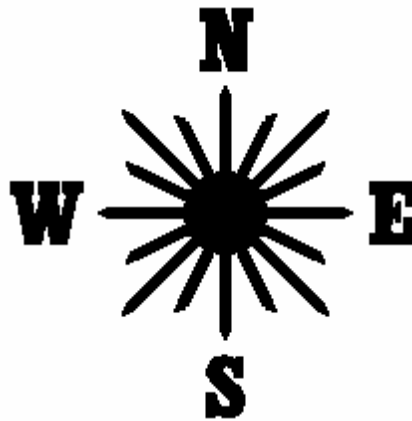


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For the Ordinary Meeting

Tuesday 15th November 2005

at

Wilcannia

Council dedicated to serving its Communities.

Any public discussion of Council or Committee reports and recommendations is on the basis that such reports or recommendations do not have effect until adopted by a full meeting of Council.

The above-mentioned Meeting of Council was held in the Council Chambers, Wilcannia on Tuesday 15th November 2005 commencing at 9:12 am.

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**SECTION 1. RECEIPT OF APOLOGIES AND THE
GRANTING OF LEAVE OF ABSENCE**

PRESENT:

Councillors:

Peter Sullivan

Graham Wellings

Barbara MacMillan

Anthony Pease

Paul Brown

Mike Arandt

Moya Reid

Clive Linnett

Ray Longfellow

Robert Vagg

ALSO PRESENT:

Mr Bill O'Brien

General Manager

Mr Tim Hazell

Director of Corporate Services

Mr Russell Bow

Director of Engineering Services

Mrs Leeanne Ryan

Manager of Environmental Services

Mrs Sharon Hutch

Manager of Community Development

Mrs Marilyn O'Brien

Senior Administration Officer

Miss Robyn Smith

Administration Officer

APOLOGIES:

Rick Doyle

Suzie Fisher

RECOMMENDATION

That the apologies be received and noted

***1-11-05 Resolved On the Motion Of Clr Sullivan, Seconded
Clr Vagg that the apologies be received and noted***

MOTION CARRIED

***At the commencement of the meeting, one minute's silence was held to
respect the passing of Wilcannia Barkindji Elder Mrs Gloria King***

SECTION 2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the minutes of the previous meeting be received

2-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Sullivan that the minutes of the previous meeting be received

MOTION CARRIED

Resolution 33-10-05 from the October Draft Minutes incorrectly states that Mr Mark King is General Manager of the Lower Murray Darling Catchment Management Authority. Mr King is in fact the Chairman, Mr Paul Dixon is the General Manager.

Resolution 33-10-05 has been amended accordingly.

RECOMMENDATION

That the minutes of the previous meeting be adopted

3-11-05 Resolved On the Motion Of Clr Brown, Seconded Clr Reid that the minutes of the previous meeting be adopted

MOTION CARRIED

2.1 Business Arising out of Minutes

2.2 Notices of Motion/Rescission

Notice of Motion

Local Government Amendment Act 2005

The Local Government Amendment Act 2005 has now passed through both Houses of Parliament and was assented to on the 1st July 2005. The majority of its provisions were expected to commence by proclamation of the Governor on, the 15th July 2005.

Councillor Numbers

The amendments to the Local Government Act 1993 effected by this Act will allow Councils a one-off opportunity to resolve to apply to the Minister for Local Government for approval to reduce the number of Councillors on the Council without the holding of a constitutional referendum.

There are a number of restrictions:

- The opportunity is available for 12 months

- No Council may have less than 5 Councillors
- A Council divided into Wards may not have less than 3 Councillors per Ward.

Motion

That Council apply to the Minister for Local Government the Hon Kerry Hickey MP for approval to reduce the number of Councillors representing Central Darling Shire from the current twelve to nine

That Council give 21 days public notice of its proposal to resolve to apply to the Minister for approval to reduce it Councillor Numbers and further, invite public submissions on the proposal.

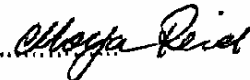
MOVED

Councillor Sullivan



SECONDED

Councillor..



It was suggested that Council consider only 6 Councillors, however a minimum of 3 Councillors per ward is the current legislation, and a Constitutional Referendum would be required to change the number of wards or Councillors per ward within the Shire.

Consequently, a report will be prepared by staff and brought to the December meeting of Council regarding possible reduction of wards.

4-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Reid that Council apply to the Minister for Local Government the Hon Kerry Hickey MP for approval to reduce the number of Councillors representing Central Darling Shire from the current twelve to nine

That Council give 21 days public notice of its proposal to resolve to apply to the Minister for approval to reduce it Councillor Numbers and further, invite public submissions on the proposal.

MOTION CARRIED

SECTION 3. MAYORAL MINUTE OR REPORT

RECOMMENDATION

That the Mayoral Report be received and noted

5-11-05 Resolved On the Motion Of Clr Linnett, Seconded Clr Sullivan that the Mayoral Report be received and noted

MOTION CARRIED

The Mayor reported that several planned meetings were postponed this month including:

White Cliffs Traffic Meeting, postponed until further notice.

The Pooncarie Road Site Meeting, postponed until 17th November 2005.

Local Emergency Management Meeting, Postponed until 18th November.

Wednesday 9th November the Mayor attended the Rural Fire Service Meeting at Ivanhoe. Cr Linnett gave a verbal report on this meeting. He said the RFS equipment was reviewed and current levels are adequate, and a sensor will be put on the Ivanhoe area to assess "Hot Spots".

Friday 11th November the Mayor, along with the General Manager attended the Funeral of Wilcannia Elder Mrs Gloria King.

Saturday 12th November attended the official opening of the White Cliffs National Parks Visitor Centre, opened by the Honourable Bob Debus, Attorney General and Minister for the Environment. This building is environmentally friendly, and suits the area. NPWS will be employing 7 full-time and 1 part-time staff to service the Paroo Darling National Park, which encompasses 6 parks in Central Darling and 1 in Cobar Shire.

SECTION 4. GENERAL MANAGER'S REPORT

RECOMMENDATION

That the General Manager's report be received and dealt with

6-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Pease that the General Manager's report be received and dealt with

MOTION CARRIED

4.1 Administration Matters

4.1.1 Environmental Services Officer

It is with regret that I advise council of the resignation of Council's Environmental officer Amber Barnier effective from the 21st October 2005. Amber's partner is a member of the NSW Police Service and has been transferred to the NSW town of Lawrence.

4.1.2 Telecentre Coordinator

It is with regret that I advise Council of the resignation of Wilcannia Telecentre Coordinator Kate Stewart effective from the 12th October 2005.

RECOMMENDATION

That the Administration report be received and noted

7-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Pease that the Administration report be received and noted

MOTION CARRIED

4.2 Information Items

4.2.1 State Emergency Service – Appointment

Council has been advised by the Division Controller Kathleen Cain that Mr Eric Nitschke has been appointed as Wilcannia Unit Controller as a replacement for Ted Davies.

4.2.2 NSW Police Service – Commendation

Council has received correspondence from an Officer of the NSW Police Service commending the outstanding efforts of Council Ranger, Larry Bearman and former Fire Control Officer, Dennis Dunlop during a recent serious incident that took place at Wilcannia. The efforts of both men have been highly commended by the Police Service.

