Officer	<ul style="list-style-type: none"> Legislation update Updated policy template introduced



Appendix A - Guidelines

CENTRAL DARLING SHIRE COUNCIL GUIDELINES ON INFORMATION ACCESS

(To be read in conjunction with Council's Access to Information Policy)

Introduction

These guidelines set out the documents and types of information that are available to members of the public on a proactive basis, and those that will not generally be available for inspection and copying. These guidelines relate not only to written information, or information held within another format, such as within a computer system but also any information given out face to face, or via a telephone or email.

Council is committed to proactive dissemination of information about the conduct of its public functions and information that will assist community advancement.

Documents required to be available for public inspection as open access information will, where practicable, be made available on Council's website, unless to do so would impose unreasonable additional costs on Council.

Council will deal with informal requests to inspect other documents in accordance with the GIPA Act free of charge but charges may apply for photocopies, and for any additional services which go beyond the provision of access to identified documents.

The rights of access under the GIPA Act are the specified documents listed in Schedule 5 Government Information (Public Access) Regulation 2009 and to other documents held by the Council unless disclosure is, on balance, contrary to the public interest.

While any application will be considered on its merits Council may refuse access where:

- a) dealing with the application would require an unreasonable and substantial diversion of the Council's resources,
- b) the Council has already decided a previous application for the information concerned (or information that is substantially the same as that information) made by the applicant and there are no reasonable grounds for believing that the Council would make a different decision on the application, (clause 60)

Any applications will be processed in accordance with the Act's requirements and a decision made to provide access to the documents, or not to provide access based on public interest considerations of the GIPA Act. Charges for formal GIPA applications are set out in Council's Schedule of Fees and Charges.

An individual also has rights to access and amend the personal and health information held by Council about him or her under the PPIPA and the HRIPA. Where information about an individual is held in documents, files or systems that include information about other persons, any request should be made under the GIPA Act which provides for consultation with any other affected parties prior to the possible provision of access to information concerning their personal or business affairs.

Privacy Legislation and Access to Council Information and Documents

The privacy acts referred to above also apply to the collection, storage, use and disclosure of personal and health information by Council. The acts set out principles for the handling of this type of information.

Full details of the acts and Council's obligations are set out in the Privacy Management Plan.

It is not a breach of the privacy principles to disclose personal or health information where this is in accordance with the acts, (eg where disclosure is consistent with the purpose for which the information was collected, or where the person was aware that particular information is usually disclosed) or where another act or law requires, permits or contemplates disclosure.

Disclosure of documents required to be made available for public inspection by the GIPA Act, LGA, the EP&A Act or any other act, of disclosure under the GIPA Act is not contrary to privacy legislation.

Access to Information Policy

Where access to other documents is requested and a judgment needs to be made about whether disclosure, on balance, is contrary to the public interest, privacy may be a consideration if personal information about another person is involved. Relevant factors include the nature of the information, and the degree to which disclosure involves significant privacy issues, and any public interest that would be advanced by disclosure. Council may need to be able to explain considerations taken into account in deciding to disclose personal information to someone other than the person concerned.

Council Documents Available for Inspection

The following documents are available for inspection as required by Schedule 1 Government Information (Public Access) Regulation 2009 and can be accessed via Council's website or by contacting either Council's Right to Information Officer or Council's Customer Service Section on (08) 8083 8900.

1 Information about Council

- (1) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:
 - (a) the model code prescribed under section 440 (1) of the LGA and the code of conduct adopted under section 440 (3) of the LGA,
 - (b) code of meeting practice,
 - (c) annual report,
 - (d) annual financial reports,
 - (e) auditor's report,
 - (f) management plan,
 - (g) EEO management plan,
 - (h) policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors,
 - (i) annual reports of bodies exercising functions delegated by Council,
 - (j) any codes referred to in the LGA

- (2) Information contained in the following records:
 - (a) returns of the interests of councillors, designated persons and delegates,
 - (b) agendas and business papers for any meeting of Council or any committee of Council (but not including business papers for matters considered when part of a meeting is closed to the public),
 - (c) minutes of any meeting of Council or any committee of Council, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
 - (d) Departmental representative reports presented at a meeting of the local authority in accordance with section 433 of the LGA.

- (3) Information contained in the current version of the following records:
 - (a) land register,
 - (b) register of investments,
 - (c) register of delegations,
 - (d) register of graffiti removal work kept in accordance with section 13 of the Graffiti Control Act 2008,
 - (e) register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA,
 - (f) the register of voting on planning matters kept in accordance with section 375A of the LGA.

2 Plans and policies

Information contained in the current version and the most recent previous version of the following:

- (a) policies adopted by Council concerning approvals and orders,
- (b) plans of management for community land,
- (c) environmental planning instruments, development control plans and contributions plans made under the EP&A Act applying to land within the local authority's area.

3 Information about development applications

- (1) Information contained in the following records (whenever created):
 - (a) development applications (within the meaning of the EP&A Act) and any associated documents received in relation to a proposed development including the following:



- (i) home warranty insurance documents,
- (ii) construction certificates,
- (iii) occupation certificates,
- (iv) structural certification documents,
- (v) town planner reports,
- (vi) submissions received on development applications,
- (vii) heritage consultant reports,
- (viii) tree inspection consultant reports,
- (ix) acoustics consultant reports,
- (x) land contamination consultant reports,
- (b) records of decisions on development applications (including decisions made on appeal),
- (c) a record that describes the general nature of the documents that the council decides are excluded from the operation of this clause by subclause (2).

- (2) This clause does not apply to so much of the information referred to in subclause (1) (a) as consists of:
 - (a) the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - (b) commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret.
- (3) A council must keep the record referred to in subclause (1)(c).

4 Approvals, orders and other documents

Information contained in the following records (whenever created):

- (a) applications for approvals under Part 1 of Chapter 7 of the LGA and any associated documents received in relation to such an application,
- (b) applications for approvals under any other Act and any associated documents received in relation to such an application,
- (c) records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- (d) orders given under Part 2 of Chapter 7 of the LGA, and any reasons given under section 136 of the LGA,
- (e) orders given under the authority of any other Act,
- (f) records of building certificates under the EP&A Act,
- (g) plans of land proposed to be compulsorily acquired by the local authority,
- (h) compulsory acquisition notices,
- (i) leases and licences for use of public land classified as community land;
- (j) performance improvement orders issued to a council under Part 6 of Chapter 13 of the LGA.

Public Registers

In addition to registers mentioned above, Council maintains other registers which are required by law to be available for public inspection.

Where the public register contains personal or health information, Council is required to ensure that access by a member of the public is for a purpose consistent with the purpose for which the register exists. The Local Government Code of Practice issued under the PPIPA permits Council to provide access to such registers by way of inspection on Council premises and for the copying of an entry or page in the register without regard to the purpose of the person who seeks access.

Council reserves the right to seek to satisfy itself about the purpose of access and to require a statutory declaration from the person seeking access that personal information will only be used for a specified lawful purpose.

Access to Information Policy

In relation to the returns of interests of councillors, designated persons and delegates Council will maintain a record of the names of persons who access these documents.

Council maintains some registers which are not available for public inspection. Particular entries in these registers, for example from Council's Rates Record and the Register of Impounded Items required by the Impounding Act, are available to any person. In the case of an application for a certificate of an entry in the Rates Record under Section 603 of the LGA, a charge is payable.

Access to Other Documents Held by the Council

Other Council documents are available for inspection under the GIPA Act unless disclosure is, on balance, contrary to the public interest. Any application must be received in writing and will be processed promptly and within the agreed timeframe.

The request should specify the documents sought, with a reference to any time or date limitations. Any application will be considered on its merits and considered in the light of the obligation to make documents available unless public interest considerations favour the withholding of the document(s).

Information and Documents Not Usually Available

Information about the name of a property owner is in the public domain through internet access to the register maintained by the NSW Land and Property Information Service.

Council holds information about property ownership for the purpose of carrying out its functions. Council policy is not to make available information about the name of a property owner except in emergency circumstances or where the enquirer can establish a clear need to know. Council will not supply bulk property data to third parties for the purposes of direct marketing.

Documents listed below will not usually be available because they are excluded from the right to access by an express provision in the LGA, or Council has concluded that disclosure of such documents, or documents containing information of the kind indicated would, in the usual case, be contrary to the public interest.

Documents Not Available Because of Provisions in LGA

The following information will not be available:

- Papers submitted to Council for consideration in a closed session.
- Documents containing information about personnel matters concerning particular individuals, the personal hardship of any resident or rate payer, trade secrets or other sensitive commercial information, or where disclosure would found an action for breach of confidence.
- Documents that contain information, the release of which would constitute an offence against an Act.

Other Documents Not Available

- Documents or parts of documents which would reveal the identifying particulars of persons who provide information to Council in connection with its law enforcement and regulatory responsibilities, or who otherwise contact Council about matters of interest or concern, including complaints about other persons conduct or activities, and matters that require investigation by Council.
- Documents which reveal confidential communications between the Council and its legal advisers, or documents which have been prepared by Council officers or others for the dominant purpose of use in proposed or anticipated legal proceedings.
- Documents, the release of which are likely to endanger the life or safety of any person, or the security of any building or structure, or which would prejudice the conduct of a lawful investigation by Council or another authority.
- Documents concerning Council functions or operations where disclosure would have a prejudicial effect on Council's property or financial interests, or would otherwise have an adverse effect on its regulatory functions, or its capacity to operate in an efficient and effective manner.
- Council working documents prepared or received in connection with its decision making functions, prior to the making of a decision by Council, a committee of Council, or an officer exercising delegated authority.

It should be noted that access through verbal advice as to the content of documents listed above is also not available.

Large General Requests for Access to Documents

Broad, general requests for a large number of documents, for example all documents of a certain kind, or documents held on a number of different Council files, or which otherwise require a substantial



allocation of Council resources, may be refused after consideration of the public interest factors involved by Council's Public Officer/ Right to Information Officer. The Officer may, in the light of an assessment of the work involved in identifying, locating, collating and assessing a large number of Council documents, conclude that access should be refused on the grounds that the substantial diversion of Council resources necessary to deal with the application would, on balance, be contrary to the public interest. The Public Officer/Right to Information Officer shall, in reaching such a decision take into account the following:

- an assessment of the work and time involved in responding to the application.
- the extent to which the work involved in dealing with the request would result in Council resources being diverted from dealing with other access requests, or from other important functions.
- the nature of the documents requested and any public interests to be advanced by disclosure generally, or disclosure to the particular applicant. Council acknowledges there is a public interest in disclosure of documents about Council operations and the exercise of its functions, and in a particular applicant gaining access to documents where there is a strong and justifiable right to know.

However the right to access documents free of charge to an individual also requires consideration of the effect the processing of such an application may have on the rights of others, and on the efficient and effective use of Council resources in the interests of all ratepayers.

Refusal of Access

Where access to documents is refused under the GIPA Act, Council will advise the applicant in writing of the reasons for the decision. In the case of refusal on grounds that dealing with the request would involve the substantial diversion of Council resources, the Public Officer/Right to Information Officer will provide details to the applicant in writing, including an estimate of the time involved in responding to the application and consideration of the other factors mentioned in these guidelines however before doing so will give the applicant a reasonable opportunity to amend the application

Any applicant dissatisfied with Council's handling of a request for documents under GIPA Act may seek a review in accordance with Sections 82 - 88 of the GIPA Act and may also seek a review of reviewable decisions through either the Information Commissioner or the NSW Civil and Administrative Tribunal.

Copyright

Copyright issues may arise when requests are made for copies of documents held by the Council. The Commonwealth Copyright Act takes precedence over State legislation. Therefore the right to copy documents under the GIPA Act does not override the Copyright Act.

If Council commissions a report etc from a consultant it will be under the terms of the contract whether it can be copied.

Access to Information by Councillors and Administrators

The process for access to information by Councillors and Administrators is outlined in Part 7 of Council's Code of Conduct.

GIPA Act

Access to the GIPA Act is available from the website of the Office of the Information Commissioner of NSW at the following link:

http://www.informationcommissioner.nsw.gov.au/lawlink/oic/ll_oic.nsf/pages/information_commissioner_legislation

Access to Information Policy

• Access Application

Please complete this form to apply for formal access to government information under the Government Information (Public Access) Act 2009 ("GIPA Act"). Please forward to Right to Information Officer, Central Darling Shire Council PO Box 166 (or 21 Reid Street) Wilcannia NSW 2836. If you need help in filling out this form, please contact the Right to Information Officer on (08) 8083 8900 or visit our website at www.centraldarling.nsw.gov.au

Your details

Surname: Title: Mr / Ms

Other names:

Postal address:

Postcode:

Day-time telephone: Facsimile:

Email:

The questions below are optional and the information will only be used for the purposes of providing better service.

Place of birth: Main language spoken:

Aboriginal or Torres Strait Islander: Yes / No (circle one)

Do you have special needs for assistance with this application:

.....
.....
.....
.....

I agree to receive correspondence at the above email address.

Government information

Please describe the information you would like to access in enough detail to allow us to identify it.

Note: If you do not give enough details about the information, the Council may refuse to process your application.

.....
.....
.....
.....



.....

Are you seeking personal information? **Yes / No** (circle one)

Form of access

How do you wish to access the information?

- Inspect the document(s) A copy of the document(s)
- Access in another way (please specify)

Application Fee

I attach payment of the **\$30 application fee** by cash / cheque / money order (circle one).

(Note: please do NOT send cash by post)

Disclosure log

If the information sought is released to you and would be of interest to other members of the public, details about your application may be recorded in the agency's 'disclosure log'. This is published on the agency's website.

Do you object to this? **Yes / No** (circle one)

Discount in processing charges

If you are given access to the information sought, you may be asked to pay a charge for processing the application (\$30 / hour). Some applicants may be entitled to a 50% reduction in their processing charges. If you wish to apply for a discount, please indicate the reason:

Financial hardship – please attach supporting documentation (eg a pension or Centrelink card).

AND / OR

Special benefit to the public – please specify why below:

.....

Applicant's signature:

Date:



Central Darling Local Environmental Plan 2012 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

GRAHAM TOWERS

As delegate for the Minister for Planning and Public Spaces

Published LW 14 June 2024 (2024 No 210)

Central Darling Local Environmental Plan 2012 (Amendment No 5) [NSW]

Central Darling Local Environmental Plan 2012 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Central Darling Local Environmental Plan 2012 (Amendment No 5)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to the land referred to in this plan, Schedule 1.

Central Darling Local Environmental Plan 2012 (Amendment No 5) [NSW]
Schedule 1 Amendment of Central Darling Local Environmental Plan 2012

Schedule 1 Amendment of Central Darling Local Environmental Plan 2012

Schedule 4 Classification and reclassification of public land

Omit the table to Part 1. Insert instead—

Column 1 Locality	Column 2 Description
Balranald Road, Ivanhoe	Lot 40, DP 608816
12 Balranald Road, Ivanhoe	Lot 2, DP 27400
11 Behring Street, Ivanhoe	Lot 1, DP 89360
20 Behring Street, Ivanhoe	Lots 6 and 7, DP 30593
21 Behring Street, Ivanhoe	Lot 25, DP 754687
Cobb Highway, Ivanhoe	Lots 2, 4 and 5, DP 645636
40587 Cobb Highway, Ivanhoe	Lot 1, DP 815263
11 Columbus Street, Ivanhoe	Lot A, DP 105124
32 Columbus Street, Ivanhoe	Lot 32, DP 1287686
83 Columbus Street, Ivanhoe	Lot 15, DP 17774
39 Franklin Street, Ivanhoe	Lot 10, Section 19, DP 758537
34 John Street, Ivanhoe	Lot 3, DP 25778
35–37 John Street, Ivanhoe	Lots 6 and 7, DP 29640
62 John Street, Ivanhoe	Lot 11, DP 25210
66 John Street, Ivanhoe	Lot 9, DP 25210
55 Livingston Street, Ivanhoe	Lot 8, Section 8, DP 758537
43 Raleigh Street, Ivanhoe	Lot 7, Section 15, DP 758537
11 Chandilla Street, Menindee	Lot 5, Section 10, DP 758669
31, 33, 35, 37, 39 and 41 Darling Street, Menindee	Lot 1, DP 1064220
43 Menindee Street, Menindee	Lot B, DP 436709
16 and 18 Nora Street, Menindee	Lots 1 and 5, DP 245132
32 and 34 Paringa Street, Menindee	Lots 6 and 7, Section 26, DP 758669
28 Perry Street, Menindee	Lot 1, DP 516293
51 Yartla Street, Menindee	Lots 5 and 6, Section 27, DP 758669
Cobb Highway, Mossgiel	Lot 1, DP 915769
Darling Street, Tilpa	Lot 1, DP 9112
White Cliffs	Lots 1 and 2, DP 921057; Lot 1, DP 127340; Lot 1, DP 931213; Lot 1, DP 923261; Lots 73, 75, 77, 127, 130, 132, 133, 136, 142, 145, 150–152, 158, 166, 167, 181, 184, 185, 187, 199, 209, 288, 291, 292 and 295, DP 757488

Central Darling Local Environmental Plan 2012 (Amendment No 5) [NSW]
 Schedule 1 Amendment of Central Darling Local Environmental Plan 2012

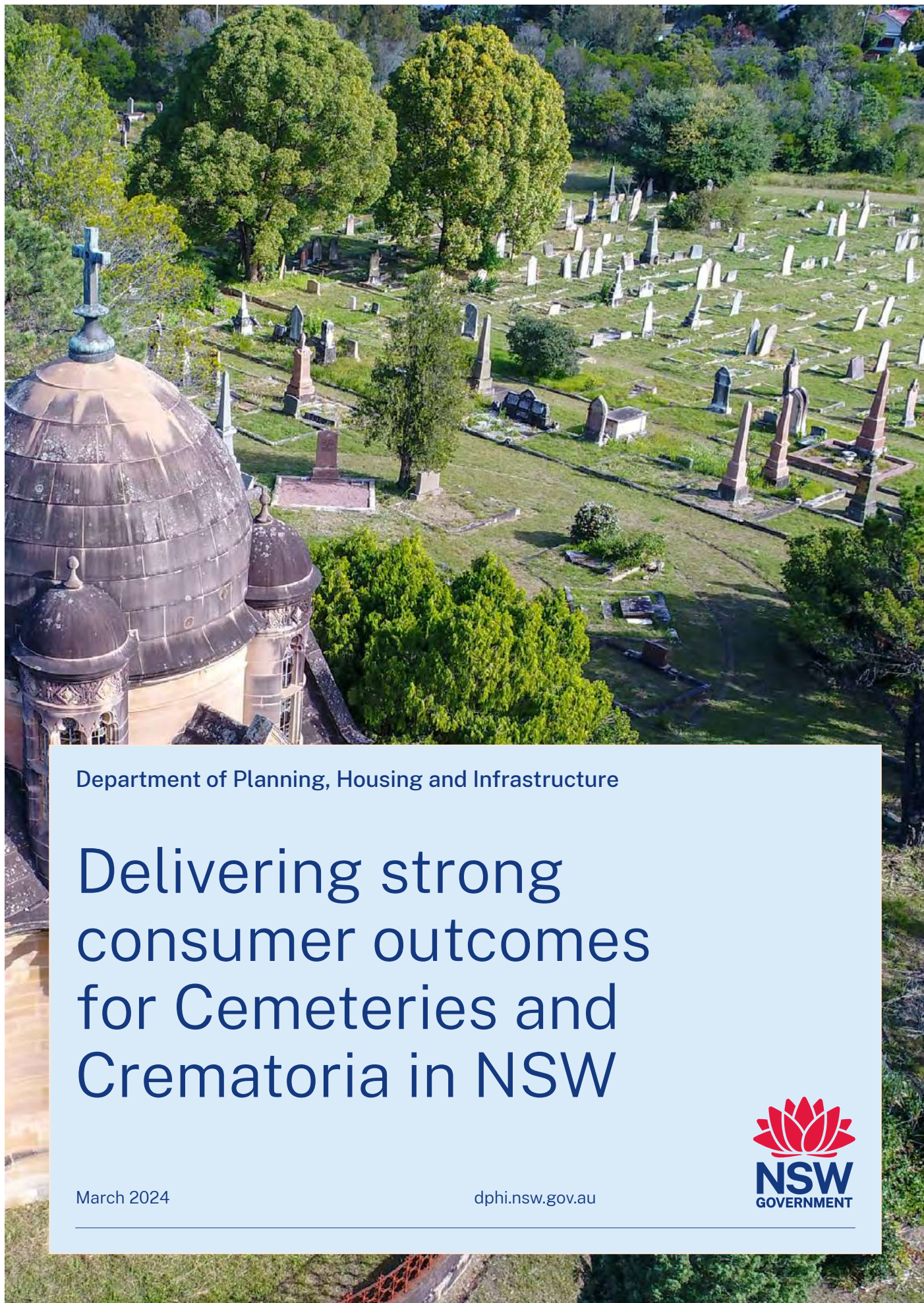
Column 1	Column 2
Locality	Description
Beth Street, White Cliffs	Lots 1 and 4, Sections 1 and 2, Lots 2, 6, 9–11, 15 and 20, Section 2, Lots 3 and 5, Section 1, DP 759084; Lot 101, DP 838308; Lot 102, DP 611504
Church Street, White Cliffs	Lot 64, DP 757488
Johnston Street, White Cliffs	Lot A, DP 933770
Kayrunnera Road, White Cliffs	Lots 1 and 2, DP 923601; Lot 209, DP 757488
Keraro Road, White Cliffs	Lots 18, 44, 45, 54 and 69, DP 757488
Opal Street, White Cliffs	Lot 1, DP 127341; Lot 34, DP 757488
178 Psh Kirk, White Cliffs	Lot 178, DP 757488
Wilcannia	Lot 1, DP 752799
Barrier Highway, Wilcannia	Lot 18, DP 757028
2 Bourke Street, Wilcannia	Lots 1 and 2, DP 916556; Lots 3 and 6–8, DP 1509; Lot 8, Section 8, DP 759091
10 and 12 Bourke Street, Wilcannia	Lots 5 and 6, Section 8, DP 759091
39–41 Bourke Street, Wilcannia	Lot A, DP 409679
28–30 Field Street, Wilcannia	Lots 8 and 9, Section 29, DP 759091
Hood Street, Wilcannia	Lot 6, DP 1522
2 Hood Street, Wilcannia	Lots 1–5, 7 and 8, DP 1522
15–17 Hood Street, Wilcannia	Lots 3 and 4, DP 910707; Lot A, DP 419309
16–34 Hood Street, Wilcannia	Lot 1, DP 807546
23 and 25 Hood Street, Wilcannia	Lots 23 and 24, DP 1287683
35 Hood Street, Wilcannia	Lot 61, DP 1242432
36 Hood Street, Wilcannia	Lot A, DP 402894
47–49 Hood Street, Wilcannia	Lot 9, Section 28, DP 759091
136–138 Hood Street, Wilcannia	Lot 1, DP 723969; Lot 2, DP 668446; Lots 3–7 and 9, Section 39, DP 759091
152, 154, 156 and 158 Hood Street, Wilcannia	Lot 1, DP 1126770; Lots 1–4, DP 913181
James Street, Wilcannia	Lots 9–15 and 17, DP 1522
13 James Street, Wilcannia	Lot 1, DP 920574; Lot 2, DP 322783
30–40 James Street, Wilcannia	Lots 1 and 2, DP 812602; Lot 11, DP 592750
89–91 James Street, Wilcannia	Lot 8, Section 39, DP 759091
97–99 James Street, Wilcannia	Lot 10, Section 39, DP 759091
6–12 McIntyre Street, Wilcannia	Lots 1–3 and 8–10, Section 10, DP 759091
17 McIntyre Street, Wilcannia	Lot 17, DP 2809
38 Martin Street, Wilcannia	Lot 1, DP 724076; Lot 1, DP 908447; Lots 2 and 9, Section 37, DP 759091
Murray Street, Wilcannia	Lot 16, DP 1522
2–4 Palmer Street, Wilcannia	Lot 5, Section 42, DP 759091

