
LOCAL GOVERNMENT ACT 1993

Order under section 438O

BY Order published in the *NSW Government Gazette* on 23 December 2013, I, the Minister for Local Government, suspended Central Darling Shire Council (specified in Schedule 1) for a period of 3 months. For the reasons set out in Schedule 2 I believe it is necessary to extend the period of suspension. By this Order I amend the suspension Order to extend the period of suspension by the period specified in Schedule 2.

I hereby appoint the person specified in Schedule 2 as interim administrator of the Council for the term specified in Schedule 2.

This Order takes effect upon publication in the *New South Wales Government Gazette*.

Dated: 13 March 2014.

The Hon. DON PAGE, M.P.,
Minister for Local Government

SCHEDULE 1

Central Darling Shire Council

SCHEDULE 2

Factual circumstances that give rise to the suspension	<p>Without further action, Council's financial position has deteriorated significantly with a current forecast deficit in operating funds of \$3.1M in May 2014.</p> <p>Council's financial position is expected to worsen further over the medium to long term.</p> <p>Councillors do not appear to have the capacity or willingness to sustain strict financial controls.</p>
Reasons for order – criteria – clause 413E Local Government (General) Regulation 2005	<ul style="list-style-type: none"> • Council has failed to comply with its legislative responsibilities in relation to financial management • There are significant financial risks facing the Council that are not being addressed • Previous intervention attempts have failed to rectify the financial circumstances • The appointment of an interim administrator is necessary to secure Council's finances and restore the proper or effective functioning of the Council
Initial period of suspension	3 months from 23 December 2013
Period of extension of suspension	3 months from the publication of this order in the Gazette or such earlier time if the suspension is terminated by order.
Terms of appointment of interim administrator	<p>Pursuant to section 438O of the Local Government Act, the appointment of Greg Wright, as interim administrator of Central Darling Shire Council is extended for the period commencing on the date of the publication of this order in the Gazette and shall have the following functions:</p> <ul style="list-style-type: none"> • To perform the role and function of the governing body of the Council under the Local Government Act and any other Act. • To exercise the role of the governing body and councillors identified in sections 223, 232 (1) and 226 of the Local Government Act. <p>Pursuant to section 438M (7) of the Local Government Act, the interim administrator shall be paid a salary of \$27,875.00 from the Council's funds for the period of the suspension.</p>
Reporting timeframes for interim administrator	<p>Provide brief weekly written reports (by email) on Council's position and any findings to the Chief Executive, Office of Local Government.</p> <p>Provide a final report and any recommendations, pursuant to section 438N of the Local Government Act.</p>