4.2.3 Broken Hill Regional Tourism Association

The Annual General Meeting for 2005 of the Broken Hill Regional Tourism Association was held on Saturday the 29th October 2005 the venue was the Astra Hotel in Broken Hill. The General Manager acted as MC and Returning Officer for this occasion. The Elections resulted in the appointment of Naomi Schmidt (Eldee Station) as President with Central Darling Shire Council General Manager, Bill O'Brien as Vice President.

4.2.4 New South Wales National Parks & Wildlife Service

Council has been invited to attend the official opening of the White Cliffs Visitor Centre by the Hon Bob Debus MP, Minister for the Environment on the 12th November 2005 at 12 midday and will be followed by lunch.

4.2.5 University Feasibility Study

Broken Hill City Council commissioned a feasibility study for Broken Hill and the Far West Region into the establishment of a University Campus to be located at Broken Hill. A "draft" report prepared by Project Manager, Mary Magennis has been received by Council and can be made available upon request.

RECOMMENDATION

For Council Information

The Meeting adjourned at 10:08 am and resumed at 10:21 am

8-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr MacMillan that Council suspend standing orders to receive a presentation by Mr Jeff Shanks from Council's external auditors Alan Morse and Co

MOTION CARRIED

Mr Jeff Shanks of Alan Morse and Co presented to Council a report of the Audit that was conducted in August 2005.

Jeff congratulated the Council on being able to generate surplus funds and thanked Tim Hazell and Jeff Forster for their first class document presentation and for making the audit a smooth process.

The Meeting adjourned at 11:00 am and resumed at 11:30am

9-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Arandt the Council resume standing orders

MOTION CARRIED

10-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Linnett that Council move a motion of confidence and thanks to the Finance Staff for their outstanding efforts.

MOTION CARRIED

4.3 Community Banking

As a result of the collapse in negotiations and the inability to obtain a Banking Licence by The Barwon Darling Alliance for the proposed Barwon Darling Alliance Credit Union, Council resolved to pursue other community banking options.

The Bendigo Bank's *Community Bank* concept has been identified as a possible option and the following report is provided to allow Council to evaluate this potential opportunity to introduce a community banking service within the Shire.

Background:

Bendigo Bank is Australia's only regionally based bank who in 1998 worked with two Victorian towns on a pilot to return a banking service to their communities and to secure long term branch banking. Bendigo Bank currently partners 168 *Community Bank* sites throughout Australia with another 25 sites confirmed to open in the near future.

The Model:

The *Community Bank* model developed by the Bendigo Bank delivers a number of key benefits to the community:

- The certainty of local face-to-face services
- Profits for returns to local shareholders and funds for community projects
- Local employment and greater control over some of the districts capital
- The boost to morale, skills and vision that comes from creating a public owned enterprise in the community

The main aims of a *Community Bank* are:

- To secure branch banking services for participating communities
- To help communities better manage locally generated capital, and to also provide communities with a better return on their capital and:
- To enable participating communities to share in revenues generated from their Community Banking enterprise.

Through sharing in bank revenues, communities have the opportunity to generate profits which can be returned to support and develop the community via dividends to participating shareholders and through projects identified and agreed by the community.

Community Bank Branch – How it works

A locally based public company limited by shares is formed to represent the local community. The company then purchases from Bendigo Bank the right to run a banking branch. The community company also secures the premises and purchases branch fittings and systems. Working capital will be the responsibility of the local community.

Each branch is designed to suit local requirements with Bendigo Bank overseeing the fit-out of the branch to ensure it appropriately carries the Bendigo brand.

Every Community Bank branch is replicated with the Bendigo Bank “look” to ensure continuity across the nation. Bendigo Bank provides the coverage of its banking licence, a full range of banking products, training of staff and ongoing support.

As with all bank deposits, depositors are protected by Bendigo Bank, which also makes all credit decisions and protects individual client privacy.

Customers banking details are held in the strictest confidence between the customer and the Bank branch staff. Directors of the local community company have no access to individual customer records.

Bendigo Bank and the community company are each entitled to agreed portions of the revenue of the local branch. The local company is responsible for paying branch running costs.

Bendigo Bank supports the bank brand, product development, systems, acquisition of additional services (eg: trustee services) and provides the *Community Bank* Branch with operational requirements such as marketing support, training, stationary, etc.

When the local company begins to make regular operating surplus, and after the payment of branch running costs and Bendigo Banks entitlement to revenue, the remaining revenue is available to be reinvested back into the community through dividends to shareholders and community projects

Planning to open a *Community Bank* branch.

A *Community Bank* branch is driven by local communities, not Bendigo Bank. The Bank provides the mechanism by which the community can secure banking services and will provide support throughout the process. There is a recommended process the community will need to follow and a well detailed 12 point Campaign Snapshot is available. The aim of this document is to provide a blueprint to the procedures necessary to open a local community bank branch.

Community Commitment:

The first step in the process is to form a steering committee of between 10 – 15 influential and skilled people who are committed to the establishment of a *Community Bank*.

Bendigo Bank provides the community with a pledge target each community should be aiming for. For example a country town may have a pledge target of \$450,000 whereas a city suburb would be in excess of \$500,000. It is not just the pledge target that is important; it is also the number of people pledge support. The aim is to have as many people in the community with a shareholding in the local company. Ideally each community should be aiming for around 300 shareholders to ensure the *Community Bank* Branch is a truly community spirited venture.

RECOMMENDATION

That Council continue to pursue community banking options and facilitate a series of community meetings in order to evaluate the possible establishment of a Bendigo Bank - Community Bank in Central Darling Shire.

11-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Arandt that Council continue to pursue community banking options and facilitate a series of community meetings in order to evaluate the possible establishment of a Bendigo Bank - Community Bank in Central Darling Shire, and that Council approach the Barwon Darling Alliance to consider a regional solution

MOTION CARRIED

4.4 Department of Natural Resources -

The NSW State Government Department of Natural Resources are responsible for and are the regulatory body for a wide range of activities that involve Council. These activities and matters of particular interest are not restricted to, but include:

- ***Western Lands Leases, including subdivisions, change of lease purpose and diversification.***
- ***The acquisition of Crown land.***
- ***Crown reserves and Commons***
- ***Native Title and Aboriginal Land Claims (differences between the two and how it affects Crown land)***
- ***Extractive licenses (sand, gravel and rock etc for road construction)***
- ***Planning reform and assistance to Councils to amend Local Environmental Plan's***
- ***Native Vegetation legislation (proposed reforms)***
- ***Legal Road network for the Western Division (proposed project)***
- ***Provision of secure title to White Cliffs Dugouts***
- ***Water administration and developments***
- ***Owners consent for lodgment of Development Applications***
- ***Catchment Management Authorities***

In order to keep Council informed of the many amendments and changes to the various Acts and Council's increasing responsibilities, the following Department of Natural Resources staff members will be in attendance at the November 2005 meeting to address Council. It is anticipated the presentation will take around 1.5 hours including questions.

Peter Walker	Region Manager, Access, Compliance and Land Administration
Andrew Bell	Manager, Land Administration
Janet Sternbeck	Reserves Coordinator
Wayne Garnsey	Environmental Planning Officer

RECOMMENDATION

That the Department of Natural resources report be received and noted.

Item 4.4 was deferred until after officers from the Department of Natural Resources addressed Council later in the meeting.