Central Darling Local Environmental Plan 2012 (Amendment No 5) [NSW]
 Schedule 1 Amendment of Central Darling Local Environmental Plan 2012

Column 1	Column 2
Locality	Description
18–20 Palmer Street, Wilcannia	Lot 1, Section 42, DP 759091
4 Reid Lane, Wilcannia	Lot 4, DP 224131
6–8 Reid Street, Wilcannia	Lots 8 and 9, Section 12, DP 759091
19 Reid Street, Wilcannia	Lots A and C, DP 436718
21 Reid Street, Wilcannia	Lot 1, DP 906587
35 and 37 Reid Street, Wilcannia	Lots 4 and 5, Section 3, DP 759091
40A–40B Reid Street, Wilcannia	Lot 1, DP 906421
40D Reid Street, Wilcannia	Lot 3, DP 668275
44 Reid Street, Wilcannia	Lot 1, Section 13, DP 759091
45 Reid Street, Wilcannia	Lot 1, Section 59, DP 759091
82 Reid Street, Wilcannia	Lot 101, DP 813927
91A Reid Street, Wilcannia	Lot 1, DP 981965
94–96 Reid Street, Wilcannia	Lot 3, Section 21, DP 759091
101–103 Reid Street, Wilcannia	Lot 1, Section 16, DP 759091
102–104 Reid Street, Wilcannia	Lot 1, Section 21, DP 759091
106 Reid Street, Wilcannia	Lot 1, DP 981947
109–111 Reid Street, Wilcannia	Lot 1, DP 907211
123 Reid Street, Wilcannia	Lots 1–11, DP 1470; Lot 3, Section 17, DP 759091
8, 10, 12 and 14 Ross Street, Wilcannia	Lot 1, DP 1269613
16 Ross Street, Wilcannia	Lot 2, DP 254411
28 Ross Street, Wilcannia	Lot 2, DP 26627
Wilcannia Aerodrome Road, Wilcannia	Lot 1, DP 90670
6 Wilcannia-Wanaaring Road, Wilcannia	Lot 6, DP 752775
1 and 3 Wills Street, Wilcannia	Lots 1 and 2, DP 1509
Wilson Street, Wilcannia	Lot 1, DP 922632
21 Wilson Street, Wilcannia	Lot 1, DP 723883
22 Wilson Street, Wilcannia	Lot 1, DP 909366; Lot 1, DP 907101; Lot 5, DP 668274
23 Wilson Street, Wilcannia	Lot 1, DP 909468
25–27 Wilson Street, Wilcannia	Lot 7, Section 42, DP 759091
26 Wilson Street, Wilcannia	Lot 1, DP 906929
33–35 and 37–39 Wilson Street, Wilcannia	Lots 9 and 10, Section 42, DP 759091
Woore Street, Wilcannia	Lot 1, DP 981951
44 Woore Street, Wilcannia	Lot 2, DP 510877
57 Woore Street, Wilcannia	Lot 1, DP 541247

Central Darling Local Environmental Plan 2012 (Amendment No 5) [NSW]
 Schedule 1 Amendment of Central Darling Local Environmental Plan 2012

Column 1	Column 2
Locality	Description
63 and 65 Woore Street, Wilcannia	Lots 13–15, Section 13, DP 759091
144 Woore Street, Wilcannia	Lot 1, DP 129686; Lot 1, DP 910090; Lot 1, DP 724172
145 Woore Street, Wilcannia	Lot 1, DP 130722
155–157 Woore Street, Wilcannia	Lot 1, DP 125960; Lot 1, DP 983708; Lots 1–3, Section 20, DP 759091
156 Woore Street, Wilcannia	Lot 1, Section 23, DP 759091



Department of Planning, Housing and Infrastructure

Delivering strong consumer outcomes for Cemeteries and Crematoria in NSW

March 2024

dphi.nsw.gov.au





Acknowledgement of country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Title: Delivering strong consumer outcomes for Cemeteries and Crematoria in NSW

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Disclaimer:

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Artwork (above) by Nikita Ridgeway

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Minister's message

Safeguarding our cemeteries and crematoria in NSW for generations to come

I am pleased to present the NSW Government's Strategic Statement for cemeteries and crematoria, a transformative blueprint that reimagines the role of these services in our society.

Our mission is to ensure the best for our state and its people, to undertake genuine consultation and recognise both the urgency of the present challenges and the long-term commitment required to strengthen the cemeteries and crematoria sector.

Our vision is clear: every person in NSW deserves accessible, sustainable, and affordable burial and cremation services. It is our duty to honour diverse cultures and faiths while delivering compassionate, consistent, transparent, and accountable services. Whether for ourselves or our loved ones, we are determined to secure burial space for all those who seek it, providing a caring and ethical service during our most vulnerable times.

For far too long, cemeteries have been neglected, resulting in a critical shortage of burial space and poor interment offerings, particularly in Greater Sydney. Inconsistencies in customer care and standards of service have also plagued the industry and consumer protections have suffered. However, we have embarked on a new path to address these pressing challenges.

With the groundbreaking Interment Industry Scheme, we are ensuring improved consumer protections and consistent standards of service for customers across NSW. Additionally, we are excited to welcome the first new Crown cemetery in decades, located in Varroville, Sydney's southwest, boasting an impressive capacity of up to 136,000 burial plots. We are also proactively exploring supply options to meet future demands for burial space.

To streamline the planning process for new or expanded cemeteries with over 5,000 burial plots, the state will take the lead in a comprehensive and efficient planning assessment.

This strategic statement outlines three priority action areas that will guide our next phase of work:

1. Delivering strong consumer protection for customers and communities.
2. Promoting sustainable practices to encourage new supply.
3. Providing certainty for our Crown operators.

As was recommended by the statutory review and to ensure Cemeteries & Crematoria NSW can be the active and sustainable regulator we need them to be, we are proposing to build on the former Government's Interment Industry Levy to extend it beyond Crown cemeteries to all active cemeteries in NSW, driving equity and levelling the playing field in the sector. The levy represents a less than 1.6 per cent cost of a \$10,000 burial.

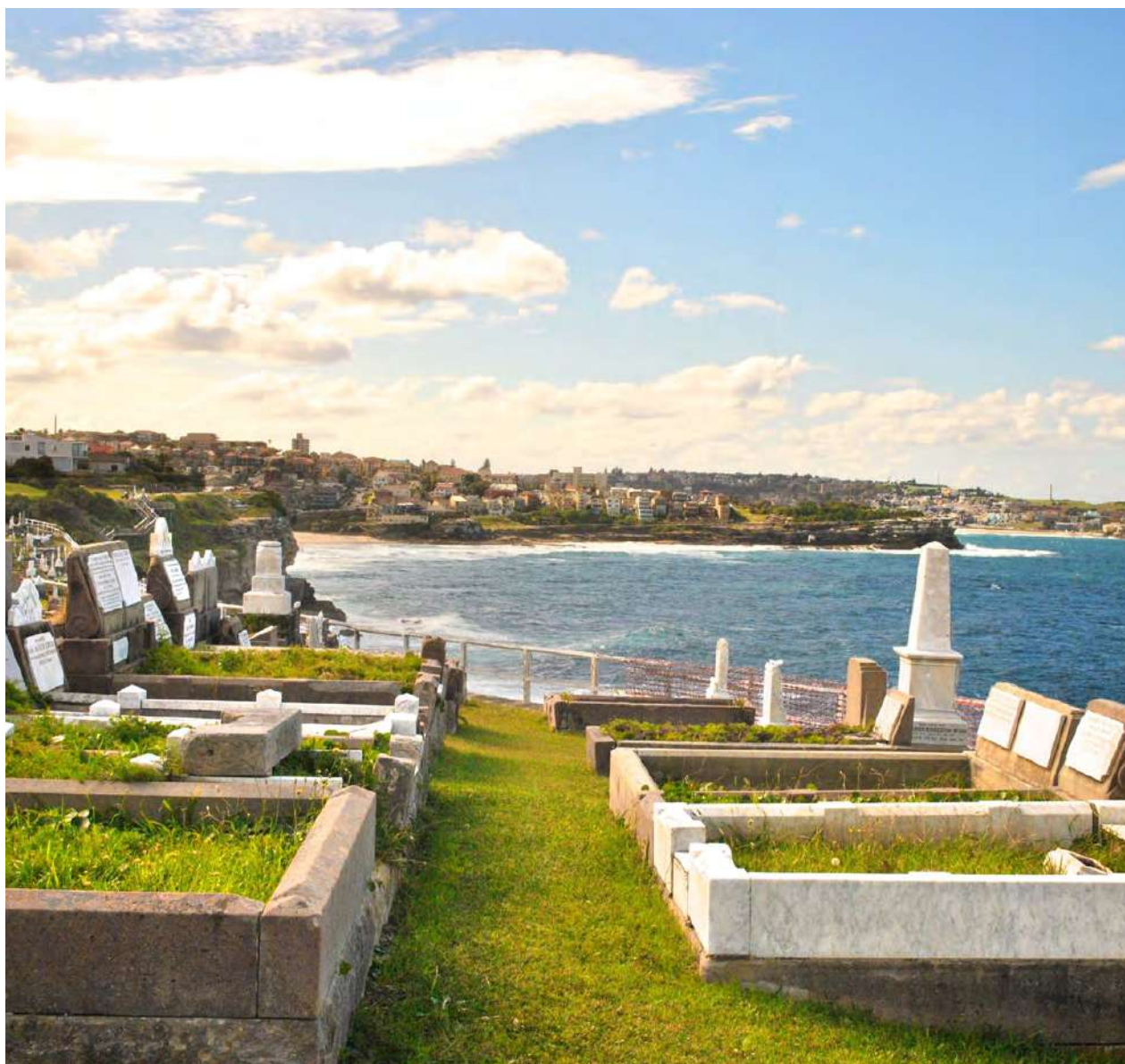
We extend our sincere gratitude to the operators of cemeteries and crematoria across NSW for their invaluable partnership as we shape the sector to better serve our customers and communities. We look forward to continuing our collaboration, striving to improve outcomes not just today, but for countless years to come. Together, we will embark on this visionary journey, transforming cemeteries and crematoria into beacons of solace, unity, and eternal remembrance.

The Hon Steve Kamper MP,
Minister for Lands and Property

Purpose of this Strategic Statement

This new statement of strategic directions outlines the NSW Government's priorities for cemeteries and crematoria in NSW and how we will strengthen consumer protections for people in NSW. Our purpose is to inform the sector and the community about the work underway, the vision for the sector and the benefits to both the sector and the community from this new transformative approach. It forms the basis of a partnership between government, industry and the community for a sustainable sector.

In 2020, the statutory review of the *Cemeteries and Crematoria Act 2013* was completed which included recommendations to better achieve the objects of the Act and address risks to consumers. Considerable progress has been made since then, some of which is outlined below. This strategic statement looks forward. It sets out the direction and priority action areas to continue to strengthen the cemeteries and crematoria sector in NSW.



Current issues and trends

On average, there are around 58,000 bodily interments (burials) and cremations in NSW each year.¹ Across NSW, the private sector provides 63% of all burials and cremations, although in Sydney, the Crown sector performs the most burials.

1. Demand for and supply of interment sites in Greater Sydney

The 2022 NSW Population Projections show that Greater Sydney's population will grow to approximately 6.1 million by 2041—an increase of over a million people. This population growth is expected to result in an estimated 588,708 deaths in Greater Sydney between 2022 and 2041. By 2041, this is an increase of over 11,000 deaths each year.² Greater Sydney boasts one of the most multi-cultural areas in Australia, a population made up of many different faiths, some of whom hold burial as an essential aspect of deeply held traditions and cultural and faith practices. The exhaustion rate of burials at existing Crown cemeteries for these faiths is at a critical level.³

An assessment done in 2019 found that at current burial rates, burial supply in metropolitan Sydney would be exhausted by 2047. That date has been extended because of the development of the first new Crown cemetery at Varroville, which will provide up to 136,000 burial plots. The dates when supply will be exhausted may also be further extended if cremation rates increase significantly. Cremation rates are currently at around 69% of people.⁴ Whilst the new Crown cemetery development is vital, we still need to make decisions to provide certainty of additional future supply to make sure we do not end up in this position again.

The Appendix outlines patterns of burials and cremations in Metropolitan Sydney and in regional NSW by the private sector, local government, churches, community and other groups, and the Crown.

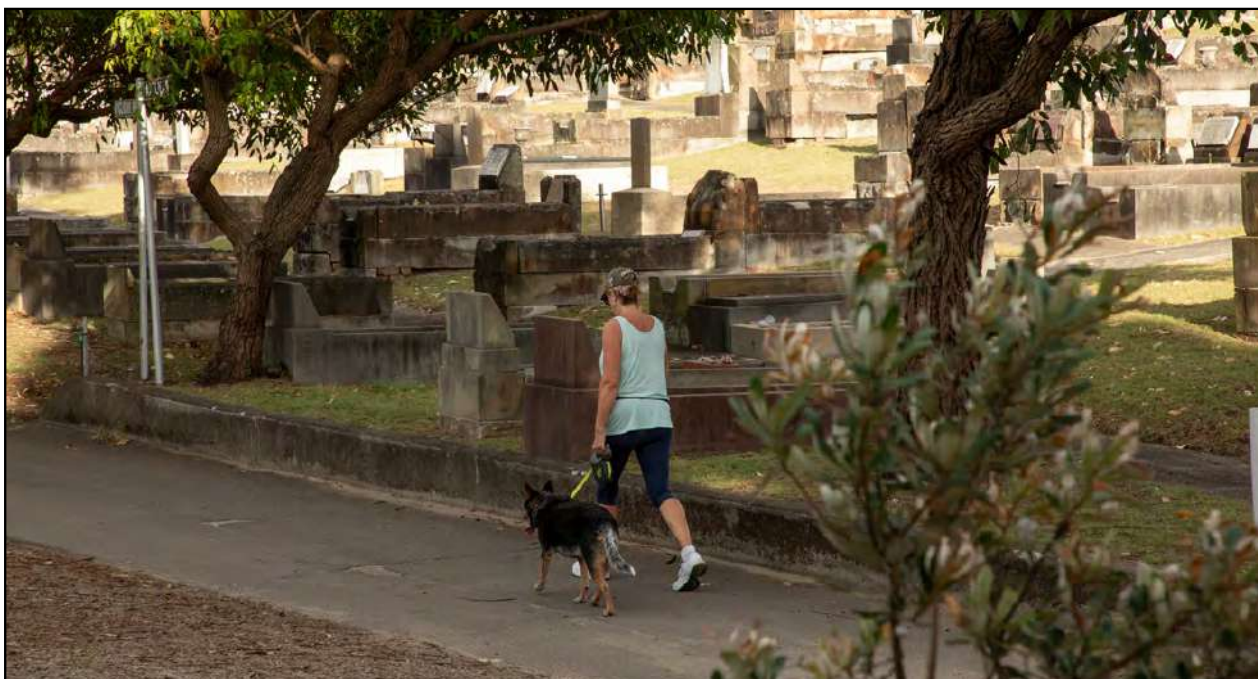
2. Customer experiences

Decisions about interment services are high-stakes and often fast paced, meaning strong consumer protections are critical.

The unique nature of the interment industry and the time at which people seek interment services present challenges in ensuring a consistent quality in customer experience. The statutory review heard representations about the impact of poor practice amongst operators and the lack of customer understanding of interment services and products. The review highlighted the important and unique factors affecting people's experience of buying interment rights, the need for clear and consistent explanations of the different interment products available and the need to set and uphold minimum standards of customer service.

For most people who buy interment rights 'at need', the purchase is undertaken at a time of grief and in a time-sensitive environment. Purchasers are entering into a commitment that extends across generations and cannot easily be re-made or corrected, which heightens the stress and time pressure. The review also noted the relative lack of competition in the sector that might otherwise drive service quality, accountability and affordability across Sydney and regional NSW.

1 Based on Cemeteries & Crematoria NSW activity data reported by operators over 2019 to 2021.
 2 2022 NSW Common Planning Assumption Projections
 3 [Burial space supply in Sydney's Crown sector – audit overview \(nsw.gov.au\)](#)
 4 Cemeteries & Crematoria NSW 2021-22 activity data.



3. An effective regulator for the community and the sector

The statutory review also found that Cemeteries & Crematoria NSW needs to be a more effective regulator. It found that the agency needed to be strengthened and resourced to function as a proactive regulator capable of setting and maintaining customer protections and standards, with capability to identify, quantify and manage key risks for the NSW Government and ensure protections for customers and the community over the long term.

The review highlighted the need to develop the capability and capacity of the regulator and ensure appropriate levels of resourcing as critical areas for improvement in the oversight and regulation of the interment industry.

In each of these 3 areas, significant improvements have been achieved since the release of the statutory review. Cemeteries & Crematoria NSW has introduced a new

licensing scheme, known as the Interment Industry Scheme. The scheme sets standards across 5 critical aspects of interment services.

This is a fundamental step forward to ensure a consistent quality of service to customers during a vulnerable time of their lives. For the first time, all operators will be licensed. Customers will benefit from clear and consistent standards applied through the licensing scheme. However, there is more to do to make sure operators understand and are supported to embed these requirements, the regulator is strengthened to uphold the new standards across the industry and the benefits to the consumer are realised.

Our plan of action

Everyone will visit a cemetery or a crematorium and need burial or cremation services for themselves and for loved ones at some point in their lifetime. The NSW Government's vision is that all people in NSW have access to sustainable and affordable burial and cremation services. These services should be respectful of culture and faith and be provided in a consistent, transparent, and accountable way.

Action areas

The NSW Government will focus on these 3 action areas to deliver the vision:



1. Delivering strong consumer protection for customers and communities.



2. Support sustainable practices to promote new supply.



3. Provide certainty for our Crown operators.

1. Delivering strong consumer protection for customers and communities



Buying an interment service is often a major decision for people, both emotionally and financially. Customers have diverse needs and are making lifelong decisions at a particularly difficult time – it is important that they understand what it is they are purchasing so that their requirements for burial and cremation are met. The new Interment Industry Scheme is licensing operators to ensure that:

- pricing, service, and contractual information is easy to find and understand
- options are presented for the cost, location, and type of interment service, including options that respect religious, cultural, and spiritual practices and cater to different budgets
- customers experience quality services that meet their needs and expectations.

Cemeteries & Crematoria NSW (CCNSW) – the sector’s independent statutory regulator, established in 2014 - developed and launched the Interment Industry Scheme in July 2023 which sets clear performance standards for all operators. CCNSW also has a risk-based [Regulatory Framework](#) in place which clarifies their approach to regulation, compliance and enforcement. The scheme requires operators to meet conditions for:

- **consumer contracts** – standard terms and conditions explained clearly so customers can understand what they are paying for and what the service will include. This will also help avoid issues years later when families are trying to understand what occurred and who is responsible for making decisions.
- **maintenance** – so customers are informed about the minimum standard they can expect of the cemetery where they are buying a service and their access to that cemetery.
- **clear pricing** – so customers can easily compare

prices, including detailed pricing breakdowns for basic services and products. Customers are required to be provided with the ‘basic’ price of a burial or cremation or ash interment offered by the operator so they know the baseline for any product they buy.

- **customer service** – to ensure operators are consistently providing quality services and care with requirements about adequate training for staff, having the right policies and principles in place, making customers aware of their consumer rights, and having proper complaints processes in place.
- **religious, cultural, and spiritual principles** – to ensure operators understand any religious or cultural requirements of their customers and where possible meet these requirements. For example, this would include understanding the unique importance of Sorry Business to Aboriginal people or that some religions require burial within a certain timeframe. It is important that operators who have different faiths buried in their cemetery understand when certain holy days fall or if there are grieving milestones at particular times after the death.

These conditions for operators will help families make informed choices about the burial or cremation of their loved ones, at one of the most challenging times of their lives.

To give customers further confidence in the industry, the NSW Government will ensure cemeteries and crematoria are operated, maintained and regulated in a consistent, transparent, and accountable way.

This includes ensuring operators remain financially sustainable and that they effectively manage their income, liabilities, and provision for the ongoing maintenance of perpetual interments.

Other legislative changes to ensure the legislation is modern and fit for purpose will also be considered.

1. Delivering strong consumer protection for customers and communities



NSW Government actions

To ensure the industry continues to meet evolving customer and community needs, the NSW Government will:

- do more research to better understand customer needs and journeys, and emerging market trends and developments, and use this research to:
 - inform future industry guidance and regulatory responses
 - support responses to emerging customer preferences and new technologies, such as natural burials
 - investigate and deliver more ways to help customers compare services across different operators
- continually monitor and evaluate the effectiveness of the Interment Industry Scheme, to ensure it delivers positive outcomes for customers
- regulate cemeteries and crematoria effectively to prevent risks and problems occurring and make sure issues raised by customers are addressed
- maximise the value of cemeteries as public spaces, in line with community needs and expectations, by supporting operators to:
 - access guidance on good cemetery design
 - deliver complementary multiple uses of cemeteries using place based and community driven approaches
 - improve the interpretation of historical, heritage and cultural values, including Aboriginal cultural heritage.

To give the community further confidence in the regulation of the sector, the NSW Government will also:

- develop a contemporary approach for the perpetual maintenance of cemeteries so that enough funding is set aside to ensure cemeteries are maintained into the future, even after they become inactive, with the intention to introduce a perpetual maintenance framework by mid-2025; and
- investigate legislative changes to modernise and streamline the *Cemeteries and Crematoria Act 2013*, including dealing with the transfer of interment rights over multiple generations, and supporting the other initiatives in this document.

2. Support sustainable practices to promote new supply



The NSW Government recognises there must be enough land available to meet future interment demand and address growing burial supply pressures, particularly in Greater Sydney.

Conventional interment practices, such as perpetual interment tenures, and traditional cemetery designs, require a lot of land. The cost of land in metropolitan areas such as Sydney is high. Land that may be suitable for new cemeteries is increasingly sought after for as-important high priority needs such as housing.

Efficient use of land

Finding ways to use current and future cemetery land more efficiently will be key to supporting a sustainable sector. Efficiency will also be necessary to alleviate current and future strains on available burial space, particularly in Greater Sydney.

Cemeteries are increasingly a source of green, open space, particularly in urban and high density settings. They give communities opportunities for passive recreation and social connection. Thanks to innovative design, cemeteries are important and peaceful spaces of reflection that draw people in from communities and encourage them to visit loved ones. Such cemeteries are also a place to celebrate our rich heritage and culture. The new cemetery scheduled to open at Varroville in 2025 is a new garden style design that will demonstrate this.

Cemeteries are an important part of the social fabric and infrastructure that communities need, like schools and hospitals. Recognising this, in 2022, the then Department of Planning and Environment introduced a state-significant development pathway that allows the state to lead assessment for cemeteries with over 5,000 burial plots. This will help address burial space pressures by streamlining the approval process for new greenfield cemeteries and major cemetery expansions.

NSW Government actions

While the NSW Government will continue to explore opportunities for future cemeteries on previously unused land (greenfield cemeteries), it will also:

- work with Crown cemetery operators to investigate ways to unlock more supply within and near existing Crown cemeteries in Sydney
- implement an exempt and complying development framework for certain minor ancillary works in existing cemeteries to streamline processes for development approvals
- recognise the need to plan for cemeteries and crematoria in regional land-use plans
- work with operators, religious groups, and other stakeholders to:
 - increase the availability and uptake of renewable tenure interment options, drawing on successful, long-standing practices in other Australian and international jurisdictions
 - consider options to allow families to use perpetual interment sites to bury multiple family members over time, reusing the graves for future generations of the same family
- investigate options to sensitively renew and repurpose older areas in cemeteries while continuing to preserve the perpetual bodily interment rights of those interred
- support operators to explore and adopt innovative emerging technologies and methods that have lower environmental impacts.

3. Provide certainty for our Crown operators



The NSW Government has a long-standing role in supporting cemetery and crematorium services on Crown land to ensure equitable, culturally appropriate, and affordable interment options for people of all faiths.

The NSW Government has committed to a model with 2 Crown cemetery operators to provide interment services now and into the future. One operator is the recently amalgamated Metropolitan Memorial Parks Land Manager (Metropolitan Memorial Parks). This was created through the July 2023 merger of:

- Northern Metropolitan Cemeteries Land Manager
- Southern Metropolitan Cemeteries Land Manager
- Rookwood General Cemeteries Reserve Land Manager.

The other operator will be the successor to the Catholic Metropolitan Cemeteries Trust.

NSW Government actions

To achieve this aim, the NSW Government will:

- provide certainty for the future of Metropolitan Memorial Parks by:
 - supporting the operator to explore new burial space supply options including investigating the potential to renew and reuse a section of Rookwood Cemetery and other cemeteries as part of sustainable interment practice
 - appointing Metropolitan Memorial Parks to manage the general crematoria site at Rookwood Cemetery once the current lease expires in 2025
- finalise the operating model for the Catholic Metropolitan Cemeteries Trust’s successor entity, ensuring a seamless transition and certain future for customers and staff
- support the new cemetery development at Varroville
- ensure the regulator is positioned to provide governance and oversight of the 2 Crown cemetery operators to deliver government objectives for the sector and model leading practice.

Changes to the interment services levy

We need an effective regulator to deliver the NSW Government's vision for the community of NSW and its statutory responsibilities including the initiatives outlined in this Statement. Cemeteries & Crematoria NSW is maturing from a reactive, administratively focused regulator, to a proactive regulator that drives sector performance, and upholds and improves consumer protections. It has taken the first important step of introducing the new Interment Industry Scheme to set the baseline standards expected across the industry.

To ensure the standards are upheld we need to invest in the regulator. This change requires adequate and sustainable funding. The existing industry levy was put in place by the former Government but initially applied to the 2 Crown operators only. It is insufficient and creates inequity across the sector. From 1 July 2024 the interment services levy is proposed to be expanded to include all active cemetery and crematorium operators. This will ensure equitable funding of an effective industry regulator. Under this proposal, all active interment service providers will share responsibility for effective and sustainable regulatory oversight of the sector.

Both the statutory review and the Independent Pricing and Regulatory Tribunal, in its review of interment costs and pricing, recommended an expanded levy, noting that it is standard practice for a regulator to levy the regulated community and entities to cover the cost of its regulatory activities.

The changes to the levy are based on the cost of regulatory oversight of the sector. From 1 July 2024, it is proposed a levy of \$41 per cremation; \$63 per ash interment and \$156 per burial will be applied to all operators. This represents a modest proportion of the cost of an interment. For example the levy would represent less than 1.6% of the cost of a \$10,000 interment (the average cost in metro areas). Operators will be consulted on how the levy should be best implemented. Cemeteries & Crematoria NSW will be consulting on the levy with the sector in the coming months.

The levy will be used to fund the cost of the regulator to support and regulate the sector appropriately. Dedicated staff will be available to engage with operators across the State to educate them on the requirements, monitor

compliance and work with the operators to ensure their systems and processes support consumers. With the expansion of the levy, Cemeteries & Crematoria NSW will be resourced to support and drive performance of over 300 operators and 1,500 cemeteries and crematoria to uphold and strengthen consumer protections at a critical time.

Customers and families will benefit through:

- transparent pricing that allows informed choices and greater awareness of options to address affordability;
- clear contract conditions and maintenance standards that let customers understand what they are buying now and the care and maintenance they can expect into the future;
- due respect for culture and faith for individuals and communities; and
- having confidence in the knowledge that safeguards are in place and will be properly monitored over time giving peace of mind to them and their loved ones.

Industry will benefit through:

- fair and consistent standards that can be understood and are implementable;
- education, training, and analysis of emerging trends so operators and staff are supported to meet standards, innovate, and provide great service;
- proactive risk-based regulation, and enforcement where needed, so that a few bad apples don't undermine the reputation of the sector as a whole; and,
- ensuring access to burial space into the future through more proactive planning and analysis of demand and supply trends across the industry.

Additionally, everyone benefits as cemeteries increasingly become sources of sustainable, open, multiple use spaces for the benefit of the whole community.

The sector has joined us on this transformation and we thank them for their contribution and willingness to continue on this journey as we shape the sector to better serve the people of NSW.

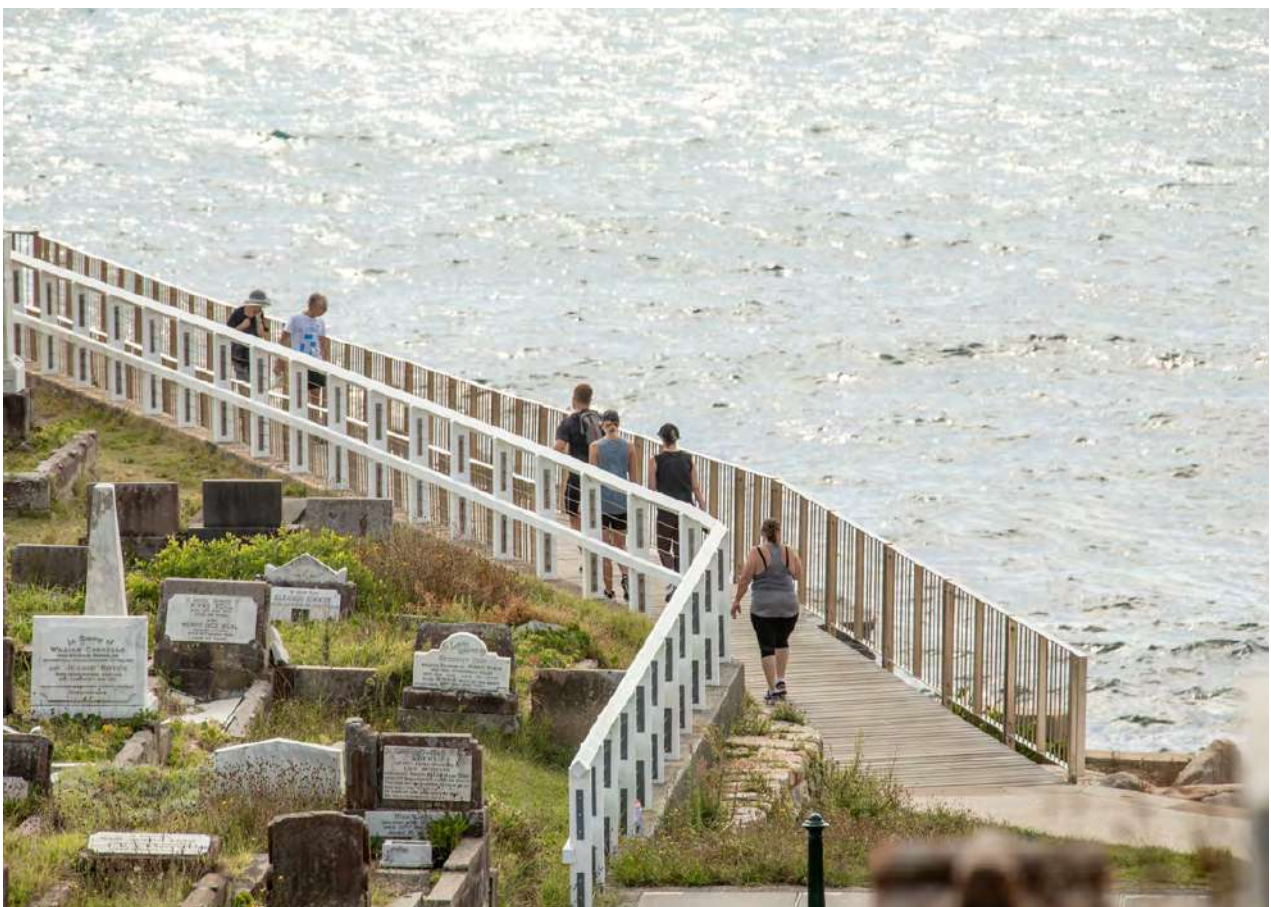
Monitoring, reporting and review

The NSW Government will protect and strengthen the state’s cemeteries and crematoria sector, acting across the 3 focus areas outlined above and working with operators and community.

The government’s actions will:

- create greater certainty for customers
- foster a sustainable Crown sector
- set clearer rules and standards for operators
- reduce pressure on burial supply in Greater Sydney.

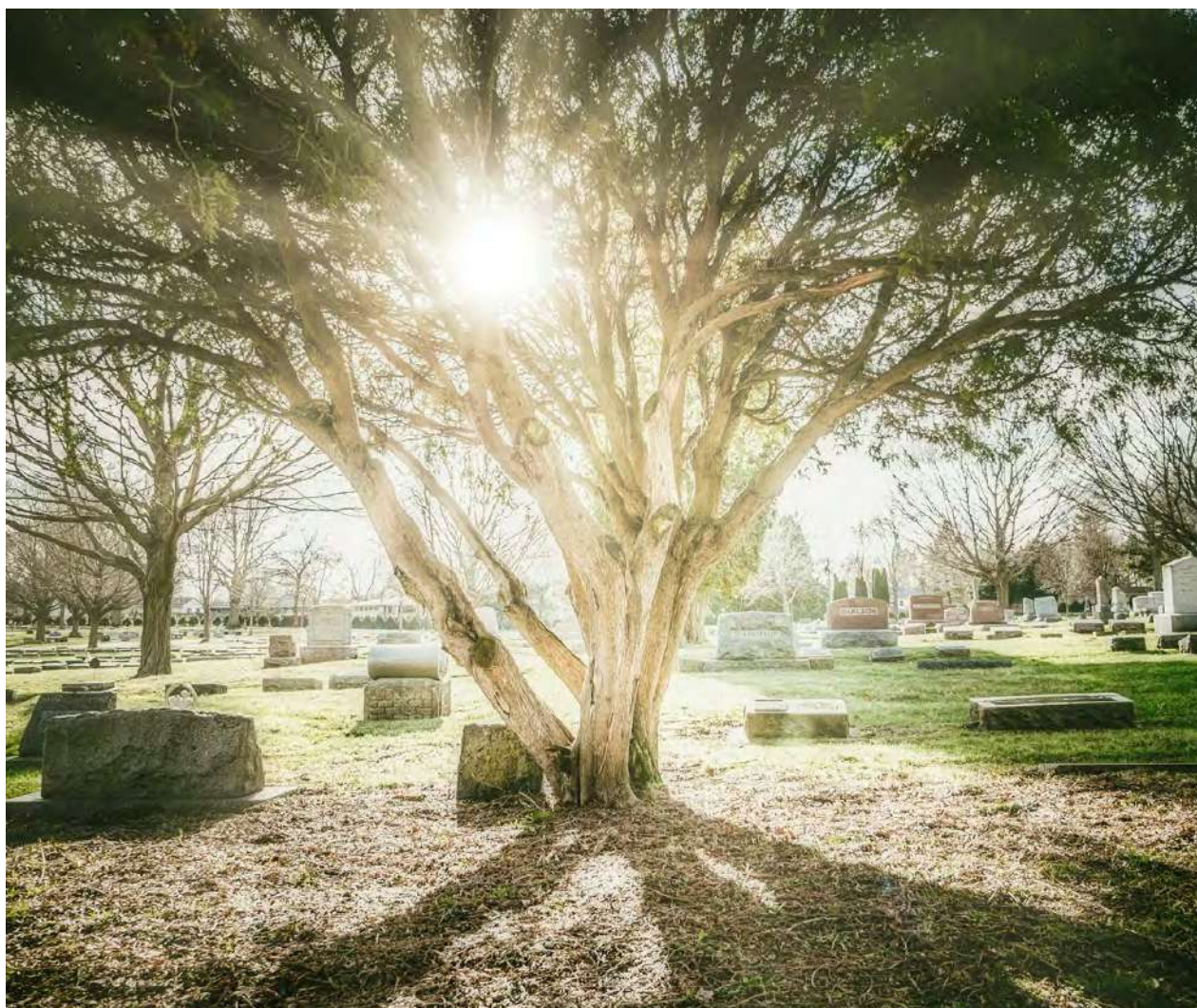
Cemeteries & Crematoria NSW will report annually on progress against the actions in this statement on the [Cemeteries & Crematoria NSW website](#). The actions will also be reviewed periodically. Stakeholders will have an opportunity to give feedback to ensure the NSW Government realises its vision and aims for the state’s cemeteries and crematoria sector.



Appendix

Sector	Metropolitan Sydney		Rural and Regional	
	Burial	Cremation	Burial	Cremation
Local government	10%	0%	83%	6%
Crown	69%	28%	3%	0%
Private	19%	72%	12%	94%
Church	1%	0%	2%	0%
Community and other	1%	0%	1%	0%

Table 1. Percentage of burials and cremations by sector and region as at 2021-22 (rounded)



Department of Planning, Housing and Infrastructure



Cemeteries & Crematoria NSW

Fact sheet



Frequently Asked Questions

This document provides answers to common questions about the expansion of the Interment Services Levy.

Why an interment services levy?

The interment services levy (the levy) is a levy on interment services to fund the cost of Cemeteries and Crematoria NSW (CCNSW; the regulator) to deliver better outcomes for customers and the community, and to support industry to meet the new licensing standards.

The government has set out its strategic directions for the State's cemeteries and crematoria in *Delivering strong consumer and community outcomes for Cemeteries and Crematoria in NSW*. The aim is to ensure every person in NSW has accessible, sustainable, and affordable burial and cremation services into the future.

An effective, properly resourced regulator is essential to achieving these aims. The existing industry levy – in place since 2014 and applying to the 2 Crown operators only – is insufficient to fund an effective regulator. It is also inequitable as only 2 operators pay for the regulation of the whole sector.

To ensure CCNSW can be the active and sustainable regulator we need, the government will expand the interment services levy from just 2 Crown cemeteries to all active industry operators. This reflects a recommendation from the Independent Pricing Regulatory Tribunal and the Statutory Review of the Cemeteries and Crematoria Act (the *11th Hour Report*). In addition to achieving better outcomes for customers, this will drive equity and level the playing field in the sector. The levy represents a less than 1.6 per cent cost of a \$10,000 burial.

Answers to frequently asked questions

In April and May 2024 CCNSW consulted with industry on the proposal to expand the interment services levy.

After considering all the feedback, the government has decided to delay the commencement of the change for one year for operators who reported providing fewer than 50 interments in 2022/23. This is to give operators with lower administrative capacity more time to prepare for the levy.

Cemeteries & Crematoria NSW

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For operators that reported providing more than 50 interment services in 2022/23, the levy will commence from 1 July 2024.

In addition, a hardship policy will be developed prior to the 25-26 FY when the levy comes in for the smaller operators. It will address cases of particular hardship. This document provides answers to many of the operational/implementation questions operators and funeral directors asked during the consultation.

Who pays the levy?

The interment services levy is a levy on cemetery and crematorium operators. Operators pay the levy to CCNSW. The levy is not paid directly by customers. Operators may choose to pass this onto the customer and reflect the levy in the price of their services. Operators need to ensure funeral directors are provided with up-to-date prices, so the funeral director knows what to charge the customer. Funeral directors do not make payments directly to CCNSW.

When does the levy begin?

For operators that provided 50 or more interment services in 2022/23, the levy will apply from 1 July 2024. For operators that provided fewer than 50 interment services in 2022/23, the levy will apply from 1 July 2025. This is to give operators with lower administrative capacity more time to prepare for the levy.

How is the levy calculated?

The total levy payable is calculated according to how many burials, cremations and/or ash interments an operator performs. The amounts for each type of service are:

- \$41 per cremation
- \$63 per ash interment
- \$156 per burial

These rates have been calculated as the minimum needed to fund the regulator to deliver the outcomes and consumer protections needed. The different rates reflect the different costs of regulating each type of interment service.

When does a service attract the levy?

The levy applies at the time the interment service (burial, ash interment or cremation) is rendered, regardless of when it is purchased. Attachment A lists three common scenarios to illustrate when the levy is triggered.

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Will the rate of the levy change over time?

The rates of the levy may increase by amounts equal to or less than changes to the consumer price index (CPI).

Are there any exemptions?

Yes, some services are exempt from the levy. They are:

- Interment services for children under 12, stillborn children and miscarriages
- Interment services for destitute people

Inactive operators (i.e., holders of a Cemetery Operator (Caretaker) Licence (known as Category 4) are also exempt.

What is a destitute person?

For the purposes of the levy, a destitute person is a person with no money or assets, and whose relatives and friends are unable to pay the costs of cremation or burial. Either the police or a public health facility (like a hospital) will determine whether a deceased person is destitute. Further information is available from NSW Health [here](#).

Do scattering of ashes and/or memorialisation without a burial, cremation or ash interment attract the levy?

No. Scattering of ashes above ground is not considered an interment service under the Act and does not attract the levy. Similarly, erecting a monument or plaque without interring body or cremated remains is not considered an interment service and does not attract the levy.