4.5 Far West Regional Development Board.

4.5.1 Membership

The Far West Regional Development Board is body appointed by the NSW State Government that operates in partnership with the NSW Department of State & Regional Development. The principal purpose of the Board is to identify, stimulate and facilitate economic development opportunities in the far western region of NSW. The Board comprises of the following members:

Chairman	Neville Gasmier
Deputy Chair	Dallas Robins
Board Members	Brian Steffen, Dr Steve Flecknoe-Brown, Pat Leonard, Graham Revel, John Harris, Cheryl Krutli, Margaret Corradini, Peter Bevan, Ruth Sandow
Executive Officer	Ellenor Day
Observer	Bill O'Brien

4.5.2 Wilcannia Fencing Project

As a direct result of a submission put forward some time ago by local Wilcannia resident. Mr. Neville Crisp, the Far West Regional Development Board have made provision to make available \$2,500 to assist Central Darling Shire Council in pursuing the possibility of establishing a fencing contract business at Wilcannia. It has been considered also that any such business ideally would have a major training component attached.

Initially consultants Western Lands planning will undertake "A Snap Shot Analysis" in relation to the establishment of this business. It is proposed the business would have a major training focus that would provide local employment opportunities into the future.

4.5.3 Menindee To Pooncarie Road

Advice has been received from the Far West Regional Development Board in relation to the bitumen sealing of the Menindee to Pooncarie Road. The Board sees this project as a high priority and one which would be extremely beneficial to the community.

As a first step the Board intends to seek funding to update the Western Research Institute Economic impacts Study which was undertaken during 2000. Council will assist in this process and the funding application with supporting documentation.

RECOMMENDATION

That the Far West Regional development Board report be received and noted.

12-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Reid that the Far West Regional development Board report be received and noted.

MOTION CARRIED

4.6 Sustainable Regions – Darling Matilda Way

As previously reported, The Australian Government has introduced a major new community development program titled Sustainable Regions. The 4 year program has a total budget of some \$133 million allocated to 10 regions across Australia. Central Darling is included in the Darling Matilda Way – Sustainable Region which spans an area of 953,220 square kilometres from Mt Isa to Wentworth covering 24 Local Government areas. The region has a budget allocation of \$21 million.

The programme provides an opportunity for regional communities to lead their own development by identifying and addressing priority issues in their regions. The process is facilitated by through the Sustainable regions Advisory Committee appointed in each region.

A Darling Matilda Sustainable Region advisory committee has been established comprising of the following members:

Chairman	David Boyd	Bourke
	John Williams	Broken Hill
	Steven Radford	Broken Hill
	Howard Laughton	Orana
	Kym Mobbs	Central Queensland
	John Seacombe	Longreach
	Mark O'Brien	Charleville
	Jennie Baker	Brewarrina
	Scott Bucholz	Southern Inland Queensland
	Geoff Wise	Western Lands Commissioner

The Darling Matilda Way Sustainable Region Advisory Committee is seeking project proposals that demonstrate substantial regional benefit, ongoing project sustainability, and that address at least one of the seven regional priorities developed by the Committee. The Priorities are:

1. *Development of sustainable, robust, diversified, innovative and value adding industries.*
2. *Sustainable development of Tourism – new markets and new linkages*
3. *Alignment of future skilled workforce with regional needs*
4. *Improvement of selected lifestyle and business services*
5. *Development of key infrastructure linked to the strategies and needs of the region*
6. *Management and improvement of the region's natural assets*
7. *Enhanced capacity building and regional development capabilities.*

The Committee sees this program as an opportunity to support projects that will provide an on-going legacy for the community and is particularly looking for project proposals that will contribute to the longer term economic sustainability of the region. The Committee is principally seeking projects:

1. *That will be larger investments requiring Sustainable Regions program funding in the order of \$500,000 to \$5 million;*
2. *That will have an impact beyond the local area*
3. *That will address one or more of the regional priorities*

4. *That demonstrates a capacity to provide substantial secondary benefits either through employment or other value adding to the region.*
5. *That may be viable alternative to the traditional industry base of the region.*

It is recommended that Council identify opportunities within the Shire that could be considered under the *Sustainable Regions* program and provide assistance in preparing expressions of interests. All projects funded under the program need to be completed by June 2008.

RECOMMENDATION

That Council identify opportunities within the Shire that could be considered under the Sustainable Regions program and provide assistance in preparing expressions of interests.

13-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Pease that Council identify opportunities within the Shire that could be considered under the Sustainable Regions program and provide assistance in preparing expressions of interests.

MOTION CARRIED

4.7 Wilcannia Caravan Park

4.7.1 Compensation Claim

Council would be aware that as a result of issues surrounding the Aboriginal Community Development Program – Wilcannia Housing Project the Wilcannia Caravan Park was closed to the public for some considerable period. A claim for compensation was made to the Project Managers being the NSW Department of Commerce.

I am pleased to report after extended and protracted argument Council's compensation claim for \$13,700 has been received.

4.7.2 Management Options

The Wilcannia Caravan Park is currently operated by Council with bookings taken by The Wilcannia Shell Roadhouse on behalf of Council. The Roadhouse applies no charge to Council in providing this 7 day a week service. Over some considerable period prior to the Caravan Park closure the visitation numbers were steadily increasing, there were a number of reasons for this including the fact that the Wilcannia Shell Roadhouse was available and willing to accept bookings outside of normal Council business hours. Council are most appreciative of this service.

An opportunity now exists to review the total operation of the Wilcannia Caravan Park and for Council to consider the many options available for its future operation. A comprehensive report containing a series of options and recommendations will be provided to Council at the December 2005 meeting. Options will include seeking Expressions Of Interest from outside parties interested operating the Caravan Park on a lease arrangement.

RECOMMENDATION

That the Wilcannia Caravan Park report be received and noted.

14-11-05 Resolved On the Motion Of Clr Pease, Seconded Clr Wellings that the Wilcannia Caravan Park report be received and noted.

MOTION CARRIED

4.8 Darling To Diamantina Alliance

A further meeting of the Darling to Diamantina Alliance took place on the 3rd November 2005 at Cameron Corner; in excess of thirty delegates attended this historic meeting representing State Government agencies, Local Government and Community Organisations.

Background:

The Darling to Diamantina Alliance Incorporated is a tourism and community development initiative comprising of community representatives, State Government agencies and Local Government representatives from the Lower and Central Darling River area of New South Wales, the Corner Country of Western New South Wales and South Australia and far Western Queensland.

The concept of forming the Darling to Diamantina Alliance Inc. was developed as a result of meeting with key stakeholders from Local Government, Government agencies and Community organisations at Wentworth on the 16th February 2004. The meeting resolved to invite Shire Council's, Government Agencies and Tourism Organisations to form initially the West Darling Communities Alliance. Invitations for membership were forwarded to all identified organisations in the region and the response was positive. A subsequent meeting was held at Broken Hill where it was recommended that the Darling to Diamantina Alliance Incorporated be formed.

Membership of the Alliance and representation has been sought from but not restricted to Local Government and Community Associations in each of the following communities:

Wentworth, Pooncarie, Menindee, Wilcannia, White Cliffs, Milparinka, Tibooburra, Innamincka, Birdsville, and Boulia.