Does placing ashes in a coffin to be buried attract the levy?

Yes. This is considered an ash interment and will attract the levy.

What about services purchased before 1 July 2024?

The levy applies at the time the interment service occurs, regardless of when it was purchased. This means that the levy applies to services purchased before 1 July 2024 if the burial, cremation, or ash interment happens on or after 1 July 2024.

Do I pay/report quarterly or annually?

Operators that performed an average of more than 1,000 services per year for the preceding three years will be required to report their activity and pay the levy quarterly.

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Other operators will report and pay annually by default. If you perform fewer than 1,000 services a year but would like to report and pay quarterly, please contact CCNSW by 30 July 2024.

What is the invoicing process?

At the end of each quarter or financial year, operators will receive an email from CCNSW telling you it is time to report that period's activity. This e-mail will come from a new operator portal to be launched in July 2024 and used for activity reporting.

Operators will have six weeks after the end of the quarter/year to enter their activity data. At this stage, CCNSW might get in touch if we have any questions about your submission. Once everything is finalised, operators will receive an email with your invoice and details on how to pay. The standard terms of payment are 30 days from the date of invoicing.

Does the levy attract GST if it is included on operator or funeral director invoices?

It is important to note the interment services levy is a levy on operators. It is not a levy on consumers that operators are administering on behalf of the State government.

CCNSW has obtained a written briefing from the Australian Taxation Office (the ATO) to this effect:

1. When CCNSW charges cemetery and crematorium operators the levy, and operators pay that levy to CCNSW (annually or quarterly), this does not attract GST. It is a regulatory government fee/charge that is excluded from the GST.
2. If operators increase their prices in response to the levy (i.e. pass it on to customers) then this does attract GST. In this case the nature of that levy changes. It is no longer the supply of a levy but an increase in the consideration paid by the customer for the supply of the interment services.
3. GST also applies where a funeral director is acting as an authorised agent for an operator and the operator has increased their prices as per (2) above. The funeral director will collect the GST included in the operator's prices and send that total amount to the operator. In this case funeral directors are not independently liable for GST.

In sharing this advice CCNSW is not providing taxation advice. Operators should satisfy themselves of their GST obligations given their own unique circumstances.

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Can I pre-pay the levy?

No. Levies are due either annually or quarterly depending on your reporting schedule (see above). It is not possible to pre-pay the levy because it is based on your actual activity. (You may collect the levy as part of a pre-paid package, but you would not pay the levy to CCNSW until the interment).

What happens if too much / too little revenue is raised by the levy?

The levy applies to each service delivered, so the total amount collected will change each year depending on how many services are undertaken (burials, cremations or ash interments). It is likely that in some years levy revenue will exceed CCNSW's needs, while in other years there will be a shortfall.

CCNSW is an independent regulatory agency and has its own bank accounts. Money collected from the levy will only ever be used to fund regulatory activities. Excess amounts in one year will be used to cover shortfalls in future years. If the levy consistently raises too much or too little revenue, rates may be revised during a review scheduled for 2029. CCNSW can also increase the levy by an amount in line with CPI growth or less each year.

What about large purchases of interment rights?

If a person wants to hold more than 2 interment rights in a cemetery, this needs to be approved by CCNSW. In some cases, large numbers of rights are sold to an intermediary organisation with the approval of CCNSW.

In these cases, the cemetery operator is still liable for the levy at the applicable rate at the time the interment happens. The cemetery operator is responsible for developing an arrangement that works for them and the customer.

14 June 2026

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Attachment A: Illustrative scenarios of how the levy works.

Scenario 1: an at-need interment service sold by a funeral director.	When is the levy incurred?	Who pays the levy?
The family of the deceased chooses a funeral director to handle all the arrangements for their loved one’s funeral. The funeral director has an arrangement with a local crematorium and offers a package to the family which includes the cremation and a funeral service. The family accepts the package and the cremation and funeral service take place.	When the person is cremated.	The crematorium operator pays the levy to CCNSW, not the funeral director.

Comment: The crematorium has many costs and sets its prices to create a sustainable business model. Like all their other costs, the levy is built into the price they communicate to the funeral director. The funeral director is then able to explain the total costs to the family at the time they are offered the contract.

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Scenario 2: an interment service purchased pre-need for a fixed price before 1 July 2024.	When is the levy incurred?	Who pays the levy?
<p>A customer purchased an ash interment site from a cemetery pre-need. They purchased an all-inclusive package that stated no further charges would apply at the time of interment. Ten years later the customer passed. They were cremated and their ashes were interred by the cemetery.</p>	<p>When the person is cremated and when their ashes are interred.</p>	<p>The cemetery operator pays the levy for the cremation and for the ash interment to CCNSW irrespective of whether it is passed on to the customer or not.</p>
<p>Alternatively, the cemetery might offer a package that states that the customer will be charged any applicable levies at the time of interment. They explain this arrangement to the customer, and it is clearly outlined in the contract.</p>	<p>As above</p>	<p>The cemetery operator pays the levy for the cremation and for the ash interment to CCNSW and is able to pass it on to the customer.</p>

Comment: Operators need to consider the risks that any costs emerge or go up and down when making fixed price contracts.

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Scenario 3: dual burial plot	When is the levy incurred?	Who pays the levy?
<p>Following the death of their partner, a person decides to purchase a site with capacity for two burials at the local cemetery. The first burial occurs immediately.</p> <p>Ten years later, the person who purchased the site passes and is buried alongside their partner.</p>	<p>The operator pays the levy in each of the years someone is buried (i.e., one at need and one ten years later)</p>	<p>The cemetery pays the levies for the burials to CCNSW.</p>

Comment: As in Scenario 2, the cemetery is responsible for developing an arrangement that works for them and the customer. The cemetery may choose to accept full payment for both burials upfront. Alternatively, the cemetery might take payment for the interment right up front, and charge for the grave opening and other services at need. In either case the cemetery should be clear with the customer what is included in the contract and be able to pay the levy to CCNSW after the interment service happens.

Cemeteries & Crematoria NSW



Why have an interment services levy?

Everyone will need a cemetery or crematorium service for themselves or their loved ones at some point.

If you are in a time of bereavement, may we extend our sincere condolences.

How we help you

Cemeteries & Crematoria NSW (CCNSW) is the regulator of cemeteries and crematoria in NSW.

As you make important decisions about a burial, cremation, or ash interment we aim to make sure you are protected as a consumer and receive high standards of customer service. We want you to have less to worry about now and in the future.

We do this by setting standards the industry must follow. We train and support industry to meet the standards, and monitor industry performance.

A levy to protect customers

Our work is funded by a levy on burials, cremations, and ash interments. You may see this interment services levy fee in the pricing or on an invoice from the cemetery, crematoria or your funeral director. If so, this is part of your payment to the funeral director, cemetery or crematorium.

You do not need to pay a fee directly to CCNSW.

The levy for 2024–25

Service	Levy (excluding GST)
Cremation	\$41
Ash interment	\$63
Burial	\$156

Funds raised through the levy support stronger consumer protections and better standards across the industry.

What we do

CCNSW is an independent agency that supports and regulates cemetery and crematorium operators. We give the public information about burial and cremation options.

We work with the industry to ensure that all people in NSW have access to sustainable and affordable burial and cremation services. These services should be respectful of culture and faith, and be provided in a consistent, transparent, and accountable way.

To help customers, we have set standards across 5 areas:

- **clear contracts**, so people know what they are buying
- **clear pricing**, so people can easily compare prices and make informed choices
- **respect for culture and faith** for all individuals and communities
- **maintenance**, so cemeteries are safe, accessible, and respectful in the long term
- **customer service**, which is at the heart of this important industry.

Cemeteries and crematoria must meet these standards. CCNSW supports industry through education and training. We also receive and help with customer complaints, and monitor compliance in the long term.

Contact us

Please contact us if you have questions or feedback about the interment services levy.



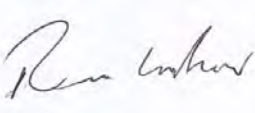
You can also contact us if you have feedback, or a compliment or complaint about a cemetery or crematorium.

Phone: 02 9842 8473
Email: ccnsw.info@cemeteries.nsw.gov.au
Web: Visit www.cemeteries.nsw.gov.au to find out more about our work.

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Variation History Log

Date	Variation	Reason for variation	Author and Agreement
01/09/2022	1	Additional Milestones added to Schedule A for Prefabrication of Water Treatment Plant and commencement of onsite works.	<p>Author Name: Lara Flint Date: 19/08/2022</p> <p>Agreed to on behalf of NSW Department of Planning and Environment Name: Lisa Hingerty Date: 25.9.22</p> <p>Agreed to on behalf of Central Darling Shire Council Name: Reece Wilson Date: 7/09/22</p>
18/04/2024	2	<p>Amendments:</p> <ul style="list-style-type: none"> • Details <ul style="list-style-type: none"> ○ Department name and ABN ○ Department Authorised Officer details ○ Grant details. Amount of grant changed from maximum total amount of \$3,500,000 (GST exclusive) to \$7,385,000 (GST exclusive) • Schedule A Milestones dates <ul style="list-style-type: none"> ○ Milestone 11 from 30 November 2022 to 15 June 2024 ○ New Milestone 12 due 30 June 2025 ○ Milestone 13 from 31 January 2024 to 31 December 2025 ○ Milestone 14 due 31 March 2026 • Schedule A Milestone amounts <ul style="list-style-type: none"> ○ Milestone 11 from \$1,000,000 to \$1,900,000 	<p>Author Name: Libby Cameron Date: 18/04/2024</p> <p>Agreed to on behalf of NSW Department of Climate Change, Energy, the Environment and Water Name: Lisa Hingerty Date: 13.6.24</p> <p>Agreed to on behalf of Central Darling Shire Council Name: Reece Wilson Date: 11/06/2024</p> 

		<ul style="list-style-type: none"> ○ New Milestone 12 \$700,000 ○ Milestone 13 from \$500,000 to \$2,500,000 ○ Contingency scope from \$350,000 to \$635,000 <ul style="list-style-type: none"> ● Schedule A notes <ul style="list-style-type: none"> ○ Addition of note 3: Total grant funding has increased by \$3,885,000 from additional Commonwealth Government 'Far West Water Treatment Plants' project funds. ● Schedule C signage <p>Total grant amount has changed from \$3,500,000 to \$7,385,000 (GST exclusive)</p>	
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Funding Deed – Replacement of the Wilcannia Water Treatment Plant Project

Project Reference	SSWP140
Department	Department of Climate Change, Energy, the Environment and Water
Agency/Division	Water
Grantee	Central Darling Shire Council

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Details

Department	Name	The Crown in right of the State of New South Wales acting through the Department of Climate Change, Energy, the Environment and Water (ABN 27 578 976 844).
	Agency/ Division	Water
	Address	4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
Department Authorised Officer <i>(refer to clause 19 - Notices)</i>	Name	Carla Antunes
	Position	Manager, Grants Local Water Utilities
	Address	Level 2, 6 Stewart Avenue, Newcastle West, NSW 2302
	Telephone	0428 329 985
	E-mail	carla.antunes@dpie.nsw.gov.au
Grantee ('You')	Name	Central Darling Shire Council
	Address	21 Reid Street, Wilcannia NSW 2836
	ABN	65 061 502 439
Your Authorised Officer <i>(refer to clause 21 - Notices)</i>	Name	Greg Hill
	Position	General Manager
	Address	PO Box 165, Wilcannia NSW 2836
	Telephone	08 8083 8900
	E-mail	council@centraldarling.nsw.gov.au
Project	Replacement of Wilcannia Water Treatment Plant	
Grant	A maximum total amount of \$7,385,000 (GST exclusive) for the design and construction of a new Wilcannia Water Treatment Plant, payable in Instalments, based on up to 100% of evidenced actual project expenditure. The Department will pay the Grant in arrears, upon successful completion of the project.	
Commencement Date <i>(refer to clause 2- Commencement)</i>	The Commencement Date is the date that this Deed is executed by the parties (or the last date that a party executes this Deed, if executed on different dates).	

Additional Insurance Policies required to be maintained by the Grantee

Types of Insurances	Minimum Sum Insured	Tick if Required
Professional Indemnity	\$1million in respect of any one claim	✓

Special Conditions

You acknowledge and agree that:

as at the date of this Deed, the Business Case has not been approved by the Department;

You must obtain the Department's written approval of the Business Case and You acknowledge that prior to the Department providing such approval, You will be required to make any amendments to the Business Case that the Department determines are reasonably necessary;

until the Business Case is approved in writing by the Department, the Project must be carried out in accordance with any approvals in the document;

once the Business Case is approved, the parties agree to populate Schedule A - Project Milestones and Assurance reflect the approved Business Case, and vary the Deed in accordance with clause 21.6 to incorporate the populated Schedule A;

notwithstanding any other provision of this Deed, if for any reason:

the Department has not provided its written approval of the Business Case and/or;

the parties have not agreed to the terms of Schedule A in accordance with Special Condition (e), by [insert deadline date], the Department may immediately by notice in writing to You, terminate this Deed;

the Project must be carried out in accordance with the approved Business Case;

You have consulted with the community and other stakeholders and confirmed their support for the Project;

You must use the Grant in accordance with the Business Case;

the Grant is the only amount to be paid by the Department in connection with the Project;

if the Project requires any additional funding, You are responsible for providing or obtaining such additional funding, without reference to the Department;

You are responsible (at Your own cost and expense) for the ongoing maintenance, support, running and other matters in connection with the works to be completed, including following completion of the works; and

the Department has a strategic commitment to bring "Every person home safe every day" and that You are responsible for ensuring that You deliver on this commitment throughout the delivery of the Project in relation to Your Personnel. You must provide the Department with sufficient detail relating to Your compliance with this Special Condition in the WHS report required to be provided under Schedule B.

Terms

Definitions and Commencement

Definitions and Interpretation

1. Interpretation

1.1 Unless the context requires otherwise, in this Deed:

- (a) the terms set out in the left hand column of the Details have the meaning ascribed to them in the right hand column of the Details;
- (b) where any time limit pursuant to this Deed falls on a day which is not a Business Day then the time limit will be deemed to have expired on the next Business Day;
- (c) a reference to a statute, regulation, ordinance or by-law will be deemed to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing same from time to time;
- (d) the meaning of general words is not limited by specific examples introduced by “including” or “for example” or similar expressions;
- (e) references to persons include bodies corporate, government agencies and vice versa;
- (f) references to the parties include references to respective directors, officers, employees and agents of the parties;
- (g) nothing in this Deed is to be interpreted against a party solely on the ground that the party put forward this Deed or any part of it; and
- (h) where an expression is defined, any other grammatical form of that expression has a corresponding meaning.

1.2 Definitions

Activity means the activity(s) described in **Schedule A – Project Milestones and Assurance**, which aim to fulfil one or more of the Objectives of the Project.

Activity Period means the period specified in **Schedule A – Project Milestones and Assurance** during which the Activity must be completed.

Assurance requirements are reports, materials or other evidence as specified in Schedule A that are required to be provided to the Department by you before payment of the amount applicable to the corresponding Milestone.

Business Case means the document titled Project Plan, dated 1st May 2020 and provided by You to the Department and includes any amendments to that document made under this Deed. Note for Projects under \$10 million the current SSWP Project Plan / Business Case template may be used.

Business Day means any day other than a Saturday, Sunday or public holiday in New South Wales.

Capital Equipment & Assets means any item of tangible property, purchased, leased, created or otherwise brought into existence wholly, or in part, with the use of the Grant, which has at that time a value of over \$5,000 inclusive of GST, but does not include Project Material.

Claim means any cost, expense, loss, damage, claim, action, proceeding or other liability (whether in contract, tort or otherwise), however arising and includes legal costs on a full indemnity basis.

Confidential Information of a party means all trade secrets, financial information and other commercially or scientifically valuable information of whatever description and in whatever form (whether written or oral, visible or invisible) which:

- (a) is by its nature confidential;
- (b) has been designated as confidential by a party;
- (c) is capable of protection at common law or equity as confidential information; or
- (d) is derived or produced partly from the information in paragraphs (a), (b) or (c) above but does not include information that:
 - (e) is in the public domain; or
 - (f) is independently known or developed by the party receiving the information other than as a result of a breach of this Deed or any other obligation of confidentiality owed by or to any other person.

Correctly Rendered Invoice means an invoice rendered in accordance with the Department's Fact Sheet.

Deed means this funding deed document and includes the Details, Terms, Schedule A – Project Milestones and Assurance, and any other schedules, annexures or other documents cross-referenced in this deed.

Grant means funds released by the Department as specified in the Details section above.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999*.

Instalments means that part of the Grant which the Department pays to you in the amounts and on the dates set out in Schedule A.

Intellectual Property or IP includes:

- (g) all rights in relation to copyright, inventions, plant varieties, trademarks, designs, patents; and
 - (h) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including trade secrets and know-how,
- but does not include Moral Rights.

Milestone and Funding Deed Milestone is the **Activity(s)** described in **Schedule A – Project Milestones and Assurance**, which aim to fulfil one or more of the Objectives of the Project.

Moral Rights has the same meaning as in the *Copyright Act 1968 (Cth)*.

Notice means any approvals, consents, instructions, orders, directions, statements, requests and certificates, or other communication one party gives to another party in writing under this Deed.

Objectives means the objectives of the Activities described in the Schedule A – Project Milestones and Assurance, which are the agreed results you must achieve and ensure your subcontractors achieve.

Personal Information has the same meaning as in the *Privacy and Personal Information Protection Act 1998 (NSW)*.

Personnel includes, in relation to a party, that party's: officers, employees and agents; affiliates, advisers, consultants and subcontractors; affiliates', advisers', consultants' and subcontractors' officers, employees and agents; and any other persons under that party's direction or control.

Project Material means material created as part of or in performance of the Project including any documents or data.

Special Conditions means the Special Conditions (if any) set out in that section of this Deed.

2. Commencement

2.1 This Deed will commence on the Commencement Date.

What you must do

3. Your obligations

3.1 You must:

- (a) ensure the Grant or any Instalment is used only for the approved Project;
- (b) ensure each Activity is completed within the Activity Period in accordance with this Deed;
- (c) comply with the reporting requirements set out in Schedule B;
- (d) comply with all Commonwealth, State and Local government laws that are relevant to the Project, this Deed, or your registration as an entity; and
- (e) comply with all policies, guidelines and reasonable directions the Department provides to you.

About the Grant

4. Paying the Grant

4.1 The Department will pay an Instalment for each Activity at the end of the Activity Period on condition that:

- (a) the Department receives a Correctly Rendered Invoice from you that clearly identifies the Instalment you are claiming;
- (b) you have provided the Department's authorised officer and in accordance with Clause 21 with the evidence of compliance required under **clause 9** and the Schedule(s) showing that you have performed the Activities at the times set out in the Schedules and this Deed; and
- (c) the Activities have been performed to the satisfaction of the Department.

4.2 Notwithstanding **clause 4.1**, if the Department pays you an Instalment, this does not constitute an admission that the performance of the Project is in conformity with this Deed and no payment will be deemed to release you from your obligations under this Deed.

4.3 Subject to the terms and conditions of this Deed, including this clause 4, the Department will endeavour to pay Correctly Rendered Invoices within 30 days of receipt by the Department.

5. Withholding, Suspension, Changes to Instalments and Repayment

5.1 The Department may change the amount of the Instalment by issuing you with a Notice setting out the details of the changes.

5.2 If you are not complying with this Deed the Department may withhold or suspend payment of an Instalment until you comply with your obligations to the Department's satisfaction.

5.3 If the Department withholds or suspends an Instalment you must continue to perform your obligations under this Deed.

5.4 You must repay within 28 days of a demand being sent:

- (a) any Instalment spent in breach of this Deed;
- (b) all unspent Instalments;
- (c) any overpayment
- (d) any interest earned on any Instalment required to be repaid.

5.5 Where you have failed to comply with this Deed, the Department will calculate the amount of repayment you must make with regard to the extent you have failed to complete the Activities of the Project.

5.6 The Department may set off the amount of any overpayment or claim for repayment against any future Instalment due.

5.7 Any repayment the Department claims from you under this **clause 5** will be a debt due and owing by you to the Department.

6. Holding of Grant

6.1 This **clause 6** applies to the extent that you receive any funds under this Deed prior to incurring costs associated with such funds or prior to completing your obligations which apply to the relevant Instalment.

6.2 Each Instalment must be held in trust for the benefit of the Department from the date it is received either:

- (a) in a separate bank account used solely in connection with the Grant; or
- (b) into a general bank account provided that sufficient accounting controls are in place to track the expenditure of the Grant.

6.3 You must not expend any part of the Grant until the Department has notified you that you may release the specified amount of the Grant for the Project.

7. Capital Equipment & Assets

7.1 Any Capital Equipment & Assets acquired with the Grant for the purposes of the Project will become your property.

7.2 You must not acquire any Capital Equipment & Assets with the Grant unless the Capital Equipment & Assets is specified in the Deed or the Department has provided you with prior written consent to acquiring that Capital Equipment & Assets.

7.3 You must for the term of this Deed:

- (a) use any Capital Equipment & Assets you acquire with the Grant for the Project and in accordance with this Deed;
- (b) not sell, encumber, cease to use or otherwise dispose of any Capital Equipment & Assets acquired with the Grant without first obtaining written consent from the Department;

- (c) at your own expense reinstate any Capital Equipment & Assets acquired with the Grant that is lost, damaged or destroyed;
- (d) hold any Capital Equipment & Assets securely and safeguard them against theft, loss, damage, or unauthorised use;
- (e) maintain all Capital Equipment & Assets in good working order;
- (f) maintain all appropriate insurances for all Capital Equipment & Assets to its full replacement value;
- (g) if required by law, maintain registration and licensing of all Capital Equipment & Assets;
- (h) be fully responsible for, and bear all risks relating to, the use or disposal of all Capital Equipment & Assets; and
- (i) ensure an asset register is maintained at all times and, when requested by the Department, provide copies of the asset register to the Department.