Membership will also be sought from the New South Wales National Parks and Wildlife Service (NPWS) New South Wales Department of State & Regional Development and the Outback Regional Tourism Organisation. Current membership includes:

Councils	Central Darling Shire; Diamantina Shire; Bourke Shire; Boulia Shire; Paroo Shire
Government Agencies:	Fowlers Gap Research Station; Far West Regional Development Board
Community Organisations:	Milparinka Heritage & Tourism Association; Pooncarie Development Association; West Darling Arts.
Tourism Associations:	Menindee; Flinders & Outback; Wentworth
National Parks:	Mutawintji

Support for the project has been formally received by the following Members of respective State and Federal Parliaments

Peter Black OAM MP	Member for Murray Darling
The Hon John Cobb MP	Federal Member for Parkes
The Hon Bruce Scott MP	Federal Member for Maranoa
The Hon Sandra Nori MP	NSW Minister for Tourism
The Hon Fran Bailey MP	Federal Minister for Tourism
The Hon Dr Jane Lomax-Smith MP	SA Minister for Tourism

The Alliance proposes to develop a “Darling to Diamantina Corridor” linking Wentworth in New South Wales to Mt Isa in Queensland, building linkages between respective communities, National Parks, Indigenous groups and private operators, by focusing on the diversity of the natural environment, Aboriginal heritage and Australian inland exploration and culture. The project will also support and complement those landholders along the corridor who enter into a “conservation covenant” for the protection of native vegetation and animals on their properties and integrate those engaging in tourism. The result will be a collaboration that will stimulate regional economic growth, but maintain the social and cultural independence of each community, landholder, business and agency, support and encourage ecologically sustainable land management, and promote the protection of wildlife and habitat ensuring conservation in a biologically diverse region. The corridor will intercept existing tourist trails and tracks including the Darling River Run in New South Wales, the Strzelecki and other tracks in South Australia, and the Outback Highway across Queensland, the Northern Territory and Western Australia.

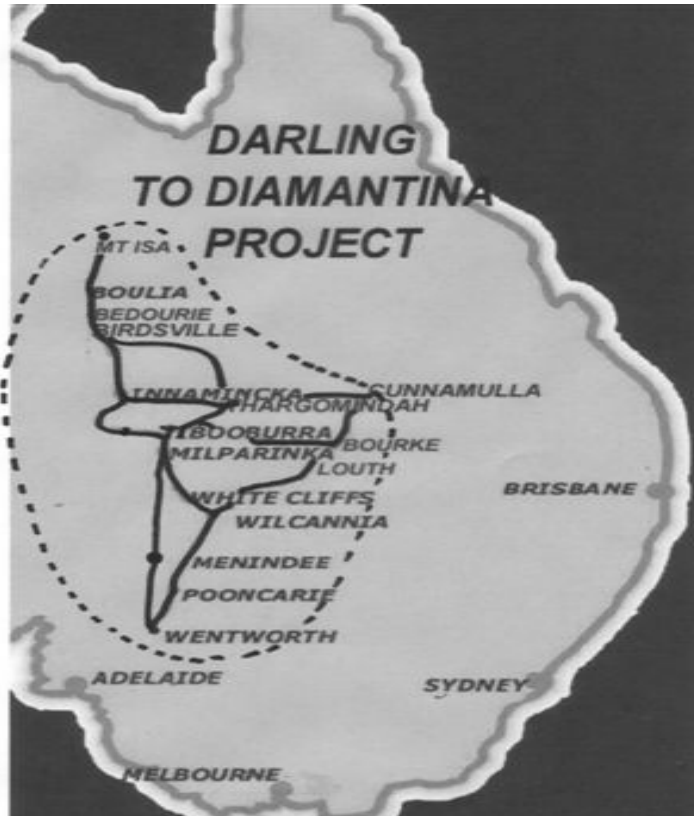
The Darling to Diamantina Alliance Incorporated has prepared and submitted a funding application to The Federal Government’s Regional Partnerships Programme Funding is sought to undertake a feasibility study for the project, incorporating an audit of the tourism and conservation services, infrastructure and products within the communities, agencies and participating properties.

A broad-scale map indicating the area that the Alliance covers and the linkages between each of the towns involved has been included in this report to indicate the scope of the project.

A full report of the outcomes of the meeting at Cameron Corner will be presented at the December 2005 Council meeting.

RECOMMENDATION

That the Darling to Diamantina Alliance report be received and noted.



15-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Sullivan that the Darling to Diamantina Alliance report be received and noted.

MOTION CARRIED

4.9 Wilcannia Works Program – Community Development Employment Program

The current Wilcannia works program concluded on the 23rd September 2005. It is widely acknowledged that this program produced outstanding results and could be the “model” for ongoing works programs across Shire towns within the River Towns. The program included the establishment of a Heritage Trail and Memorial Park.

Efforts continue to identify a suitable and appropriate Federal Government employment and training program that could support the continuation of this initiative. As a further action, the General Manager addressed the Murdi Paarki Regional Assembly at their recent conference on the 26th October 2005 held at Cobar. It was apparent at that conference the issue of continuing works programs and employment in general was a major concern and the Wilcannia “model” was widely acknowledged. Delegates from a range of Government agencies were present including senior officers from the Department of Employment & Workplace Relations. Negotiations will continue with all relevant organisations and this topic will be an agenda item at the next meeting of the Barwon Darling Alliance.

As a further outcome from the conference, in discussion with Richard Weston, Regional Manager of Maari Ma Aboriginal Health Corporation Richard indicated that this organisation would seriously consider matching the \$25,000 x 3 year commitment made earlier by Country Energy.

RECOMMENDATION

That the Wilcannia works program report is received and noted and the actions of the General Manager are endorsed.

16-11-05 Resolved On the Motion Of Ctr Arandt, Seconded Ctr Wellings that the Wilcannia works program report is received and noted and the actions of the General Manager are endorsed.

MOTION CARRIED

4.10 Community Solutions

Introduction

The issue of funding provided under the Community Solutions Program is one that has been ongoing for some time. The issue has been consistently raised by one Councillor and has been the subject of considerable debate and explanation. This latest report is being provided as a response to a number of allegations made over the past few months by Councillor Paul Brown and as a response to the two reports provided by Councillor Paul Brown to the Council. The second of these reports is included as an attachment to this report.

Background

In June 2003 Council signed a funding agreement with the New South Wales Premiers Department to release funding for the Community Solutions Program. The funding agreement refers to the New South Wales Premiers Department as the principal to the agreement and Council as the contractor. It should be stressed that the agreement was with the New South Wales Premiers Department and not the Department of Community Services as stated in Councillor Brown's report.

Councillor Brown, in his second report, contends

“Community Solutions Funding Agreement signed by the GM and Director of Corporate Services on behalf of CDSC and DoCS.....”

This statement is not correct.

Council has dealt with the Premiers Department until the program was handed over to the Department of Community Services in May/June 2005. The Premiers Department appointed liaison officers to project manager and to liaise with Council and the Community Working Party to bring this funding program to fruition.

Funding Agreement Details

Councillor Brown infers that the funding agreement also calls upon variations to be in writing and approved. The actual clause dealing with variations is Clause 6 which states at 6.1:

“The Principal may request (in writing) the Contractor to vary the Services, provided the variation is within the general scope of the Services.”

It should be noted and re-iterated that Council is not the Principal but is the Contractor. The funding agreement is actually silent on the issue of when a Contractor requests a variation to the agreement.

Clause 3.3 states that the Contractor agrees to return to the Principal, any funds that remain unspent to the conclusion of the term of the project.

The funding agreement was signed B O'Reilly the Deputy Director General for the New South Wales Premiers Department, witnessed by Sonja Stewart and signed by Mr Bill O'Brien for Council and witnessed by Mr Tim Hazell.

The Program

The original funding program was to provide for:

Wilcannia Skate Park	\$ 50,000
Wilcannia Hall	\$ 80,000
Wilcannia Swimming Pool	\$ 70,000
Wilcannia Heritage Trail	<u>\$ 30,000</u>
Total	\$ 230,000

It should be noted that the original Council resolution to accept the Community Solutions Grant funds listed funding for the Hall at \$85,000 and the Swimming Pool at \$75,000. Both of these projects were over stated by \$5,000 each and the correct revised figures are included above.

Early Variations

During early 2004 it was recognised that it would be difficult to achieve the construction of a skate park due in part to ongoing insurance questions. It was also apparent that the Department of Sport and Recreation was set to employ recreation officers and sought funding assistance.

Following preliminary discussions with Premiers Department a formal variation was provided and the program was altered to become:

Wilcannia Skate Park	\$ nil
Wilcannia Hall	\$ 50,000
Wilcannia Swimming Pool	\$ 100,000
Wilcannia Heritage Trail	\$ 30,000
Youth Development Officer	<u>\$ 50,000</u>
Total	\$ 230,000

This variation was formally adopted by Council at 26-4-04. It should also be noted that funding was diverted away from the Skate Park (for Youth Development Officer) and \$30,000 taken from the Wilcannia Hall to the Wilcannia Swimming Pool.

December 2004 Management Plan Review

During the review of the 2004-2005 Management Plan for the December 2004 quarter it was noted that expenditure on the refurbishment of the Wilcannia Swimming Pool was likely to exceed the original and revised budget. This was due in part to difficulties in the design of the amenities block, availability of suitable contractors and the scope of the overall project.

The December quarterly review also identified that no expenditure had yet been incurred on the Heritage Trail project and little incurred on the Wilcannia Hall project. Internal discussions were held in an attempt to provide a scope for the Heritage Trail project.

Several suggestions ranging from a shelter for a local canoe to interpretive panels around Steamer Point were discussed and rejected for various reasons.

Given that each alternative was rejected, it was recommended that some of the funding for the heritage project could be better used on the swimming pool project. Approaches were made to the project liaison officers in the Premiers Department who confirmed that the suggested changes were appropriate.

Both officers were notified of the changes and indicated their agreement to the changes. The issue was then brought before Council for their consideration. Council formally resolved (21-2-05) to adopt the December quarterly review and the program became:

Wilcannia Skate Park	\$ nil
Wilcannia Hall	\$ 20,000
Wilcannia Swimming Pool	\$ 150,000
Wilcannia Heritage Trail	\$ 10,000
Youth Development Officer	<u>\$ 50,000</u>
Total	\$ 230,000

As noted, funding to the extent of \$30,000 from the Hall and \$20,000 from the Heritage Trail was suggested and formally adopted. Again, all variations had the express approval from the New South Wales Premiers Department liaison officers.

These variations were openly discussed at the February meeting of Council with a number of questions being raised from the floor. These variations were also the subject of the internal memo from the Director of Corporate Services to the General Manager dated the 10th February 2005. This memo stated that the variations as shown above were to be formally considered by Council as part of the Management Plan review at the February 2005 meeting.

In this memo it was noted that expenditure on the swimming pool project was around \$187,000 which exceeded the variation as shown. It was noted in this memo that perhaps should the Youth Development Officer project not be advanced then a further variation could be discussed to cover the total expenditure of the swimming pool project.

The memo ends that it is submitted for information and further discussion.

CDEP Project – Mobil Site Clean Up

As Council would be aware, the CDEP project to clean up the old Mobil site in Wilcannia has been ongoing for some time during the year 2005. This scope of this work has been the subject of numerous reports to Council over the past months. Reports provided by the General Manager were presented to Council detailing the ongoing works to be carried out at the Mobil Site and the continuation of the Heritage Trail project. In a report to the July meeting of Council it was noted that a major landscaping and civil construction training program had been ongoing over the past several months and that project funding to develop the planned heritage trail beginning from this site has been made available.

Clearly, therefore, the decision to continue the Heritage Trail component of the Community Solutions Grant was contingent on the CDEP project which identified the scope of the necessary works. The issue was further considered by Council at the August meeting where a report from the General Manager noted:

“The park is the staging point for the Wilcannia Heritage Trail and will connect the trail around the town to the new trail along the Darling River to Byrnes Street along Reid Street and back to the park.”

Council formally resolved at 15-8-05 to continue support for the project.

June 2005 Management Plan Review

When it became apparent that the Heritage Trail could be designed and included with the CDEP project this was communicated to Council. It was then deemed appropriate to include the funding for the project in the June 2005 quarterly Management Plan review. Council in resolving 21-8-05 adopted the following funding scenario:

Wilcannia Skate Park	\$ nil
Wilcannia Hall	\$ 20,000
Wilcannia Swimming Pool	\$ 130,000
Wilcannia Heritage Trail	\$ 30,000
Youth Development Officer	<u>\$ 50,000</u>
Total	\$ 230,000

This proposed movement was listed on page 4 of the 43 page report to the June Management Plan Review:

“Following Council’s formal adoption of the continuation of the Wilcannia Heritage Trail 14-7-05 this review is recommending that funding for the Heritage Trail be amended to \$30,000 and that funding for the Wilcannia Swimming Pool be reduced to \$130,000. Such a movement is contained within the above figures.”

Department of Community Services

The issue of the involvement of the Department of Community Services is a little unclear as Council is yet to receive any formal or informal notification of the inclusion of the Department of Community Services. It is assumed that the New South Wales Premiers Department handed over the control of the Community Solutions Grant to the Department of Community Services sometime in late April or early May 2005. This is based on correspondence that was suddenly received from that Department in May 2005.

It must be re-stated, that at no time does the Central Darling Shire Council have in place a funding agreement with the Department of Community Services. The funding agreement in place is with the New South Wales Premiers Department.

Contact was made with the Senior Project Manager from the Department of Community Services in early May 2005, detailing the variations that had been made to the internal compositions of the grant funding, variations that had been approved by the Premiers Department. As a result of this contact a letter was received from the NSW Department of Community Services. This letter was dated the 6th May 2005 and contains factual inaccuracies. The letter notes Section 6 of the funding agreement and states:

“.....As outlined in Section 6 of the Community Solutions funding agreement any variations have to be requested in writing by the Principal (Central Darling Shire Council) to the Department of Community Services (formerly the Premier’s Department), and these variations have to be agreed upon by both parties in writing before they can be enacted.”

To reiterate, the New South Wales Premier’s Department now the NSW Department of Community Services is the **Principal** and the Central Darling Shire Council is the contractor. The funding agreement only requires written notice of any variation if it is requested by the Principal.

The agreement is silent on any variation sort by the Contractor. Irrespective of this glaring oversight, Council did discuss the variations with the liaison officers and has received approval for the variations.