8. GST

8.1 Unless otherwise indicated, all consideration for any supply under this Deed is exclusive of any GST imposed in relation to the supply.

8.2 If:

- (a) despite any other provision of this Deed, GST is imposed on a supply you make to the Department under this Deed; and
- (b) the Department is or will be entitled to receive an input tax credit (as defined in the GST Law) in relation to that supply,
- (c) the Department will pay you an additional amount equal to the GST imposed on that supply, at the time and in the manner payment is otherwise payable under this Deed in relation to that supply.

8.3 You must be registered under the GST Law at the time of making any supply under this Deed on which GST is imposed.

8.4 If you are not registered under the GST Law as required under **clause 8.3**, you will not be entitled to receive any additional amount as provided under this **clause 8**.

8.5 If for any reason the Department pays you an amount under this **clause 8** which is more than the GST imposed on the supply, you must repay the excess to the Department on demand or the Department may set off the excess against any other amounts due to you.

Material and Information

9. Reporting Requirements

9.1 You agree to provide the Department with written progress Reports at the times and containing the information specified in **Schedule B – Reporting Requirements** (“Progress Reports”).

9.2 You must also provide any other information the Department reasonably requires from time to time concerning the Project.

9.3 If any Progress Report contains information confidential to you, you should mark the relevant parts of the Report accordingly.

9.4 You must provide financial statements of income and expenditure in respect of the Grant (‘the Statements’) to the Department within 60 Business Days after:

- (a) completion of the Activity or any termination of this Deed, whichever is the earliest; and
- (b) the completion of each Financial Year in which a Grant is made.

9.5 The Statements must include a definitive statement as to whether:

- (a) the financial information for the Project represents the financial transactions fairly and is based on proper accounts and records; and
- (b) the Grant was expended for the Project and in accordance with this Deed.

9.6 You must keep financial accounts and records relating to the Project so as to enable:

- (a) all receipts and payments related to the Project to be identified in your accounts and reported in accordance with this Deed;
- (b) unless notified by the Department, the preparation of financial statements in accordance with Australian Accounting Standards; and
- (c) generation of an income and expenditure statement for each financial year of the Project with the Budget, including:
 - i. a schedule of the Capital Equipment & Assets acquired, sold, written-off or otherwise disposed of during each financial year; and
 - ii. a comparison of the income and expenditure in each financial year against the Budget; and
 - iii. the audit of those records in accordance with Australian Auditing Standards.

10. Intellectual Property

10.1 Intellectual Property in all Project Material vests in you, unless otherwise stated in the Special Conditions.

11. Confidential Information

11.1 Each party must maintain the confidentiality of all commercially sensitive information it receives from the other party, including the amount of the Grant, except in accordance with **clause 13** (Public Announcements) or as otherwise agreed in writing.

12. Privacy

12.1 You must:

- (a) ensure that Personal Information that is provided by the Department or collected by you under or in connection with this Deed is used only for the purposes of this Deed and is protected against loss, unauthorised access, use, modification and disclosure, or against other misuse;
- (b) not disclose any Personal Information without the written consent of:
 - i. the individual to whom the Personal Information relates; or
 - ii. the Department,unless otherwise required or authorised by law;
- (c) comply with the Information Protection Principles applying to NSW public sector agencies under the Privacy and Personal Information Protection Act 1998 (NSW) when doing any act or engaging in any practice in relation to Personal Information as if you were an agency directly subject to that Act; and

- (d) include equivalent requirements regarding Personal Information (including this clause 12) in any subcontract entered into for the provision of any of the Activities under this Deed.

13. Public Announcements and Acknowledgement

13.1 You must:

- (a) seek the consent of the Department prior to any public announcement about the Project;
- (b) acknowledge the support of the Department, as directed by the Department from time to time:
 - iii. in any public statements about the Project;
 - iv. on the home page of any web content established in connection with the Project;
 - v. on any equipment or other facility funded wholly or in part by the Department;
- (c) use the Department's logo when acknowledging the Department's support of the Project in compliance with the NSW Government Brand Guidelines; and
- (d) comply with the Funding Acknowledgement Guidelines for recipients of NSW Government infrastructure grants and **Schedule C - Signage Guidelines**. You must ensure that your subcontractors are aware of the requirements under these guidelines and any associated costs.

13.2 The Department may publish the title and brief description, including outcomes, of the Project and the amount of the Grant.

Dealing with Risk

14. Disclosure of Information

14.1 You acknowledge that, under the Government Information (Public Access) Act 2009, the Department may be required to publicly disclose information about this Deed at <https://tenders.nsw.gov.au>. None of the disclosure obligations require the disclosure of:

- (a) the commercial-in-confidence provisions of a contract;
- (b) any matter that could reasonably be expected to affect public safety or security; or
- (c) information which would be exempt from disclosure if it were the subject of an application under the Government Information (Public Access) Act 2009.

14.2 You may nominate any items you consider are confidential and why, to assist the Department in determining what items to disclose.

15. Insurance

15.1 You must maintain, during the term of this Deed:

- (a) a broadform public liability policy of insurance to the value of at least \$10 million in respect of each claim and in the aggregate as to the number of occurrences in the policy period;
- (b) workers' compensation insurance as required by all relevant laws of Australia relating to workers compensation;
- (c) the Additional Insurance Policies listed in the Details for the minimum sum provided.

15.2 If specified as being required in the Details, a professional indemnity insurance policy must be maintained for a period of 7 years from the end of the Deed.

- 15.3 You must not do, permit or suffer any act, matter or thing or omission whereby any of the policies referred to in this clause may be vitiated, rendered void or voidable.
- 15.4 On request by the Department, you must provide a copy of valid and current certificates of currency for each or any of the policies described above.
- 15.5 Without limitation to **clause 15.1**, each party warrants that it has and will maintain appropriate insurance to cover any liability it may incur in relation to this Deed.

16. Indemnities

- 16.1 You must indemnify and keep indemnified the Department, the Crown in right of the State of New South Wales and their officers, employees and agents from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any Claim by any person as a result of or in connection with:
- (a) the Grant or the use of any outcomes or Capital Equipment & Assets arising from the Project;
 - (b) your breach of this Deed;
 - (c) any unlawful or negligent act or omission by you, your employees or your subcontractors in connection with this Deed;
 - (d) any illness, injury or death of any person you, your employees or your subcontractors cause or contribute to, in connection with this Deed;
 - (e) any loss or damage to real or personal property you, your employees or your subcontractors cause or contribute to, in connection with this Deed; or
 - (f) any act or omission by you, your employees or your subcontractors in connection with this Deed that is in infringement of any Intellectual Property, or privacy rights of the Department or any third party.
- 16.2 Your liability to indemnify the Department under this clause will be reduced proportionately to the extent that any negligent or unlawful act or omission by the Department, its officers, employees or agents contributed to the relevant loss or liability.
- 16.3 Your liability to indemnify the Department under this clause does not exclude or reduce the liability of, or benefit to, a party that may arise by operation of the common law, statute or the other terms of this Deed.

17. Risk Management

- 17.1 Consistent with best practice Project Management, You must prepare and maintain a live risk register and develop appropriate mitigation plans for unacceptable risks which shall be used to manage and report against those risks throughout the project life cycle. You must provide the Department with access to such risk register, mitigation plans and reports.

18. Work Health and Safety

- 18.1 You must:
- (a) comply with, and must ensure that all of Your Personnel comply with all applicable laws and regulations, including the *Work Health and Safety Act 2011* (NSW) and the *Work Health and Safety Regulations 2017* (NSW) (**WHS Legislation**) when performing work under this Deed; and

- (b) so far as is reasonably practicable, consult, co-operate and co-ordinate activities with the Department and any other person who, concurrently with You, has a work health and safety duty under the WHS Legislation in relation to the same matter.
- 18.2 You must ensure, so far as is reasonably practicable, that any Activity or other work performed in connection with this Deed is without risk to the health and safety of persons who may in any way be affected by such Activity or work.
- 18.3 If a Notifiable Incident (as defined in the WHS Legislation) occurs at the Department's premises or involves the Department's Personnel in connection with an Activity or other work carried out under this Deed, You must immediately report the incident to the Department in writing, promptly provide the Department with copies of any notices or other documentation provided to or issued by the relevant government regulator in relation to the Notifiable Incident, and provide the Department with such other information as may be required by the Department to facilitate the notification to or investigation of the Notifiable Incident in accordance with WHS Legislation.

Terminating the Deed

19. Termination

- 19.1 Unless terminated earlier, this Deed will end once you have completed the Project to the Department's satisfaction and the Department has paid all Instalments due.
- 19.2 Where a party has breached this Deed:
- (a) the other party may give a Notice to that party requiring it to rectify that breach within 30 days of receiving that Notice; and
 - (b) if the party which received the Notice fails to rectify that breach in time, the other party may terminate this Deed immediately by giving a further Notice.
- 19.3 The Department may terminate this Deed immediately by Notice if:
- (a) you breach a provision of this Deed in a manner that, in the Department's opinion, is not capable of remedy;
 - (b) you breach any of the following provisions: **clause 14** (Insurance) or **clause 22.10** (Assignment);
 - (c) you materially breach any of the following provisions: **clause 3** (Your Obligations), **clause 6** (Holding of Grant), or **clause 9** (Reporting Requirements); or
 - (d) you become insolvent, if you are the subject of a debtors or creditors petition under the Bankruptcy Act 1966, or if you resolve to go into administration or liquidation or have a summons for your winding up presented to a Court or enter into any scheme of arrangement with your creditors.
- 19.4 The Department may immediately terminate this Deed by giving you Notice, if any one or more of the following occurs:
- (a) in the Department's opinion you are not carrying out the Project diligently and competently;
 - (b) you have not completed one or more of the Activities by the date they are due to be completed;
 - (c) the Department considers the Project no longer viable;

- (d) the Department considers that there has been a material change in circumstances in your financial position, your structure or your identity; or
- (e) you have not made significant progress on the performance of your obligations under this Deed to the satisfaction of the Department by the date that is 6 months after the date of this Deed; or
- (f) you have not completed a Milestone within 6 months of the due date for that Milestone,

and you have failed to satisfy the Department that such events or circumstances have been alleviated, within 30 days of receiving a Notice from the Department requiring you to do so.

Other Legal Matters

20. Dispute Resolution

- 20.1 If a dispute arises in relation to this Deed (“a **Dispute**”), a party must comply with this **clause 20** before starting arbitration or court proceedings except proceedings for urgent interlocutory relief.
- 20.2 A party claiming that a dispute has arisen must notify the other party in writing giving details of the dispute (**Dispute Notice**) in accordance with the requirements of **clause 21** (Notices).
- 20.3 Following receipt of a Dispute Notice, each party must refer the Dispute to a senior representative, who:
- (a) does not have prior direct involvement in the Dispute; and
 - (b) has authority to negotiate and settle the Dispute.
- 20.4 If the Dispute is not resolved within 10 Business Days, from the date the Dispute Notice is received by the party to whom the Dispute Notice is given, the party which gave the Dispute Notice under **clause 20.2** must refer the Dispute for mediation by the Australian Disputes Centre Limited (ADC) for resolution in accordance with the mediation rules of the ADC.
- 20.5 If the Dispute is not resolved within 40 Business Days after referral to mediation either party may initiate proceedings in court.
- 20.6 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.
- 20.7 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.

21. Notices

- 21.1 Unless otherwise stated in this Deed, all Notices to be given under this Deed must be in writing, and hand-delivered, posted or emailed to the Authorised Officer specified in the Details or as otherwise notified in writing.
- 21.2 The receiving party will be deemed to have received the Notice as follows:
- (a) if hand delivered, on the day on which it is delivered or left at the relevant address;
 - (b) if sent by post within Australia:

- vi. if posted using Express Post, the priority letter service option of regular post, or the priority service option for Registered Mail, on the fourth Business Day after the day on which it is posted;
 - vii. if posted using the regular post option, on the tenth Business Day after the day on which it is posted;
- (c) if sent by email before 5.00pm on a Business Day, the first of the following occurring:
- viii. when the sender receives an automated message confirming delivery; or
 - ix. four hours after the time sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not be delivered.
- (d) if sent by email after 5.00pm on a Business Day or on a day that is not a Business Day, then it will be deemed to be received on the next Business Day.
- 21.3 Any such mode of service will be in all respects valid notwithstanding that the party on whom service is affected may be in liquidation, bankruptcy or wound up and notwithstanding any other matter or event whatsoever.

22. General

- 22.1 **Survival:** The following clauses survive termination or expiry of this Deed: **clause 9** (Reporting Requirements), **clause 11** (Confidential Information), **clause 12** (Privacy), **clause 15** (Insurance), **clause 16** (Indemnities), **clause 19** (Termination), **clause 22.3** (Keeping of records), this **clause 22.1** and any other clause which by its nature is intended to survive this Deed.
- 22.2 **Subcontractors:** You remain fully responsible for the performance of the Project if you subcontract the performance of any part of the Project.
- 22.3 **Keeping of records, audit and rights of access to such records and access to Capital Equipment & Assets:** You:
- (a) must keep complete and accurate records and books of account with respect to your performance of the Project (the "Records"), and must retain such Records for a minimum of seven (7) years after expiry or termination of this Deed;
 - (b) authorise the Department and any State or Commonwealth Government department or agency (and any of their appointed third party service providers authorised to perform audits on their behalf) (the "**Auditors**") that has provided moneys to the Department for the purposes of the Project, to undertake on-site audits, to examine and inspect, at reasonable times and on reasonable Notice, any facilities, any Capital Equipment & Assets and any records held by you and Records, and allow any such Records to be copied; and
 - (c) provide all reasonable assistance in order for the Auditors to properly carry out the inspections and audits referred to in this clause.
- 22.4 **Conflict of Interest:** You must not carry on or be involved in any capacity in an activity or business, which may conflict with, or adversely affect, your ability to carry out your obligations under this Deed, and you will immediately notify the Department in writing if such a conflict or risk of such a conflict arises. You must take all reasonable efforts to ensure that your staff and contractors abide by this clause.

- 22.5 **Entire Deed:** This Deed states all the express terms agreed by the parties as to the matters referred to in this Deed. It supersedes all prior contracts, obligations, representations, conduct and understandings between the parties relating to the subject matter of this Deed.
- 22.6 **Variation:** This Deed may only be varied by agreement in writing including by an exchange of emails confirming the agreed variation.
- 22.7 **Inconsistency:** If there is any inconsistency between provisions of this Deed then the order of precedence will be:
- (a) the **Details**; then
 - (b) any **Special Conditions**; then
 - (c) these **Funding Terms**; then
 - (d) any **Schedules**.
- 22.8 **Negation of employment, partnership or agency**
- (a) This Deed does not create a relationship of agency, partnership, and/or employment between the parties.
 - (b) You must not represent yourself as being an employee or agent of the Department or as otherwise able to bind or represent the Department.
- 22.9 **Waiver**
- (a) If a party fails to exercise any of its rights under this Deed, or delays exercising those rights, that failure or delay will not operate as a waiver of those rights or any future rights or in any respect estop a party from relying on the terms of this Deed to their full force and effect.
 - (b) Any waiver by a party of a breach of this Deed must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.
- 22.10 **Assignment:** You must not assign or novate your obligations or interests under this Deed, without the prior written consent of the Department.
- 22.11 **Counterparts:** This Deed may be signed in any number of counterparts which taken together will constitute one instrument.
- 22.12 **Governing Law:** The laws of New South Wales govern this Deed and the parties submit to the non-exclusive jurisdiction of the courts in that State.

Executed as a deed

Department

Signed, sealed and delivered for and on behalf of the Crown in right of the State of New South Wales acting through the Department by its authorised signatory but not so as to incur personal liability:

N. Deacon
Signature of Authorised Signatory

[Signature]
Signature of Witness

NIGEL DEACON
Name of Authorised Signatory

SEEVARATNAM HARIDHARAN
Name of Witness

MANAGER SSWP
Position of Authorised Signatory

209 COBLET ST DUBBO
Address of Witness

15/01/20
Date

You (Authorised Signatory)

By entering into this Deed the signatory warrants that the signatory is duly authorised to execute this Deed on behalf of Central Darling Shire Council (ABN 65061502439)

Signed, sealed and delivered for and on behalf of Central Darling Shire Council (ABN 65061502439) by its authorised signatory:

[Signature]
Signature of authorised signatory

[Signature]
Signature of Witness

Grey Hill
Name of authorised signatory

Kevin Smith
Name of Witness

General Manager
Position of authorised signatory

Fineline Manager
Address of Witness

15/1/20.
Date

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Wilcannia Water Treatment Plant

Project type: SSWP140 Development and delivery of Wilcannia WTP					
Item no.	Delivery Phase	Activity	Assurance Requirements (see clause 1.2)	Maximum Milestone Payment (ex GST)	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	Completed
2	Development	Completion of options and concept development	DPIE concurred options and concept development	\$100,000	Completed
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for comments	-	Completed
4	Delivery	Calling tenders		-	Completed
5	Delivery	Completion of tender evaluation	DPIE to receive tender assessment and recommendation prior to awarding contract	\$100,000	Completed
6	Delivery	Tender awarded	Evidence of executed contract	-	Completed
7	Delivery	Completion of preliminary works	Evidence of preliminary works	\$150,000	Completed
8	Delivery	Completion of detailed design	Submit detailed design and all information required to DPIE for S60 approval	\$250,000	Completed
9	Delivery	Section 60 approval granted		-	Completed
10	Delivery	Prefabrication of Water Treatment Plant	Evidence of prefabrication of water treatment plant	\$1,000,000	Completed
11	Delivery	Commencement of onsite works	Evidence of construction commencement of onsite works	\$1,900,000	15-Jun-2024
12	Delivery	Construction progress 25%	Evidence of construction 25% complete	\$700,000	30-Jun-2025
13	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commission/proof of performance report	\$2,500,000	31-Dec-2025
14	Finalisation	Completion of final project report ²	Submit Project Completion Report to the Department	\$50,000	31-Mar-2026
		Contingency scope		\$635,000	
Total Grant (Maximum):				\$7,385,000³	

Notes

1. Project Plan to be submitted for Department concurrence (may be submitted in stages for different elements)

2. Completion/benefits realisation report required for final grant release.
3. Total grant funding has increased by \$3,885,000 from additional Commonwealth Government 'Far West Water Treatment Plants' project funds. These funds are dependent on the NSW Government executing a Federal Funding Agreement with the Australian Government.

Schedule B – Reporting Requirements (refer to clause 9)

Reporting requirements (Progress Reports):

1. You must provide to the Department's authorised officer in accordance with clause 211, minimum quarterly (or monthly on request) Activity Progress Reports on the status of all on-going and completed activities for the period to which the report relates, consisting of:
 - a) project reference number (for all correspondence);
 - b) a brief description of the activities' objective/s;
 - c) all activities undertaken during the reporting period;
 - d) the status of results and milestones achieved to date from the project;
 - e) an update of the Gantt chart (at least as detailed as at Schedule B) with actual progress tracked;
 - f) financial report of actual expenditure and forecasts related to the Grant funding;
 - g) WHS report, including an update from the Principal Contractor in relation to WHS matters (which report must include, at a minimum, any matter in relation to your obligations under Special Condition **Error! Reference source not found.** and clause 18 of the Deed);
 - h) a Risks and Issues report, with controls or treatments for all High and Medium risks ;
 - i) information about any notable engagement or communications with stakeholders, and / or media;
 - j) photographic evidence of construction progress;
 - k) photographic evidence of required signage, clearly depicting location (see **Schedule C – Signage Guidelines**) - required for first Activity Progress Report and Final Report. Photographic evidence must also be emailed to sswp@dpie.nsw.gov.au;
 - l) details of any delay in the delivery of the project;
 - m) copies of published reports and materials in relation to the Project; and
 - n) such other information reasonably requested by the Department.
2. The Department may meet with you each quarter, at the Department's discretion, to discuss progress on the Project.
3. The Department may undertake site visits from time to time to ascertain progress of the activities after providing reasonable notice to you.
4. Upon completion of the Project, you must promptly provide to the Department a Final Report, outlining the delivery of the Project, including Project acquittal.

Schedule C – Signage Guidelines (refer to clause 13)

The NSW Government Brand Guidelines

and the Funding Acknowledgement Guidelines

for recipients of NSW Government infrastructure grants will apply to this Project.

The Funding Acknowledgement Guidelines include terms covering:

- Acknowledgement and approval
- Funding acknowledgement statement
- NSW Government logo
- Acknowledgement use and approval process
- Signage production and approval process
- Approvals process
- Cost responsibility
- Steps for production of signs
- Non-signage applications
- Signage requirements
- Signage templates
- Plaques

Notwithstanding the terms of the Funding Acknowledgement Guidelines, the following terms will apply:

- The Department will produce, print and supply one (1) sign as required under the Funding Acknowledgement Guidelines, at no cost to you.
- You must provide the relevant information to the Department within the requested timeframe, so the Department can deliver the sign before the sign is due to be installed at the Project site.
- You are responsible for the placement, display and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.
- If you require more signs, for whatever reason, you will be responsible for the production, printing, placement and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.