The letter from the Department of Community Services goes on to state:

“No variation to the funding provided for the Heritage Trail (\$30,000 2002/03) has been requested or approved. Therefore, this variation to the Community Solutions funding provided to Central Darling Shire Council is in breach of the funding agreement. However, as these funds have already been re-allocated and expended could you now please forward final reports and audited financial statements for these projects.”

Again, the letter is incorrect. Approval for the variation has been sort and granted following the due process as outlined by the liaison officers for the New South Wales Premiers Department even though no express approval is required under the funding agreement.

Therefore Council cannot be in breach of any funding agreement.

The letter is also incorrect in the assumption that funds have been spent. Significant funding to the extent of \$80,381 have remained unspent as at the 30th June 2005, being \$50,000 for the Youth Development Officer, \$7,445 for the Wilcannia Hall and \$22,936 for the Wilcannia Heritage Trail. This was noted by Council at resolution number 19-10-05.

Councillor Brown's Letters and Reports

It is apparent that Councillor Brown has been pursuing the issue of the Community Solutions Grant funding for some time. It is appropriate for this report to address all items of correspondence to provide a full and frank view of circumstances that have taken place.

Councillor Brown first raised the issue, in writing, in a letter to the Mayor in May 2005 alleging an Act of Disorder on behalf of the General Manager at the meeting of Council held on the 10th May 2005. The allegation was for an Act of Disorder under the Code of Conduct at clause 29 (1) (d). The letter from Councillor Brown concluded with the following:

"After due consideration I request that the General Manager be counselled on the inappropriateness of his comments and breach of the code of conduct and apologise to the undersigned in accordance with cl (29) (c)."

In his reply the Mayor, Councillor Peter Sullivan, noted that he had investigated the claims made and could find nothing to substantiate the allegations. It was also noted that the adopted Code of Conduct does not contain a clause 29 (1) (d). On examination it was noted that perhaps a breach of the Local Government (Meetings) Regulation 1999 was being alleged.

The Meeting Regulation does provide for the provision of disorder at a Council meeting under clause 29, but only refers to Councillors and would seem to have no force over the General Manager. Councillor Brown was requested to provide further details if the assumptions made by the Mayor were incorrect and those would be investigated. No further correspondence has been received in relation to these allegations.

In a letter dated the 7th July 2005 addressed to the General Manager, Councillor Brown raised a question on the receipt of a letter from the Department of Community Services regarding the Community Solutions Grant funds.

Councillor Brown noted that the letter had not been included in the list of correspondence for the previous Council meeting and asked that a copy be made available to himself. He also requested copies of any other correspondence from the Department of Community Services received since the 10th May 2005 on this subject.

This letter remained unanswered which prompted a further letter from Councillor Brown, dated the 6th August 2005 again restating his request for access to certain information or reasons be given for the non-availability of same. This further request was also addressed to the General Manager. While both letters were copied to the Mayor, they were addressed to the General Manager and sort to have that position provide certain details.

The issue of this correspondence from a Councillor raises a number of specific issues. These relate to:

- The perception of a possible breach of the Code of Conduct where a Councillor is seeking to instruct a staff member in the performance of their duties – clause 8.2
- Consideration on making the documentation available where it may appear to not be relevant to the performance of the Councillors civic duty – clause 9.6 of the Code of Conduct.
- Provision of Section 12 of the Local Government Act, 1993 on what information should be freely available.
- Provisions of the Privacy and Personal Information Protection Act 1998.
- Provisions of the Freedom of Information Act 1989.

In replying to the matter the Mayor, Councillor Peter Sullivan, pointed out the difficulties that had been experienced. The reply also noted the possible breach of the Code of Conduct by Councillor Brown. Councillor Sullivan also noted that this issue had been addressed at some length at the August meeting of Council when the June 2005 Management Plan Review was considered. Specifically the letter stated:

“In addressing your request for certain correspondence, I do not see the provision of this document to be relevant in the performance of your public duty. I would also like to point out that the issue of the Community Solutions Grant funding was further discussed by Council at the July meeting of Council where a formal resolution (14-7-05) was successful in continuing the Wilcannia Heritage Trail program.

This has effectively meant that any funds that were utilised from the Community Solutions Program on the Wilcannia Swimming Pool as opposed to the Wilcannia Heritage Trail have been re-instated.

While Council had formally resolved to utilise some of the funding for the Heritage Trail on the swimming pool, clearly with the presence of the CDEP scheme and the great work carried out on the old Mobil site, it is now prudent to re-instate the former funding levels.

I would also like to point out that this issue is included in the June 2005 review of the Management Plan and was considered by Council at the August meeting. This particular topic was discussed at some length.”

The letter concluded with:

“I have decided not to make a copy of the relevant documentation available to you. This course of action is being taken as I do not believe that the provision of such information is required by you to carry out your duties as a Councillor. As this matter has attracted considerable time and effort I would now like to state that the matter should be considered closed.”

Councillor Sullivan also raised concerns that Councillor Brown had approached the Department of Community Services, representing himself as a Councillor seeking details on the Community Solutions Grant. As stated in the reply, this was regarded as being outside the powers of a Councillor and was not tolerable.

These approaches included a Freedom of Information request which was received by the Department of Community Services for the release of all information held by that Department in relation to the Community Solutions Grant funding. An application had been received by the Department of Community Services for release of the information. In forwarding the request on to Council, the applicant was not named.

In accordance with the Freedom of Information Act 1989 Council's approval was given to the Department of Community Services to release the information. It is noted in Councillor Brown's letter of the 13th September 2005 that he names himself as the applicant of the Freedom of Information request.

It is also noted that Councillor Brown indicated should the information not be provided by Council then he would avail himself of the opportunity to have the matter referred to the next level.

The other approach involved an e-mail to the Department of Community Services concerning the "Possible Inappropriate Use of Grant Funding" and was signed off by Paul Brown, Councillor Ward "A", Central Darling Shire Council. It is noted that this e-mail contained the following:

"I ask for guidance in this matter as I believe that the use of these funds was deliberate and it was also the intention of Management not to fully advise Council. If it is as I believe, that this diversion of funds has not been approved and Council has been misinformed I would appreciate your confirming this to the under-signed to enable the matter to be properly resolved at Council.

I would further add that I consider this to be a very serious issue and will probably be referring the matter to the Dept of Local Government."

Councillor Brown also represented himself as a Councillor in further dealings with the Department of Community Services. The Freedom of Information request states:

"My name is Paul Brown. I am a resident of Wilcannia NSW and am also an elected councillor on the Central Darling Shire Council."

In a joint publication from the Independent Commission Against Corruption and the Department of Local Government – Under Careful Consideration: Key Issues for Local Government it is noted:

“As individuals, councillors communicate council policy and decisions to the community, exercise community leadership and represent the views of residents and ratepayers to council. The Act makes it clear that the general manager is responsible for the day to day operations of council. However, other than the mayor, individual councillors have no statutory powers, duties or authority outside the council chambers unless explicitly delegated by a resolution of the council. Councillors can only act on behalf of the council when authority has been given by the council.”

It is therefore apparent that any contact made by a Councillor to a Government Agency alleging inappropriate use of grant funding is clearly outside the civic role of the Councillor. Council’s policy, as adopted by resolution 786-3-98 provides adequate guidance on what is required in a Protected Disclosure – Internal Reporting Policy. The Policy specifically states:

2 Purpose of the Policy

To be protected by the Act, a disclosure must be made by a member of staff or councillor to:

- an investigating officer
- the General Manager
- to another nominated officer of the Central Darling Shire Council

The system enables such internal disclosures to be made to the Disclosure Co-ordinator, a nominated Disclosure Officer, or the Mayor as an alternate to the General Manager.

5 The Mayor

The Mayor may receive internal disclosures from any member of staff of the Council or any Councillor concerning the General Manager or a Councillor. The Mayor will:

- (a) impartially assess each disclosure made to him/her about the General Manager or a Councillor to determine:
 - (i) whether the disclosure appears to be a protected disclosure within the meaning of the Act – Note: in making this assessment the Mayor may seek guidance from the Disclosure Co-ordinator or General Manager (if appropriate), and investigating authority (ie – ICAC or Ombudsman) or the Department of Local Government
 - (ii) the appropriate course of action to be taken in relation to the disclosure (in consultation with the General Manager, if appropriate) for example:-
 - no action/decline
 - the appropriate person to take responsibility for dealing with the disclosure
 - preliminary or informal investigation
 - formal investigation
 - prosecution or disciplinary action
 - referral to an investigating authority for investigation or other appropriate action
 - referral to the police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct)

The Mayor, Councillor Peter Sullivan, in his letter dated the 12th September 2005 has indicated that he had investigated the issue, had found nothing wrong and considered the matter closed.

Councillor Brown has then circulated a letter dated the 13th September 2005 requesting:

"I am taking this step of writing to ALL councillors in the interest of transparency and in an attempt to finalise a issue over which I believe Council has been at least given inaccurate information or in the extreme deliberately mislead."

The letter contained a number of attachments, including a report by Councillor Brown on Community Solutions Funding. This report contains a statement:

"In this instance, repeated statement by the GM have satisfied most Councillors that CDSC has not acted inappropriately. It is my belief that council has not been given the full story and that only a review of the documentation concerned will place council in a position to make appropriate decisions in the future on such funding matters."

Councillor Brown then goes on to provide a report to Councillors dated the 10th October 2005. This report states:

"The above details show without doubt that during the entire period that the GM was advising Council that the Community Solutions Funds could be used in any way Council wished (i.e. fund the cost overruns on the Wilcannia Pool), the GM and Director of Corporate Services were aware that this was not true.

The documentation also shows that once this became an issue, the GM was attempting to have the variations approved by DoCS without Council being aware of his attempts, all the while denying that it was an issue.

The documents also show that the actions of the GM and Director of Corporate Services in varying the funds without prior approval and convincing Council this was acceptable, resulted in CDSC breaching the funding agreement.

Confirmation by DoCS of this was the reason the Heritage Trail funds were re-directed back to their original use.

The rejection by the Mayor of access to the documents requested must be assumed to be an attempt to prevent the facts becoming known."

Summary

To be perfectly clear – all variations to the internal composition of the funding for projects considered in the Community Solutions Funding program were discussed and agreed with liaison officers representing the New South Wales Premiers Department. This Department sourced the original funds and project managed the grant on behalf of the State Government. This was the procedure detailed by the New South Wales Premier's Department and followed in all instances.

Each variation that was discussed and agreed was then presented to Council for the formal resolution of Council. Neither the General Manager nor the Director of Corporate Services, nor for that matter any other staff member of Council has the delegated authority to vary budget votes and allocations.

That authority, by virtue of the Local Government Act, 1993, rests with the full body of Council. Each variation has been supported by agreement with the New South Wales Premier's Department and formal Council resolution.

The Mayor, Councillor Peter Sullivan, when requested to review and investigate the issue reached the same conclusion. That Councillor Brown does not accept this view is unfortunate. A summary of the funding can be shown as:

<u>Project</u>	<u>Original</u>	<u>April 2004</u>	<u>Dec' 2004</u>	<u>June 2005</u>
Council Resolution	9-7-03	26-4-04	21-2-05	21-8-05
Wilcannia	\$	\$	\$	\$
Skate Park	50,000	nil	nil	nil
Hall	80,000	50,000	20,000	20,000
Swimming Pool	70,000	100,000	150,000	130,000
Heritage Trail	30,000	30,000	10,000	30,000
Youth Develop. Officer	nil	50,000	50,000	50,000
TOTAL	230,000	230,000	230,000	230,000

Council staff have acted in the utmost of good faith throughout this entire issue and to have such accusations made and in the form that they have been made is disappointing. While preliminary advice would appear to indicate a clear case of defamation, Council staff are currently assessing their own legal situation in this regard.

Suggested Solutions

Council is now place in the position of having to formally resolve a solution to this situation. A number of clear alternatives are available to Council and these could include:

- 1) Do nothing, the current situation will continue and no effective resolution would be forthcoming.
- 2) Refer the alleged breach of the funding agreement for legal opinion.
- 3) Convene a meeting of the Code of Conduct Committee to review actions of Councillor Brown, his interactions with staff members and Government Departments.
- 4) Refer the matter to the Department of Local Government.
- 5) Have the external auditors confirm the acquittal of the grant.
- 6) Accept this report as printed and move a resolution expressing concern over Councillor Brown's actions and apparent motives.

Given the position that I, as General Manager, find myself in, it would be inappropriate for me to make a recommendation to Council.

RECOMMENDATION

For Council's determination.

17-11-05 Resolved On the Motion Of Clr Pease, Seconded Clr Wellings that Council accept the report and endorse the actions of senior staff with regard to this matter

MOTION CARRIED

CR VAGG RECORDS AGAINST

Report to Councillors

To: ALL Central Darling Shire Councillors

Date: 10/10/05

Subject: Community Solutions Funding

Councillors are well aware of this matter and that the undersigned has been attempting to verify information given to Council by the General Manager.

As information had not been forthcoming from the Shire Management, a request was lodged with the Department of Community Services (DoCS) under the Freedom of Information Act. On the 23rd September 2005 I received from DoCS copies of a number of documents pertinent to the issue.

On the 30th September I wrote to Clr Sullivan advising him of the documents. The Mayor has also been advised.

These documents include copies of

- Community Solutions Funding Agreement signed by the GM and Director of Corporate Services on behalf of CDSC and DoCS which state that variations must be requested in writing and agreed and unused funds should *be* returned.
- internal CDSC memo (10th Feb 2005) from Tim Hazell to the GM which had been sent to DoCS by the General Manager.
This memo is an analysis of the funds used and refers to the April 2004 amendment that had been agreed to and also states "it could be argued that this sum could be funded from Community Solutions... **but this would entail further variations.**"
- fax from General Manager dated 3rd May 2005 referring to discussions and stating "I trust these movements are in order and if so, it **would be most appreciated if your department could confirm this.**"
- correspondence from DoCS dated 6th May 2005 in response to the GM's fax, stating that some variations had been agreed by cabinet in April 2004. The letter went on to say "**No variations to the funding provided for the Heritage Trail (\$30,000 2002/3) has been requested or approved. Therefore this variation to the Community Solutions funding provided to Central Darling Shire Council is in breach of the funding agreement'**"
- correspondence from the General Manager to DoCS dated 21st June 2005 stating that "**Contrary to previous advice, funding provided for the establishment of a Wilcannia heritage trail will not require a funding**

variation and the total of \$30,000 will be used to establish this Heritage Trail, my apology for this misunderstanding."