Details

Department	Name	The Crown in right of the State of New South Wales acting through the Department of Industry (ABN 72 189 919 072).
	Agency/ Division	Lands and Water
	Address	10 Valentine Street, Parramatta NSW 2150
Department Authorised Officer <i>(refer to clause 19 - Notices)</i>	Name	Nige Deacon
	Position	Manager, Safe and Secure Water Program
	Address	PO Box 717 Dubbo NSW 2830
	Telephone	02 6841 7416
	E-mail	nige.deacon@industry.nsw.gov.au
Grantee ('You')	Name	Central Darling Shire Council
	Address	100 Railway Street, Wilcannia NSW 2836
	ABN	50 615 024 39
Your Authorised Officer <i>(refer to clause 20 - Notices)</i>	Name	Greg Hill
	Position	General Manager
	Address	PO Box 165, Wilcannia NSW 2836
	Telephone	08 8083 8900
	E-mail	council@centraldarling.nsw.gov.au
Project	Replacement of Wilcannia Water Treatment Plant	
Grant	A maximum total amount of \$100,000 (GST exclusive) based on 100% of actual Project costs. The Department will pay the Grant in arrears, upon successful completion of the project. After approval of the project business Case a variation may be agreed for a maximum total amount of \$3,500,000 (GST exclusive), payable in Instalments.	

Superseded

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Wilcannia Water Treatment Plant.

Project type: SSWP140 Development and delivery of Wilcannia WTP						
Milestone No.	Funding Phase	Activity	Assurance Requirements (see clause 1.2)	Milestone percentage (Approx %)	Maximum Milestone Payment	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	-	31-Oct-20
2	Development	Completion of options and concept development	DPIE concurred options and concept development	3%	\$100,000	31-Oct-20
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for comments	-	-	30-Nov-20
4	Delivery	Calling tenders		-	-	04-Jan-21
5	Delivery	Completion of tender evaluation	DPIE to receive tender assessment and recommendation prior to awarding contract	6%	\$100,000	31-Mar-21
6	Delivery	Tender awarded	Evidence of execution contract	-	-	30-Apr-21
7	Delivery	Completion of preliminary works	Evidence of commencement of preliminary works	4%	\$150,000	31-Jul-21
8	Delivery	Completion of detailed design	Submit detailed design and all information required to DPIE for S60 approval	7%	\$250,000	30-Nov-21
9	Delivery	Section 60 approval issued		-	-	31-Jan-22
10	Delivery	Prefabrication of Water Treatment Plant	Evidence of prefabrication of water treatment plant	29%	\$1,000,000	30-Sep-22
11	Delivery	Commencement of onsite works	Evidence of construction commencement of onsite works	29%	\$1,000,000	30-Nov-22
12	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commissioning/proof of performance report	14%	\$500,000	30-Nov-23
13	Finalisation	Completion of final project report ²	Submit Project Completion Report to DPIE	1%	\$50,000	31-Jan-24
		Contingency scope		10%	\$350,000	
Total Grant (Maximum):					\$3,500,000	

Notes

- 1 Project Plan to be submitted for DPIE concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Wilcannia Water Treatment Plant:

Project type: SSWP140 Development and delivery of Wilcannia WTP						
Milestone No.	Funding Phase	Activity	Assurance Requirements (see clause 1.2)	Milestone percentage (Approx %)	Maximum Milestone Payment	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	-	31-Oct-20
2	Development	Completion of options and concept development	DPIE concurred options and concept development	3%	\$100,000	31-Oct-20
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for comments	-	-	30-Nov-20
4	Delivery	Calling tenders		-	-	04-Jan-21
5	Delivery	Completion of tender evaluation	DPIE to receive tender assessment and recommendation prior to awarding contract	4%	\$100,000	31-Mar-21
6	Delivery	Tender awarded	Evidence of executed contract	-	-	30-Apr-21
7	Delivery	Completion of preliminary works	Evidence of preliminary works	4%	\$150,000	31-Jul-21
8	Delivery	Completion of detailed design	Submit detailed design and information required by DPIE for S60 approval	7%	\$250,000	30-Nov-21
9	Delivery	Section 60 approval issued		-	-	31-Jan-22
10	Delivery	Construction progress 25%	Evidence of construction progress to 25%	18%	\$625,000	31-May-22
11	Delivery	Construction progress 50%	Evidence of construction progress to 50%	18%	\$625,000	31-Oct-22
12	Delivery	Construction progress 75%	Evidence of construction progress to 75%	18%	\$625,000	30-Apr-23
13	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commissioning/proof of performance report	18%	\$625,000	30-Sep-23
14	Finalisation	Completion of final project report ²	Submit Project Completion Report to DPIE	1%	\$50,000	31-Oct-23
		Contingency scope		10%	\$350,000	
Total Grant (Maximum):					\$3,500,000	

Notes

- 1 Project Plan to be submitted for DPIE concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule A – Project Milestones & Assurance

Objectives:

1. Reduce water quality risk by replacement / improvement to the existing water treatment plant;
2. ?

Project type: Development and delivery of XXX Drought & Emergency Works

Item no.	Delivery Phase	Event	Assurance Requirements (see clause 1.2)	Funding Deed Milestone	Capped milestone percentage %	Capped milestone payment \$	Milestone Date
1	Development		Investigation and gap analysis to inform scope of works particularly around water balance				
2	Development		Develop scope of works for Wilcannia WTP			30,000	
3	Development	Submit CDRC Options report	Provide options study report for DPIE concurrence				
4	Development		Section 60 concurrence to options report			30,000	
5	Development	Develop concept design and specification	Concept design and specification				
6			Section 60 concurrence to concept design & spec				
7	Development	Submit Business Case / Project Plan for concurrence	Project Plan for Delivery stage			40,000	
8	Development	Gateway 0	SSWP concurrence to Project Plan				
Funding capped at			\$100,000		100%	\$ -	

Notes

- 1 Project Plan to be submitted for SSWP concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule C – Signage Guidelines (refer to clause 13)

The NSW Government Brand Guidelines

<https://communications.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/files/Communications-and-Engagement/0c7b202631/NSW-Government-Brand-Guidelines.pdf>

and the Funding Acknowledgement Guidelines

<https://communications.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/files/Communications-and-Engagement/fa6fd6d77a/Funding-Acknowledgement-Guidelines-for-Recipients-of-NSW-Government-Grants.pdf>

for recipients of NSW Government infrastructure grants will apply to this Project.

The Funding Acknowledgement Guidelines include terms covering:

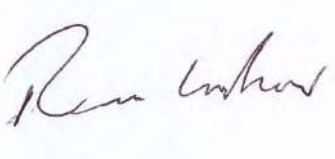
- Acknowledgement and approval
- Funding acknowledgement statement
- NSW Government logo
- Acknowledgement use and approval [process](#)
- Signage production and approval [process](#)
- Approvals process
- Cost responsibility
- Steps for production of signs
- Non-signage applications
- Signage requirements
- Signage templates
- Plaques

Notwithstanding the terms of the Funding Acknowledgement Guidelines, the following terms will apply:

- The Department will produce, print and supply one (1) sign as required under the Funding Acknowledgement Guidelines, at no cost to you.
- You must provide the relevant information to the Department within the requested timeframe, so the Department can deliver the sign before the sign is due to be installed at the Project site.
- You are responsible for the placement, display and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.
- If you require more signs, for whatever reason, you will be responsible for the production, printing, placement and ongoing maintenance of the sign, and for seeking [approval](#)



Variation History Log

Date	Variation	Reason for variation	Author and Agreement
01/09/2022	1	Additional Milestones added to Schedule A for Prefabrication of Water Treatment Plant and commencement of onsite works.	<p>Author Name: Lara Flint Date: 19/08/2022</p> <p>Agreed to on behalf of NSW Department of Planning and Environment Name: Lisa Hingerty Date: 25.9.22</p> <p>Agreed to on behalf of Central Darling Shire Council Name: Reece Wilson Date: 7/09/22</p>
22/5/2024	2	<p>Amendments:</p> <ul style="list-style-type: none"> • Details: <ul style="list-style-type: none"> ○ Department name and ABN ○ Department Authorised Officer details ○ Grant details. Amount of grant changed from maximum total amount of \$2,500,000 (GST exclusive) to \$5,850,000 (GST exclusive) • Schedule A Milestones: <ul style="list-style-type: none"> ○ New Milestone 12 Completion of 15% works • Schedule A Milestones dates: <ul style="list-style-type: none"> ○ Milestone 11 from 30 November 2022 to 15 June 2024 ○ New Milestone 12 due 30 October 2024 ○ Milestone 13 from 30 November 2023 to 31 August 2025 ○ Milestone 14 from 31 January 2024 to 31 October 2025 • Schedule A Milestone amounts: <ul style="list-style-type: none"> ○ Milestone 11 from \$695,000 to \$1,305,000 	<p>Author Name: Libby Cameron Date: 22/5/2024</p> <p>Agreed to on behalf of NSW Department of Climate Change, Energy, the Environment and Water Name: Lisa Hingerty Date: 13.6.24</p> <p>Agreed to on behalf of Central Darling Shire Council Name: Reece Wilson Date: 11/06/2024</p> 

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[7792961: 23955767_2]Version 3.0

		<ul style="list-style-type: none"> ○ New Milestone 12 \$1,224,500 ○ Milestone 13 from \$310,000 to \$1,610,000 ○ Contingency scope from \$250,000 to \$465,500 ● Schedule A Addition of Note 3: Total grant funding has increased by \$3,350,000 from additional Commonwealth Government 'Far West Water Treatment Plants' project funds. These funds are dependent on the NSW Government executing a Federal Funding Agreement with the Australian Government. ● Schedule C Signage <p>Total grant amount has changed from \$2,500,000 to \$5,850,000 (GST exclusive)</p>	
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Funding Deed – Replacement of the Ivanhoe Water Treatment Plant Project

Project Reference	SSWP139
Department	Department of Climate Change, Energy, the Environment and Water
Agency/Division	Water
Grantee	Central Darling Shire Council

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Details

Department	Name	The Crown in right of the State of New South Wales acting through the Department of Climate Change, Energy, the Environment and Water (ABN 27 578 976 844).
	Agency/ Division	Water
	Address	4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
Department Authorised Officer <i>(refer to clause 19 - Notices)</i>	Name	Carla Antunes
	Position	Manager, Grants Local Water Utilities
	Address	Level 2, 6 Stewart Avenue, Newcastle West, NSW 2302
	Telephone	0428 329 985
	E-mail	Carla.antunes@dpie.nsw.gov.au
Grantee ('You')	Name	Central Darling Shire Council
	Address	21 Reid Street, Wilcannia NSW 2836
	ABN	65 061 502 439
Your Authorised Officer <i>(refer to clause 21 - Notices)</i>	Name	Greg Hill
	Position	General Manager
	Address	PO Box 165, Wilcannia NSW 2836
	Telephone	08 8083 8900
	E-mail	council@centraldarling.nsw.gov.au
Project	Replacement of Ivanhoe Water Treatment Plant	
Grant	A maximum total amount of \$5,850,000 (ex GST) for the design and construction of a new Ivanhoe Water Treatment Plant, payable in Instalments, based on up to 100% of evidenced actual project expenditure. The Department will pay the Grant in arrears, upon successful completion of the project milestones.	
Commencement Date <i>(refer to clause 2- Commencement)</i>	The Commencement Date is the date that this Deed is executed by the parties (or the last date that a party executes this Deed, if executed on different dates).	

Additional Insurance Policies required to be maintained by the Grantee

Types of Insurances	Minimum Sum Insured	Tick if Required
Professional Indemnity	\$1million in respect of any one claim	✓

Special Conditions

You acknowledge and agree that:

as at the date of this Deed, the Business Case has not been approved by the Department;

You must obtain the Department's written approval of the Business Case and You acknowledge that prior to the Department providing such approval, You will be required to make any amendments to the Business Case that the Department determines are reasonably necessary;

until the Business Case is approved in writing by the Department, the Project must be carried out in accordance with any approvals in the document;

once the Business Case is approved, the parties agree to populate Schedule A - Project Milestones and Assurance reflect the approved Business Case, and vary the Deed in accordance with clause 21.6 to incorporate the populated Schedule A;

notwithstanding any other provision of this Deed, if for any reason:

the Department has not provided its written approval of the Business Case and/or;

the parties have not agreed to the terms of Schedule A in accordance with Special Condition (e), by [insert deadline date], the Department may immediately by notice in writing to You, terminate this Deed;

the Project must be carried out in accordance with the approved Business Case;

You have consulted with the community and other stakeholders and confirmed their support for the Project;

You must use the Grant in accordance with the Business Case;

the Grant is the only amount to be paid by the Department in connection with the Project;

if the Project requires any additional funding, You are responsible for providing or obtaining such additional funding, without reference to the Department;

You are responsible (at Your own cost and expense) for the ongoing maintenance, support, running and other matters in connection with the works to be completed, including following completion of the works; and

the Department has a strategic commitment to bring "Every person home safe every day" and that You are responsible for ensuring that You deliver on this commitment throughout the delivery of the Project in relation to Your Personnel. You must provide the Department with sufficient detail relating to Your compliance with this Special Condition in the WHS report required to be provided under Schedule B.

Terms

Definitions and Commencement

Definitions and Interpretation

1. Interpretation

1.1 Unless the context requires otherwise, in this Deed:

- (a) the terms set out in the left hand column of the Details have the meaning ascribed to them in the right hand column of the Details;
- (b) where any time limit pursuant to this Deed falls on a day which is not a Business Day then the time limit will be deemed to have expired on the next Business Day;
- (c) a reference to a statute, regulation, ordinance or by-law will be deemed to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing same from time to time;
- (d) the meaning of general words is not limited by specific examples introduced by “including” or “for example” or similar expressions;
- (e) references to persons include bodies corporate, government agencies and vice versa;
- (f) references to the parties include references to respective directors, officers, employees and agents of the parties;
- (g) nothing in this Deed is to be interpreted against a party solely on the ground that the party put forward this Deed or any part of it; and
- (h) where an expression is defined, any other grammatical form of that expression has a corresponding meaning.

1.2 Definitions

Activity means the activity(s) described in **Schedule A – Project Milestones and Assurance**, which aim to fulfil one or more of the Objectives of the Project.

Activity Period means the period specified in **Schedule A – Project Milestones and Assurance** during which the Activity must be completed.

Assurance requirements are reports, materials or other evidence as specified in Schedule A that are required to be provided to the Department by you before payment of the amount applicable to the corresponding Milestone.

Business Case means the document titled Project Plan, dated 1st May 2020 and provided by You to the Department and includes any amendments to that document made under this Deed. Note for Projects under \$10 million the current SSWP Project Plan / Business Case template may be used.

Business Day means any day other than a Saturday, Sunday or public holiday in New South Wales.

Capital Equipment & Assets means any item of tangible property, purchased, leased, created or otherwise brought into existence wholly, or in part, with the use of the Grant, which has at that time a value of over \$5,000 inclusive of GST, but does not include Project Material.

Claim means any cost, expense, loss, damage, claim, action, proceeding or other liability (whether in contract, tort or otherwise), however arising and includes legal costs on a full indemnity basis.

Confidential Information of a party means all trade secrets, financial information and other commercially or scientifically valuable information of whatever description and in whatever form (whether written or oral, visible or invisible) which:

- (a) is by its nature confidential;
- (b) has been designated as confidential by a party;
- (c) is capable of protection at common law or equity as confidential information; or
- (d) is derived or produced partly from the information in paragraphs (a), (b) or (c) above but does not include information that:
 - (e) is in the public domain; or
 - (f) is independently known or developed by the party receiving the information other than as a result of a breach of this Deed or any other obligation of confidentiality owed by or to any other person.

Correctly Rendered Invoice means an invoice rendered in accordance with the Department's Fact Sheet.

Deed means this funding deed document and includes the Details, Terms, Schedule A – Project Milestones and Assurance, and any other schedules, annexures or other documents cross-referenced in this deed.

Grant means funds released by the Department as specified in the Details section above.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999*.

Instalments means that part of the Grant which the Department pays to you in the amounts and on the dates set out in Schedule A.

Intellectual Property or IP includes:

- (g) all rights in relation to copyright, inventions, plant varieties, trademarks, designs, patents; and
 - (h) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including trade secrets and know-how,
- but does not include Moral Rights.

Milestone and Funding Deed Milestone is the **Activity(s)** described in **Schedule A – Project Milestones and Assurance**, which aim to fulfil one or more of the Objectives of the Project.

Moral Rights has the same meaning as in the *Copyright Act 1968 (Cth)*.

Notice means any approvals, consents, instructions, orders, directions, statements, requests and certificates, or other communication one party gives to another party in writing under this Deed.

Objectives means the objectives of the Activities described in the Schedule A – Project Milestones and Assurance, which are the agreed results you must achieve and ensure your subcontractors achieve.

Personal Information has the same meaning as in the *Privacy and Personal Information Protection Act 1998 (NSW)*.

Personnel includes, in relation to a party, that party's: officers, employees and agents; affiliates, advisers, consultants and subcontractors; affiliates', advisers', consultants' and subcontractors' officers, employees and agents; and any other persons under that party's direction or control.

Project Material means material created as part of or in performance of the Project including any documents or data.

Special Conditions means the Special Conditions (if any) set out in that section of this Deed.

2. Commencement

2.1 This Deed will commence on the Commencement Date.

What you must do

3. Your obligations

3.1 You must:

- (a) ensure the Grant or any Instalment is used only for the approved Project;
- (b) ensure each Activity is completed within the Activity Period in accordance with this Deed;
- (c) comply with the reporting requirements set out in Schedule B;
- (d) comply with all Commonwealth, State and Local government laws that are relevant to the Project, this Deed, or your registration as an entity; and
- (e) comply with all policies, guidelines and reasonable directions the Department provides to you.

About the Grant

4. Paying the Grant

4.1 The Department will pay an Instalment for each Activity at the end of the Activity Period on condition that:

- (a) the Department receives a Correctly Rendered Invoice from you that clearly identifies the Instalment you are claiming;
- (b) you have provided the Department's authorised officer and in accordance with Clause 21 with the evidence of compliance required under **clause 9** and the Schedule(s) showing that you have performed the Activities at the times set out in the Schedules and this Deed; and
- (c) the Activities have been performed to the satisfaction of the Department.

4.2 Notwithstanding **clause 4.1**, if the Department pays you an Instalment, this does not constitute an admission that the performance of the Project is in conformity with this Deed and no payment will be deemed to release you from your obligations under this Deed.

4.3 Subject to the terms and conditions of this Deed, including this clause 4, the Department will endeavour to pay Correctly Rendered Invoices within 30 days of receipt by the Department.

5. Withholding, Suspension, Changes to Instalments and Repayment

5.1 The Department may change the amount of the Instalment by issuing you with a Notice setting out the details of the changes.

5.2 If you are not complying with this Deed the Department may withhold or suspend payment of an Instalment until you comply with your obligations to the Department's satisfaction.

5.3 If the Department withholds or suspends an Instalment you must continue to perform your obligations under this Deed.

5.4 You must repay within 28 days of a demand being sent:

- (a) any Instalment spent in breach of this Deed;
- (b) all unspent Instalments;
- (c) any overpayment
- (d) any interest earned on any Instalment required to be repaid.

5.5 Where you have failed to comply with this Deed, the Department will calculate the amount of repayment you must make with regard to the extent you have failed to complete the Activities of the Project.

5.6 The Department may set off the amount of any overpayment or claim for repayment against any future Instalment due.

5.7 Any repayment the Department claims from you under this **clause 5** will be a debt due and owing by you to the Department.

6. Holding of Grant

6.1 This **clause 6** applies to the extent that you receive any funds under this Deed prior to incurring costs associated with such funds or prior to completing your obligations which apply to the relevant Instalment.

6.2 Each Instalment must be held in trust for the benefit of the Department from the date it is received either:

- (a) in a separate bank account used solely in connection with the Grant; or
- (b) into a general bank account provided that sufficient accounting controls are in place to track the expenditure of the Grant.

6.3 You must not expend any part of the Grant until the Department has notified you that you may release the specified amount of the Grant for the Project.

7. Capital Equipment & Assets

7.1 Any Capital Equipment & Assets acquired with the Grant for the purposes of the Project will become your property.

7.2 You must not acquire any Capital Equipment & Assets with the Grant unless the Capital Equipment & Assets is specified in the Deed or the Department has provided you with prior written consent to acquiring that Capital Equipment & Assets.

7.3 You must for the term of this Deed:

- (a) use any Capital Equipment & Assets you acquire with the Grant for the Project and in accordance with this Deed;
- (b) not sell, encumber, cease to use or otherwise dispose of any Capital Equipment & Assets acquired with the Grant without first obtaining written consent from the Department;

- (c) at your own expense reinstate any Capital Equipment & Assets acquired with the Grant that is lost, damaged or destroyed;
- (d) hold any Capital Equipment & Assets securely and safeguard them against theft, loss, damage, or unauthorised use;
- (e) maintain all Capital Equipment & Assets in good working order;
- (f) maintain all appropriate insurances for all Capital Equipment & Assets to its full replacement value;
- (g) if required by law, maintain registration and licensing of all Capital Equipment & Assets;
- (h) be fully responsible for, and bear all risks relating to, the use or disposal of all Capital Equipment & Assets; and
- (i) ensure an asset register is maintained at all times and, when requested by the Department, provide copies of the asset register to the Department.

8. GST

8.1 Unless otherwise indicated, all consideration for any supply under this Deed is exclusive of any GST imposed in relation to the supply.

8.2 If:

- (a) despite any other provision of this Deed, GST is imposed on a supply you make to the Department under this Deed; and
- (b) the Department is or will be entitled to receive an input tax credit (as defined in the GST Law) in relation to that supply,
- (c) the Department will pay you an additional amount equal to the GST imposed on that supply, at the time and in the manner payment is otherwise payable under this Deed in relation to that supply.

8.3 You must be registered under the GST Law at the time of making any supply under this Deed on which GST is imposed.

8.4 If you are not registered under the GST Law as required under **clause 8.3**, you will not be entitled to receive any additional amount as provided under this **clause 8**.

8.5 If for any reason the Department pays you an amount under this **clause 8** which is more than the GST imposed on the supply, you must repay the excess to the Department on demand or the Department may set off the excess against any other amounts due to you.

Material and Information

9. Reporting Requirements

9.1 You agree to provide the Department with written progress Reports at the times and containing the information specified in **Schedule B – Reporting Requirements** (“Progress Reports”).

9.2 You must also provide any other information the Department reasonably requires from time to time concerning the Project.

9.3 If any Progress Report contains information confidential to you, you should mark the relevant parts of the Report accordingly.

9.4 You must provide financial statements of income and expenditure in respect of the Grant (‘the Statements’) to the Department within 60 Business Days after:

- (a) completion of the Activity or any termination of this Deed, whichever is the earliest; and
- (b) the completion of each Financial Year in which a Grant is made.

9.5 The Statements must include a definitive statement as to whether:

- (a) the financial information for the Project represents the financial transactions fairly and is based on proper accounts and records; and
- (b) the Grant was expended for the Project and in accordance with this Deed.

9.6 You must keep financial accounts and records relating to the Project so as to enable:

- (a) all receipts and payments related to the Project to be identified in your accounts and reported in accordance with this Deed;
- (b) unless notified by the Department, the preparation of financial statements in accordance with Australian Accounting Standards; and
- (c) generation of an income and expenditure statement for each financial year of the Project with the Budget, including:
 - i. a schedule of the Capital Equipment & Assets acquired, sold, written-off or otherwise disposed of during each financial year; and
 - ii. a comparison of the income and expenditure in each financial year against the Budget; and
 - iii. the audit of those records in accordance with Australian Auditing Standards.

10. Intellectual Property

10.1 Intellectual Property in all Project Material vests in you, unless otherwise stated in the Special Conditions.

11. Confidential Information

11.1 Each party must maintain the confidentiality of all commercially sensitive information it receives from the other party, including the amount of the Grant, except in accordance with **clause 13** (Public Announcements) or as otherwise agreed in writing.

12. Privacy

12.1 You must:

- (a) ensure that Personal Information that is provided by the Department or collected by you under or in connection with this Deed is used only for the purposes of this Deed and is protected against loss, unauthorised access, use, modification and disclosure, or against other misuse;
- (b) not disclose any Personal Information without the written consent of:
 - i. the individual to whom the Personal Information relates; or
 - ii. the Department,unless otherwise required or authorised by law;
- (c) comply with the Information Protection Principles applying to NSW public sector agencies under the Privacy and Personal Information Protection Act 1998 (NSW) when doing any act or engaging in any practice in relation to Personal Information as if you were an agency directly subject to that Act; and

- (d) include equivalent requirements regarding Personal Information (including this clause 12) in any subcontract entered into for the provision of any of the Activities under this Deed.

13. Public Announcements and Acknowledgement

13.1 You must:

- (a) seek the consent of the Department prior to any public announcement about the Project;
- (b) acknowledge the support of the Department, as directed by the Department from time to time:
 - i. in any public statements about the Project;
 - ii. on the home page of any web content established in connection with the Project;
 - iii. on any equipment or other facility funded wholly or in part by the Department;
- (c) use the Department's logo when acknowledging the Department's support of the Project in compliance with the NSW Government Brand Guidelines; and
- (d) comply with the Funding Acknowledgement Guidelines for recipients of NSW Government infrastructure grants and **Schedule C - Signage Guidelines**. You must ensure that your subcontractors are aware of the requirements under these guidelines and any associated costs.

13.2 The Department may publish the title and brief description, including outcomes, of the Project and the amount of the Grant.

Dealing with Risk

14. Disclosure of Information

14.1 You acknowledge that, under the Government Information (Public Access) Act 2009, the Department may be required to publicly disclose information about this Deed at <https://tenders.nsw.gov.au>. None of the disclosure obligations require the disclosure of:

- (a) the commercial-in-confidence provisions of a contract;
- (b) any matter that could reasonably be expected to affect public safety or security; or
- (c) information which would be exempt from disclosure if it were the subject of an application under the Government Information (Public Access) Act 2009.

14.2 You may nominate any items you consider are confidential and why, to assist the Department in determining what items to disclose.

15. Insurance

15.1 You must maintain, during the term of this Deed:

- (a) a broadform public liability policy of insurance to the value of at least \$10 million in respect of each claim and in the aggregate as to the number of occurrences in the policy period;
- (b) workers' compensation insurance as required by all relevant laws of Australia relating to workers compensation;
- (c) the Additional Insurance Policies listed in the Details for the minimum sum provided.

15.2 If specified as being required in the Details, a professional indemnity insurance policy must be maintained for a period of 7 years from the end of the Deed.

- 15.3 You must not do, permit or suffer any act, matter or thing or omission whereby any of the policies referred to in this clause may be vitiated, rendered void or voidable.
- 15.4 On request by the Department, you must provide a copy of valid and current certificates of currency for each or any of the policies described above.
- 15.5 Without limitation to **clause 15.1**, each party warrants that it has and will maintain appropriate insurance to cover any liability it may incur in relation to this Deed.

16. Indemnities

- 16.1 You must indemnify and keep indemnified the Department, the Crown in right of the State of New South Wales and their officers, employees and agents from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any Claim by any person as a result of or in connection with:
- (a) the Grant or the use of any outcomes or Capital Equipment & Assets arising from the Project;
 - (b) your breach of this Deed;
 - (c) any unlawful or negligent act or omission by you, your employees or your subcontractors in connection with this Deed;
 - (d) any illness, injury or death of any person you, your employees or your subcontractors cause or contribute to, in connection with this Deed;
 - (e) any loss or damage to real or personal property you, your employees or your subcontractors cause or contribute to, in connection with this Deed; or
 - (f) any act or omission by you, your employees or your subcontractors in connection with this Deed that is in infringement of any Intellectual Property, or privacy rights of the Department or any third party.
- 16.2 Your liability to indemnify the Department under this clause will be reduced proportionately to the extent that any negligent or unlawful act or omission by the Department, its officers, employees or agents contributed to the relevant loss or liability.
- 16.3 Your liability to indemnify the Department under this clause does not exclude or reduce the liability of, or benefit to, a party that may arise by operation of the common law, statute or the other terms of this Deed.

17. Risk Management

- 17.1 Consistent with best practice Project Management, You must prepare and maintain a live risk register and develop appropriate mitigation plans for unacceptable risks which shall be used to manage and report against those risks throughout the project life cycle. You must provide the Department with access to such risk register, mitigation plans and reports.

18. Work Health and Safety

- 18.1 You must:
- (a) comply with, and must ensure that all of Your Personnel comply with all applicable laws and regulations, including the *Work Health and Safety Act 2011* (NSW) and the *Work Health and Safety Regulations 2017* (NSW) (**WHS Legislation**) when performing work under this Deed; and

- (b) so far as is reasonably practicable, consult, co-operate and co-ordinate activities with the Department and any other person who, concurrently with You, has a work health and safety duty under the WHS Legislation in relation to the same matter.
- 18.2 You must ensure, so far as is reasonably practicable, that any Activity or other work performed in connection with this Deed is without risk to the health and safety of persons who may in any way be affected by such Activity or work.
- 18.3 If a Notifiable Incident (as defined in the WHS Legislation) occurs at the Department's premises or involves the Department's Personnel in connection with an Activity or other work carried out under this Deed, You must immediately report the incident to the Department in writing, promptly provide the Department with copies of any notices or other documentation provided to or issued by the relevant government regulator in relation to the Notifiable Incident, and provide the Department with such other information as may be required by the Department to facilitate the notification to or investigation of the Notifiable Incident in accordance with WHS Legislation.

Terminating the Deed

19. Termination

- 19.1 Unless terminated earlier, this Deed will end once you have completed the Project to the Department's satisfaction and the Department has paid all Instalments due.
- 19.2 Where a party has breached this Deed:
- (a) the other party may give a Notice to that party requiring it to rectify that breach within 30 days of receiving that Notice; and
 - (b) if the party which received the Notice fails to rectify that breach in time, the other party may terminate this Deed immediately by giving a further Notice.
- 19.3 The Department may terminate this Deed immediately by Notice if:
- (a) you breach a provision of this Deed in a manner that, in the Department's opinion, is not capable of remedy;
 - (b) you breach any of the following provisions: **clause 14** (Insurance) or **clause 22.10** (Assignment);
 - (c) you materially breach any of the following provisions: **clause 3** (Your Obligations), **clause 6** (Holding of Grant), or **clause 9** (Reporting Requirements); or
 - (d) you become insolvent, if you are the subject of a debtors or creditors petition under the Bankruptcy Act 1966, or if you resolve to go into administration or liquidation or have a summons for your winding up presented to a Court or enter into any scheme of arrangement with your creditors.
- 19.4 The Department may immediately terminate this Deed by giving you Notice, if any one or more of the following occurs:
- (a) in the Department's opinion you are not carrying out the Project diligently and competently;
 - (b) you have not completed one or more of the Activities by the date they are due to be completed;
 - (c) the Department considers the Project no longer viable;

- (d) the Department considers that there has been a material change in circumstances in your financial position, your structure or your identity; or
- (e) you have not made significant progress on the performance of your obligations under this Deed to the satisfaction of the Department by the date that is 6 months after the date of this Deed; or
- (f) you have not completed a Milestone within 6 months of the due date for that Milestone,

and you have failed to satisfy the Department that such events or circumstances have been alleviated, within 30 days of receiving a Notice from the Department requiring you to do so.

Other Legal Matters

20. Dispute Resolution

- 20.1 If a dispute arises in relation to this Deed (“a **Dispute**”), a party must comply with this **clause 20** before starting arbitration or court proceedings except proceedings for urgent interlocutory relief.
- 20.2 A party claiming that a dispute has arisen must notify the other party in writing giving details of the dispute (**Dispute Notice**) in accordance with the requirements of **clause 21** (Notices).
- 20.3 Following receipt of a Dispute Notice, each party must refer the Dispute to a senior representative, who:
 - (a) does not have prior direct involvement in the Dispute; and
 - (b) has authority to negotiate and settle the Dispute.
- 20.4 If the Dispute is not resolved within 10 Business Days, from the date the Dispute Notice is received by the party to whom the Dispute Notice is given, the party which gave the Dispute Notice under **clause 20.2** must refer the Dispute for mediation by the Australian Disputes Centre Limited (ADC) for resolution in accordance with the mediation rules of the ADC.
- 20.5 If the Dispute is not resolved within 40 Business Days after referral to mediation either party may initiate proceedings in court.
- 20.6 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.
- 20.7 Each party must pay its own costs of complying with this clause and split the costs of the mediator evenly.

21. Notices

- 21.1 Unless otherwise stated in this Deed, all Notices to be given under this Deed must be in writing, and hand-delivered, posted or emailed to the Authorised Officer specified in the Details or as otherwise notified in writing.
- 21.2 The receiving party will be deemed to have received the Notice as follows:
 - (a) if hand delivered, on the day on which it is delivered or left at the relevant address;
 - (b) if sent by post within Australia:

- iv. if posted using Express Post, the priority letter service option of regular post, or the priority service option for Registered Mail, on the fourth Business Day after the day on which it is posted;
 - v. if posted using the regular post option, on the tenth Business Day after the day on which it is posted;
- (c) if sent by email before 5.00pm on a Business Day, the first of the following occurring:
- vi. when the sender receives an automated message confirming delivery; or
 - vii. four hours after the time sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not be delivered.
- (d) if sent by email after 5.00pm on a Business Day or on a day that is not a Business Day, then it will be deemed to be received on the next Business Day.
- 21.3 Any such mode of service will be in all respects valid notwithstanding that the party on whom service is affected may be in liquidation, bankruptcy or wound up and notwithstanding any other matter or event whatsoever.

22. General

- 22.1 **Survival:** The following clauses survive termination or expiry of this Deed: **clause 9** (Reporting Requirements), **clause 11** (Confidential Information), **clause 12** (Privacy), **clause 15** (Insurance), **clause 16** (Indemnities), **clause 19** (Termination), **clause 22.3** (Keeping of records), this **clause 22.1** and any other clause which by its nature is intended to survive this Deed.
- 22.2 **Subcontractors:** You remain fully responsible for the performance of the Project if you subcontract the performance of any part of the Project.
- 22.3 **Keeping of records, audit and rights of access to such records and access to Capital Equipment & Assets:** You:
- (a) must keep complete and accurate records and books of account with respect to your performance of the Project (the "Records"), and must retain such Records for a minimum of seven (7) years after expiry or termination of this Deed;
 - (b) authorise the Department and any State or Commonwealth Government department or agency (and any of their appointed third party service providers authorised to perform audits on their behalf) (the "**Auditors**") that has provided moneys to the Department for the purposes of the Project, to undertake on-site audits, to examine and inspect, at reasonable times and on reasonable Notice, any facilities, any Capital Equipment & Assets and any records held by you and Records, and allow any such Records to be copied; and
 - (c) provide all reasonable assistance in order for the Auditors to properly carry out the inspections and audits referred to in this clause.
- 22.4 **Conflict of Interest:** You must not carry on or be involved in any capacity in an activity or business, which may conflict with, or adversely affect, your ability to carry out your obligations under this Deed, and you will immediately notify the Department in writing if such a conflict or risk of such a conflict arises. You must take all reasonable efforts to ensure that your staff and contractors abide by this clause.

- 22.5 **Entire Deed:** This Deed states all the express terms agreed by the parties as to the matters referred to in this Deed. It supersedes all prior contracts, obligations, representations, conduct and understandings between the parties relating to the subject matter of this Deed.
- 22.6 **Variation:** This Deed may only be varied by agreement in writing including by an exchange of emails confirming the agreed variation.
- 22.7 **Inconsistency:** If there is any inconsistency between provisions of this Deed then the order of precedence will be:
- (a) the **Details**; then
 - (b) any **Special Conditions**; then
 - (c) these **Funding Terms**; then
 - (d) any **Schedules**.
- 22.8 **Negation of employment, partnership or agency**
- (a) This Deed does not create a relationship of agency, partnership, and/or employment between the parties.
 - (b) You must not represent yourself as being an employee or agent of the Department or as otherwise able to bind or represent the Department.
- 22.9 **Waiver**
- (a) If a party fails to exercise any of its rights under this Deed, or delays exercising those rights, that failure or delay will not operate as a waiver of those rights or any future rights or in any respect estop a party from relying on the terms of this Deed to their full force and effect.
 - (b) Any waiver by a party of a breach of this Deed must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.
- 22.10 **Assignment:** You must not assign or novate your obligations or interests under this Deed, without the prior written consent of the Department.
- 22.11 **Counterparts:** This Deed may be signed in any number of counterparts which taken together will constitute one instrument.
- 22.12 **Governing Law:** The laws of New South Wales govern this Deed and the parties submit to the non-exclusive jurisdiction of the courts in that State.

Executed as a deed

Department

Signed, sealed and delivered for and on behalf of the Crown in right of the State of New South Wales acting through the Department by its authorised signatory but not so as to incur personal liability:

N. Deacon
Signature of Authorised Signatory

[Signature]
Signature of Witness

NIGEL DEACON
Name of Authorised Signatory

SEEVARATNAM HARIDHARAN
Name of Witness

MANAGER SSWP
Position of Authorised Signatory

209 COBLET ST DUBBO
Address of Witness

15/01/20
Date

You (Authorised Signatory)

By entering into this Deed the signatory warrants that the signatory is duly authorised to execute this Deed on behalf of Central Darling Shire Council (ABN 65061502439)

Signed, sealed and delivered for and on behalf of Central Darling Shire Council (ABN 65061502439) by its authorised signatory:

[Signature]
Signature of authorised signatory

[Signature]
Signature of Witness

Grey Hill
Name of authorised signatory

Kevin Smith
Name of Witness

General Manager
Position of authorised signatory

Finlayson
Address of Witness

15/1/20.
Date

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Ivanhoe Water Treatment Plant

Project type: SSWP139 Development and delivery of Ivanhoe WTP					
Item no.	Delivery Phase	Activity	Assurance Requirements (see clause 1.2)	Maximum Milestone Payment (ex GST)	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	Completed
2	Development	Completion of options and concept development	DPIE concurred options and concept development	\$100,000	Completed
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for comments	-	Completed
4	Delivery	Calling tenders		-	Completed
5	Delivery	Completion of tender evaluation	DPIE to receive tender assessment and recommendation prior to awarding contract	\$100,000	Completed
6	Delivery	Tender awarded	Evidence of executed contract	-	Completed
7	Delivery	Completion of preliminary works	Evidence of preliminary works	\$100,000	Completed
8	Delivery	Completion of detailed design	Submit detailed design and all information required to DPIE for S60 approval	\$200,000	Completed
9	Delivery	Section 60 approval granted		-	Completed
10	Delivery	Prefabrication of Water Treatment Plant	Evidence of prefabrication of water treatment plant	\$695,000	Completed
11	Delivery	Commencement of onsite works	Evidence of construction commencement of onsite works	\$1,305,000	15-Jun-2024
12	Delivery	Construction progress 15%	Evidence of construction 15% complete	\$1,224,500	30-Oct-2024
13	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commission/proof of performance report	\$1,610,000	31-Aug-2025
14	Finalisation	Completion of final project report ²	Submit Project Completion Report to the Department	\$50,000	31 Oct-2025
		Contingency scope		\$465,500	
Total Grant (Maximum):				\$5,850,000³	

Notes

1. Project Plan to be submitted for Department concurrence (may be submitted in stages for different elements)

2. Completion/benefits realisation report required for final grant release
3. Total grant funding has increased by \$3,350,000 from additional Commonwealth Government 'Far West Water Treatment Plants' project funds. These funds are dependent on the NSW Government executing a Federal Funding Agreement with the Australian Government.

Schedule B – Reporting Requirements (refer to clause 9)

Reporting requirements (Progress Reports):

1. You must provide to the Department’s authorised officer in accordance with clause 211, minimum quarterly (or monthly on request) Activity Progress Reports on the status of all on-going and completed activities for the period to which the report relates, consisting of:
 - a) project reference number (for all correspondence);
 - b) a brief description of the activities’ objective/s;
 - c) all activities undertaken during the reporting period;
 - d) the status of results and milestones achieved to date from the project;
 - e) an update of the Gantt chart (at least as detailed as at Schedule B) with actual progress tracked;
 - f) financial report of actual expenditure and forecasts related to the Grant funding;
 - g) WHS report, including an update from the Principal Contractor in relation to WHS matters (which report must include, at a minimum, any matter in relation to your obligations under Special Condition **Error! Reference source not found.** and clause 18 of the Deed);
 - h) a Risks and Issues report, with controls or treatments for all High and Medium risks ;
 - i) information about any notable engagement or communications with stakeholders, and / or media;
 - j) photographic evidence of construction progress;
 - k) photographic evidence of required signage, clearly depicting location (see **Schedule C – Signage Guidelines**) - required for first Activity Progress Report and Final Report. Photographic evidence must also be emailed to sswp@dpie.nsw.gov.au;
 - l) details of any delay in the delivery of the project;
 - m) copies of published reports and materials in relation to the Project; and
 - n) such other information reasonably requested by the Department.
2. The Department may meet with you each quarter, at the Department’s discretion, to discuss progress on the Project.
3. The Department may undertake site visits from time to time to ascertain progress of the activities after providing reasonable notice to you.
4. Upon completion of the Project, you must promptly provide to the Department a Final Report, outlining the delivery of the Project, including Project acquittal.

Schedule C – Signage Guidelines (refer to **clause 13**)

The NSW Government Brand Guidelines

and the Funding Acknowledgement Guidelines

for recipients of NSW Government infrastructure grants will apply to this Project.

The Funding Acknowledgement Guidelines include terms covering:

- Acknowledgement and approval
- Funding acknowledgement statement
- NSW Government logo
- Acknowledgement use and approval process
- Signage production and approval process
- Approvals process
- Cost responsibility
- Steps for production of signs
- Non-signage applications
- Signage requirements
- Signage templates
- Plaques

Notwithstanding the terms of the Funding Acknowledgement Guidelines, the following terms will apply:

- The Department will produce, print and supply one (1) sign as required under the Funding Acknowledgement Guidelines, at no cost to you.
- You must provide the relevant information to the Department within the requested timeframe, so the Department can deliver the sign before the sign is due to be installed at the Project site.
- You are responsible for the placement, display and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.
- If you require more signs, for whatever reason, you will be responsible for the production, printing, placement and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.

Details

Department	Name	The Crown in right of the State of New South Wales acting through the Department of Industry (ABN 72 189 919 072).
	Agency/ Division	Lands and Water
	Address	10 Valentine Street, Parramatta NSW 2150
Department Authorised Officer <i>(refer to clause 19 - Notices)</i>	Name	Nige Deacon
	Position	Manager, Safe and Secure Water Program
	Address	PO Box 717 Dulwich Hill NSW 1580
	Telephone	02 6811 7411
	E-mail	nige.deacon@industry.nsw.gov.au
Grantee ('You')	Name	Central Darling Shire Council
	Address	21 Reid Street, Wilcannia NSW 2836
	ABN	65 061 502 439
Your Authorised Officer <i>(refer to clause 20 - Notices)</i>	Name	Greg Hill
	Position	General Manager
	Address	PO Box 165, Wilcannia NSW 2836
	Telephone	08 8083 8900
	E-mail	council@centraldarling.nsw.gov.au
Project	Replacement of Ivanhoe Water Treatment Plant	
Grant	A maximum total amount of \$100,000 (GST exclusive) based on 100% of actual Project costs. The Department will pay the Grant in arrears, upon successful completion of the project. After approval of the project business Case a variation may be agreed for a maximum total amount of \$2,500,000 (GST exclusive), payable in Instalments.	

Superseded

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Ivanhoe Water Treatment Plant.

Project type: SSWP139 Development and delivery of Ivanhoe WTP						
Milestone No.	Funding Phase	Activity	Assurance Requirements (see clause 1.2)	Milestone percentage (Approx %)	Maximum Milestone Payment	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	-	31-Oct-20
2	Development	Completion of options and concept development	DPIE concurred options and concept development	4%	\$100,000	31-Oct-20
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for assessment	-	-	30-Nov-20
4	Delivery	Calling tenders		-	-	04-Jan-21
5	Delivery	Completion of tender evaluation	DPIE to provide tender assessment and recommendation prior to awarding contract	4%	\$100,000	31-Mar-21
6	Delivery	Tender awarded	Evidence of executed contract	-	-	30-Apr-21
7	Delivery	Completion of preliminary works	Evidence of preliminary works	4%	\$100,000	31-Jul-21
8	Delivery	Completion of detailed design	Submit detailed design and all information required to DPIE for S60 approval	8%	\$200,000	30-Nov-21
9	Delivery	section 60 approval granted		-	-	31-Jan-22
10	Delivery	Prefabrication of Water Treatment Plant	Evidence of prefabrication of water treatment plant	28%	\$695,000	30-Sep-22
11	Delivery	Commencement of onsite works	Evidence of construction commencement of onsite works	28%	\$695,000	30-Nov-22
12	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commissioning/proof of performance report	12%	\$310,000	30-Nov-23
13	Finalisation	Completion of final project report ²	Submit Project Completion Report to DPIE	2%	\$50,000	31-Jan-24
		Contingency scope		10%	\$250,000	
Total Grant (Maximum):					\$2,500,000	

Notes

- 1 Project Plan to be submitted for DPE concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule A – Project Milestones & Assurance

Objectives: Design and construction of a new Ivanhoe Water Treatment Plant.

Project type: SSWP139 Development and delivery of Ivanhoe WTP						
Milestone No.	Funding Phase	Activity	Assurance Requirements (see clause 1.2)	Milestone percentage (Approx %)	Maximum Milestone Payment	Milestone Date
1	Development	Submit Project Plan ¹	Submit project plan to DPIE for concurrence	-	-	31-Oct-20
2	Development	Completion of options and concept development	DPIE concurred options and concept development	4%	\$100,000	31-Oct-20
3	Delivery	Submit D&C tender documents to DPIE	DPIE received tender documents for comments	-	-	30-Nov-20
4	Delivery	Calling tenders				04-Jan-21
5	Delivery	Completion of tender evaluation	DPIE to receive tender assessment and recommendation prior to awarding contract	4%	\$100,000	31-Mar-21
6	Delivery	Tender awarded	Evidence of executed contract	-	-	30-Apr-21
7	Delivery	Completion of preliminary works	Evidence of preliminary works	4%	\$100,000	31-Jul-21
8	Delivery	Completion of detailed design	Submit detailed design and all information required to DPIE for S60 approval	8%	\$200,000	30-Nov-21
9	Delivery	section 60 approval granted		-	-	31-Jan-22
10	Delivery	Construction progress 25%	Evidence of construction progress to 25%	17%	\$425,000	31-May-22
11	Delivery	Construction progress 50%	Evidence of construction progress to 50%	17%	\$425,000	31-Oct-22
12	Delivery	Construction progress 75%	Evidence of construction progress to 75%	17%	\$425,000	30-Apr-23
13	Delivery	Construction progress 100% and commissioning and testing	Evidence of construction completion, commissioning/proof of performance report	17%	\$425,000	30-Sep-23
14	Finalisation	Completion of final project report ²	Submit Project Completion Report to DPIE	2%	\$50,000	31-Oct-23
		Contingency scope		10%	\$250,000	
Total Grant (Maximum):					\$2,500,000	

Notes

- 1 Project Plan to be submitted for DPIE concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule A – Project Milestones & Assurance

Objectives:

1. Reduce water quality risk by replacement / improvement to the existing water treatment plant;
- 2.

Project type: Development and delivery of Water Treatment Plant

Item no.	Delivery Phase	Event	Assurance Requirements (see clause 1.2)	Funding Deed Milestone	Capped milestone percentage %	Capped milestone payment \$	Milestone Date
1	Development		Investigation and gap analysis to inform scope of works particularly around water balance				
2	Development		Develop scope of works for Ivanhoe WTP			30,000	
3	Development	Submit CDRC Options report	Provide options study report for DPIE concurrence				
4	Development		Section 60 concurrence to options report			30,000	
5	Development	Develop concept design and specification	Concept design and specification				
6			Section 60 concurrence to concept design & spec				
7	Development	Submit Business Case / Project Plan for concurrence	Project Plan for Delivery stage			40,000	
8	Development	Gateway 0	SSWP concurrence to Project Plan				
Funding capped at			\$100,000		100%	\$	

Superseded

Notes

- 1 Project Plan to be submitted for SSWP concurrence (may be submitted in stages for different elements)
- 2 Completion / benefits realisation report required for final grant release

Schedule C – Signage Guidelines (refer to clause 13)

The NSW Government Brand Guidelines

<https://communications.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/files/Communications-and-Engagement/0c7b202631/NSW-Government-Brand-Guidelines.pdf>

and the Funding Acknowledgement Guidelines

<https://communications.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/files/Communications-and-Engagement/fa6fd6d77a/Funding-Acknowledgement-Guidelines-for-Recipients-of-NSW-Government-Grants.pdf>

for recipients of NSW Government infrastructure grants will apply to this Project.

The Funding Acknowledgement Guidelines include terms covering:

- Acknowledgement and approval
- Funding acknowledgement statement
- NSW Government logo
- Acknowledgement use and approval process
- Signage production and approval process
- Approvals process
- Cost responsibility
- Steps for production of signs
- Non-signage applications
- Signage requirements
- Signage templates
- Plaques

Notwithstanding the terms of the Funding Acknowledgement Guidelines, the following terms will apply:

- The Department will produce, print and supply one (1) sign as required under the Funding Acknowledgement Guidelines, at no cost to you.
- You must provide the relevant information to the Department within the requested timeframe, so the Department can deliver the sign before the sign is due to be installed at the Project site.
- You are responsible for the placement, display and ongoing maintenance of the sign, and for seeking approval of all construction and permanent signs.
- If you require more signs, for whatever reason, you will be responsible for the production, printing, placement and ongoing maintenance of the sign, and for seeking approval



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6 June 2024

Our ref: NTS 169

Reece Wilson
Director – Shire Services
Central Darling Shire Council

PO Box 165
Wilcannia NSW 2836

By email only:

wilsonr@centraldarwin.nsw.gov.au; council@centraldarwin.nsw.gov.au;
dunng@centraldarwin.nsw.gov.au

Dear Reece,

RE: Racecourse Road Realignment: Proposal to negotiate an Indigenous Land Use Agreement

- 1 We refer to your email sent 7 May 2024 regarding the proposed Racecourse Road Realignment Project (**Project**) and our subsequent telephone conversation on 27 May 2024.
- 2 Barkandji Corporation hold on trust the native title rights and interests of the Barkandji and Malyangapa People and perform the functions of a registered native title body corporate under the *Prescribed Bodies Corporate Regulations 1999* (Cth).
- 3 We understand that Central Darling Shire Council are considering the compulsory acquisition of Barkandji and Malyangapa people's native title rights and interests over the following parcels:
 - (a) Lots 7353, 7537, 7358 in DP 1180622;
 - (b) Lots 7323, 7317, 7318 in DP 1181922.**(Project Parcels).**

Barkandji Corporation's position on compulsory acquisition of native title

- 4 Barkandji native title holders strongly oppose any compulsory acquisition of their native title rights and interests. The effect of a compulsory acquisition is to permanently extinguish native title rights and interests, with no ability for them to be revived.
- 5 Barkandji and Malyangapa People's native title determination recognised their continued and ongoing connection to Country over approximately 128,482 square kilometres of land. However, their native title was only able to be positively determined over approximately 1% of their Country due to prior extinguishment by way of Western Land Leases, freehold and other tenures.
- 6 Because of this, those areas where native title continues to exist are immensely important to Barkandji and Malyangapa People. It is these areas where they may exercise their rights¹ and it is

¹ For a list of the native title rights and interests, see: *Barkandji Traditional Owners #8 v Attorney-General of New South Wales* [2015] FCA 604 at [6].



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over these areas where the *Native Title Act 1993* (Cth) (**Native Title Act**) affords them valuable procedural rights and statutory mechanisms to preserve the legal existence of native title.

- 7 Barkandji Corporation's position on compulsory acquisition has been reinforced by its recent experience in dealing with a number of compulsory acquisitions pursued by Wentworth Shire Council. The process has been ongoing for three years, it has been extremely costly for both parties but particularly for the Council and has negatively affected Barkandji Corporation's relationship with the Council.
- 8 The purpose of this letter is to initiate discussions with the Central Darling Shire Council's about resolving this matter by agreement and avoiding a similar situation in respect of the Project.

Alternatives to compulsory acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW)

- 9 By its own objects, the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) (**LATJC Act**) encourages the acquisition of land by agreement rather than by compulsory acquisition.² There are also important procedural rights which must be observed when acquiring rights and interests. Notably, section 10A (2) provides that 'the authority of the State is to make a genuine attempt to acquire land by agreement for at least 6 months before giving a proposed acquisition notice.'
- 10 Further, we note that the acquisition of native title land does not need to occur under the LATJC Act. Section 7A(2) of the LATJAC provides that Central Darling Shire Council, as the 'authority' is authorised to comply with any relevant procedure under the Native Title Act for a valid acquisition of rights and interests. The note included within the section provides that such 'relevant procedures' include the procedures under an Indigenous Land Use Agreement (**ILUA**).
- 11 Barkandji Corporation has negotiated several ILUAs with government and private parties,³ and it has a strong track record of negotiating in good faith and achieving positive outcomes through these agreements. It remains Barkandji native title holders' firm preference to deal with matters such the Project by ILUAs.

Content of proposed ILUA

- 12 As a starting point, we suggest any ILUA between the Council and Barkandji Corporation would address:
 - (a) An agreed cultural heritage process to mitigate impact of the Project;
 - (b) Necessary consents from the Barkandji native title holders to allow the Central Darling Shire Council to undertake the Project;
 - (c) Confirmation that the Council's activities related to the Project will not extinguish native title in the affected area (see our comments below regarding the non-extinguishment principle); and
 - (d) Compensation for the effect of the Project on native title.
- 13 The 'non-extinguishment principle' is a feature of the Native Title Act which allows for native title rights to be preserved where they otherwise would be extinguished (lost) permanently. If the non-

² LATJC Act, s 3(1)(e).

³ E.g. NI2021/001 – Buronga Sandwash ILUA; NI2021/002; Ongoing Tenures (including White Cliffs ILUA); NI2019/006; Buronga HealthOne ILUA; NI2018/007; Barkandji Interim Licences ILUA.



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extinguishment principle was applied in respect of the Project, the native title would continue to exist in its entirety, but those rights would be suppressed to the extent that they are inconsistent with Central Darling Shire Council's right(s) to undertake the Project.

- 14 While the non-extinguishment principle will avoid native title being permanently lost, the construction of the road will nonetheless impair the native title and compensation for this impairment would be payable.
- 15 The High Court decision in *Northern Territory v Mr A. Griffiths (deceased) and Lorraine Jones on behalf of the Ngaliwurru and Nungali Peoples* [2019] HCA7 remains, to date, the only authority on how to approach native title compensation.
- 16 Barkandji Corporation would be entitled to compensation in line with Griffiths and section 55 of the LATJC Act which includes both economic loss and cultural loss.
- 17 The benefit for both parties in addressing the Project by way of ILUA is that they can determine compensation by agreement, as opposed to having the matter dealt with by the **Valuer General** of New South Wales. This provides both parties with certainty and avoids the parties expending the significant time and resources involved in the Valuer General's assessment of cultural loss.

Next steps

- 18 We understand from our telephone conversation that Central Darling Shire Council have several similar infrastructure projects over areas where native title exists. As indicated, we would welcome discussions about an ILUA or ILUAs to deal with the liability arising from the effect of these projects on native title.
- 19 Should you have any questions about the matters referred to above, please don't hesitate to contact myself at schalmer@ntscorp.com.au and my colleague Ashwyn Sormus at asormus@ntscorp.com.au.

A handwritten signature in black ink, appearing to read 'Sandy Chalmers', written over a large, faint, light-brown circular stamp.

Sandy Chalmers
Deputy Principal Solicitor
NTSCORP Limited

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Audit Risk and Improvement Committee Meeting Minutes

22 May 2024

**MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 22 MAY 2024**

PRESENT: Allan Carter
Jay Nankivell
Dave Tanner

IN ATTENDANCE: Greg Hill (General Manager)
Bob Stewart (Administrator)
Reece Wilson (Director Shire Services)
Kevin Smith (Finance Manager)
Manuel Moncada (Member)
Phil Swaffield (Member)
Brett Hanger (Member)
Kara Mohr (Risk & WHS Officer)
Natalie Batson (Executive Assistant)
Nerida Carr (Governance Officer)
Shirley Burraston (Management Accountant)
Uday Mamidala (Finance Officer)
John Carleton (Operations Manager)

1 OPENING OF MEETING

The meeting was declared open at 11:38am

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.

RESOLVED: ARIC 01-05-2024

Mover: Member Jay Nankivell

Page 1 of 7

Audit Risk and Improvement Committee Meeting Minutes

22 May 2024

Secunder: Member Allan Carter

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: ARIC 02-05-2024

Mover: Member Allan Carter

Secunder: Member Jay Nankivell

That the minutes of the Audit Risk and Improvement Committee Meeting held on 28 February 2024 be received and confirmed as an accurate record.

CARRIED

6 REPORTS

6.1 DAVID TANNER CV

RESOLVED: ARIC 03-05-2024

Mover: Member Jay Nankivell

Secunder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report

CARRIED

6.2 UPDATE ON THE WILCANNIA WEIR PROJECT

RESOLVED: ARIC 04-05-2024

Mover: Member Allan Carter

Secunder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.
2. Support Council to continue to advocate by lobbying NSW DPIE, the community dissatisfaction of the redesign of the Wilcannia Weir project.

CARRIED

6.3 DECLINED REQUEST FOR NATURAL DISASTER DECLARATION

RESOLVED: ARIC 05-05-2024

Page 2 of 7

Audit Risk and Improvement Committee Meeting Minutes

22 May 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

6.4 PRODUCTIVITY COMMISSIONER- FUNDING MODELS FOR LOCAL WATER UTILITIES

RESOLVED: ARIC 06-05-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.5 CYBER SECURITY

RESOLVED: ARIC 07-05-2024

Mover: Member Allan Carter
 Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report

CARRIED

6.6 GENERAL MANAGER VERBAL REPORT

RESOLVED: ARIC 08-05-2024

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.7 ANNUAL ENGAGEMENT PLAN FOR AUDIT

RESOLVED: ARIC 09-05-2024

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 DRAFT INTERNAL AUDIT CHARTER AND ARIC TERMS OF REFERENCE****RESOLVED: ARIC 10-05-2024**

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 chairman will update the chart to reflect the decisions made and bring back to future meeting. **CARRIED**

6.9 WHS INTERNAL AUDIT REPORT**RESOLVED: ARIC 11-05-2024**

Mover: Member Allan Carter

Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report
2. Consider any recommended actions noted in the respective report.

CARRIED**6.10 WORK HEALTH AND SAFETY – WORKERS COMPENSATION CLAIMS REPORT****RESOLVED: ARIC 12-05-2024**

Mover: Member Jay Nankivell

Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report

CARRIED**6.11 WORK HEALTH AND SAFETY PERFORMANCE REPORT****RESOLVED: ARIC 13-05-2024**

Mover: Member Allan Carter

Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report

CARRIED

6.12 HUMAN RESOURCE MANAGEMENT ACTIVITIES**RESOLVED: ARIC 14-05-2024**

Mover: Member Allan Carter
Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report
2. Endorse the 1.28 FTE increase for the Customer Service Officer and the ICT Support Officer positions.

CARRIED

6.13 COUNCIL RETURN TO ELECTED DEMOCRACY AND FUTURE FINANCIAL SUSTAINABILITY**RESOLVED: ARIC 15-05-2024**

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 MANAGING EXCESS LEAVE PROGRESS REPORT**RESOLVED: ARIC 16-05-2024**

Mover: Member Jay Nankivell
Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive and note the report.

CARRIED

6.15 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2024**RESOLVED: ARIC 17-05-2024**

Mover: Member Jay Nankivell
Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report
2. Adopt the variations to Council's 2023/24 Annual Budget
 1. Note that the projected operating surplus for the financial year 2023/24 is \$2.154 million.
 2. Note projected capital works budgeted expenditure for the financial year 2023/24 will be \$24.311 million.

3. Committee note the current cash position of council.

CARRIED

6.16 2024-25 INTEGRATED PLANNING AND REPORTING DOCUMENTS

RESOLVED: ARIC 18-05-2024

Mover: Member Allan Carter

Seconder: Member Jay Nankivell

That the Audit Risk and Improvement Committee Meeting will:

1. Receive the report
2. That the draft operational plan be amended prior to placing the document on public exhibition by
 - \$750,000 decrease in Fees and charges due to a re-assessment of expected private and RMS works, this amendment will increase the original operating deficit of \$475,000 to \$1.225 m.
 - Adjustment to the plant replacement reserve with an allocation of \$200,000 to be funded from Council's road component of the Federal Assistance Grants.
3. Resolve that the following draft integrated planning and reporting documents 2024/2025 be placed on public exhibition for a period of 28 days closing 21/06/2024:
 - Draft Delivery Program 2022-2026, (2024 Revision)
 - Draft Operational Plan 2024-2025 detailing the Budget for the 2024-25 financial year.
 - Draft Revenue Policy 2024-2025
 - Draft Fees and Charges 2024-2025
 - Revised Draft Long Term Financial Plan
 - Noting the Long Term Financial Plan 2025-34 will subsequently be amended to include the current amendments to Council's Operating Budget for 2023-24

CARRIED

6.17 2023/24 INTERNAL AUDIT ANNUAL WORK PROGRAM

RESOLVED: ARIC 19-05-2024

Mover: Member Jay Nankivell

Seconder: Member Allan Carter

That the Audit Risk and Improvement Committee Meeting will:

1. That the Committee receive and note the status of the 2023/24 Internal Audit Annual Work Program.

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 12:57pm.

RESOLVED: ARIC 20-05-2024

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.:

6.1 David Tanner CV

Item 6.1 is confidential under the Local Government Act 1993 Section 10A(2) - (a) as it relates to personnel matters concerning particular individuals (other than councillors).

6.5 Cyber Security

Item 6.5 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.

6.13 Council return to Elected Democracy and future financial sustainability

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

COMMITTEE RECOMMENDATION

Mover: Member Jay Nankivell
 Seconder: Member Allan Carter

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

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 **1:33pm**.

The minutes of this meeting were confirmed at the Audit Risk and Improvement Committee Meeting of the Central Darling Shire Council held on Wednesday, 28 August 2024.

.....
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	<p>That a report on the Menindee Landfill be presented to a future Council Meeting detailing</p> <ol style="list-style-type: none"> 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
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	<ol style="list-style-type: none"> 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	<p>Receive the report</p> <p>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.</p>	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	<ol style="list-style-type: none"> 1. Endorse the submission of the Planning Proposal at Attachment 1 and supporting documentation to the Department of Planning and Environment through the Planning Portal to seek a Gateway Determination. 2. Endorse the preparation of a second Planning Proposal for Lot 8 DP1182315 (Beth Street, White Cliffs) as it may have been dedicated as a public reserve requiring the consent of the Minister to achieve reclassification. 3. Subject to the receipt of a gateway determination from the Department of Planning and Environment, proceed with both Planning Proposals and consultation is undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination. 4. Endorse Council staff organising a Public Hearing pursuant to Section 29 of the Local Government Act 1993 at the end of the public exhibition period of both the Planning Proposals. 5. Should no objections be received, a copy of this report and any other relevant information (including the Planning Proposal(s)) is sent to the NSW Department of Planning and Environment and/or NSW Parliamentary Counsels Office, in accordance with the Environmental Planning & Assessment Act 1979 to request the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the Amendment to the Central Darling Local Environmental Plan 2012. 	Greg Hill;#57	IN PROGRESS
28/06/2023	SHIRE SERVICES REPORTS	11.2	URBAN AND RURAL ADDRESSING PROJECT	20-06-2023	<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. <ol style="list-style-type: none"> (a) Endorse the submission of the new street addresses and numbering to the Geographic names board. 	Glenda Dunn;#100;#Reece Wilson;#29	IN PROGRESS

SHIRE SERVICES 27/09/2023 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
SHIRE SERVICES 25/10/2023 REPORTS	PLAN OF MANAGMENT FOR COMMUNITY LAND CROWN RESERVE 85567 UNION BEND PARK, 11.5 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
SHIRE SERVICES 13/12/2023 REPORTS	DRAFT CENTRAL DARLING DEVELOPMENT 11.6 CONTROL PLAN	OCM 20-12- 2023	1. Receive the report 2. Endorse the commencement of consultation on the Draft Central Darling Development Control Plan 2024. (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