Chronology

24th June 2003	Community Solutions Funding Agreement signed by GM and witnessed by Director Corporate Services
April 2004	Council resolution 26-4-04 accepted variations to agreement as agreed by Cabinet (skate park/hall variations)
10th February 2005	Memo advising of possible need for variation for additional swimming pool funds from Dir Corp. Serv. to GM
15th February 2005	Council meeting – GM states that Funding is a pool of money, once received to be used as council wishes. Heritage trail money to be used on swimming pool
10th April 2005	Council meeting – GM again states that funds can be transferred without approval
21st April 2005	GM moves resolution at Community Working Party that Premiers Dept be requested to vary funding for heritage trail
3rd May 2005	Fax to DoCS by GM requesting confirmation that variations acceptable
6th May 2005	Letter from DoCS advising that CDSC is in breach of funding agreement as variations were not requested and approved before they were actioned
10th May 2005	At Council meeting GM again stated that the \$50,000 could be transferred from the Community Solutions funds to the pool. Money to be used as council wishes.
21st June 2005	Letter to DoCS updating funding expenditure and advising that request to vary funds for Heritage Trail was a misunderstanding
28th June 2005	Council meeting – correspondence list -when asked if a letter had been received from DoCS critical of CDSC use of funds. GM stated letter received but not critical and funds acquitted.
7th July 2005	Undersigned wrote to CDSC requesting access to documents
19th July 2005	Council Meeting – Budget review. \$30,000 back from pool to Heritage Trail GM stated "because it was a good project" denied CDSC pressured to do so.

6th August 2005	Second request for access to documents
16th August 2005	Matter discussed at Council Meeting including outstanding requests for info.
28th August 2005	Request to DoCS under FOI Act.
12th September 2005	Letter from Mayor advising that documents would not be made available as "I do not believe that the provision of such information is required by you to carry out your duties as a councillor."
23rd September 2005	Documents received from DoCS

Summary

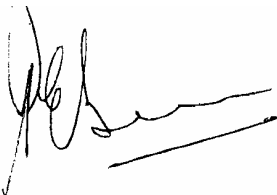
The above details show without doubt that during the **entire** period that the GM was advising Council that the Community Solutions Funds could be used in any way Council wished (i.e. fund the cost overruns on the Wilcannia Pool), the GM and Director of Corporate Services were aware that this was not true.

The documentation also shows that once this became an issue, the GM was attempting to have the variations approved by DoCS without Council being aware of his attempts, all the while denying that it was an issue.

The documents also show that the actions of the GM and Director of Corporate Services in varying the funds without prior approval and convincing Council this was acceptable, resulted in CDSC breaching the funding agreement.

Confirmation by DoCS of this was the reason the Heritage Trail funds were re-directed back to their original use.

The rejection by the Mayor of access to the documents requested must be assumed to be an attempt to prevent the facts becoming known.



SECTION 5. DIRECTOR OF CORPORATE SERVICES REPORT

RECOMMENDATION

That the Director of Corporate Services report be received and dealt with

18-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Sullivan that the Director of Corporate Services report be received and dealt with

MOTION CARRIED

5.1 Schedule of Investments

The following schedule of investments is provided in accordance with the requirements of the Local Government Act, 1993, and associated Regulations.

Schedule of Investments - October 2005				
DATE	TIME PERIOD	INTEREST RATE	DUE DATE	TOTAL (\$)
11am Call Account				
Commonwealth		5.45%		\$526,744.89
Westpac		5.30%		\$750,000.00
Floating Rate Notes				
Wollemi Trust	85 points over 3mth BBSW	6.64%	8-Jan-06	\$1,500,000.00
-Managed by Westpac				
Commercial Bills				
Commonwealth	19-Aug-05	88	5.50%	15-Nov-05
				\$300,012.00
Term Deposits				
L.G.F.S.	11-Oct-05	92	5.66%	10-Jan-06
	(at a margin of 15points over BBSW)			\$500,000.00
Total Investments as at 31st October 2005				
11 am Call Account				\$1,276,744.89
Commercial Bills and Notes				\$1,800,012.00
Term Deposits				\$500,000.00
				\$3,576,756.89

RECOMMENDATION

That the Schedule of Investments report be received and adopted.

19-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr MacMillan that the Schedule of Investments report be received and adopted.

MOTION CARRIED

5.2 Rates Collection Statement

The rate collection statement for the month of October is provided for information.

ITEM	ARREARS		LEVIES				INTEREST	RECEIPTS	WRITE-OFFS	GOVT SUB	OVER-PAYMENT	TOTAL
	ARREAR	INT ARREARS	RATES	WATER	DR SUPP	CR SUPP						
Wilcannia												
General	38,210.57	13,923.45	44,439.85	-	-	-	1,104.00	21,037.89	-	924.82	-	75,715.16
Special Rate	5,504.21	1,622.88	6,274.37	-	-	7.05	157.60	3,059.68	-	-	-	10,492.33
Water	98,946.02	28,244.65	151,380.00	-	-	105.00	2,812.54	76,454.29	-	1,443.75	-	203,380.17
Water-Filtered	8,498.93	8,555.79	-	-	-	-	240.55	168.22	-	-	-	17,127.05
Sewer	51,415.00	23,048.84	80,500.00	-	-	300.00	1,356.76	47,091.18	-	962.50	-	107,966.92
Garbage	29,248.94	9,540.95	53,390.00	-	-	-	797.55	30,596.84	-	1,402.50	-	60,978.10
Excess Water	110,494.41	13,150.14	-	34,276.80	-	4,380.00	1,835.40	67,376.99	54.23	-	-	87,945.53
Charge on Land	2,535.86	-	-	-	-	-	-	-	-	-	-	2,535.86
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-2,965.85	-2,965.85
Overpayments Water	-	-	-	-	-	-	-	-	-	-	-419.51	-419.51
GROUP TOTAL	344,853.94	98,086.70	335,984.22	34,276.80	4,792.05	8,304.40	245,785.09	54.23	4,733.57	-3,385.36	562,755.76	
Ivanhoe												
General	23,230.68	6,414.65	24,997.81	-	-	-	680.52	10,304.57	0.31	1,417.79	-	43,600.99
Special Rate	6,104.73	1,676.60	6,241.57	-	-	-	178.66	2,649.80	0.08	-	-	11,551.68
Water	34,846.71	8,657.47	42,695.00	-	-	-	1,025.69	17,633.74	0.90	1,706.25	-	67,883.98
Water-Filtered	4,126.72	3,258.52	-	-	-	-	114.12	637.71	-	-	-	6,861.65
Garbage	20,084.77	5,031.04	35,670.00	-	-	180.00	577.91	17,039.57	0.73	2,047.50	-	42,095.92
Excess Water	35,242.34	8,638.81	-	52,740.60	-	-	954.47	53,759.58	1.15	-	-	43,815.49
Charge on Land	1,002.74	-	-	-	-	-	-	-	-	-	-	1,002.74
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-4,499.69	-4,499.69
GROUP TOTAL	124,638.69	33,677.09	109,604.38	52,740.60	180.00	3,531.37	102,024.97	3.17	5,171.54	-4,499.69	212,312.76	
White Cliffs												
General	7,198.59	2,080.68	29,729.20	-	-	-	211.00	16,124.74	-	1,863.23	-	21,231.50
Special Rate	652.66	176.69	2,394.29	-	-	4.00	18.62	1,451.30	-	-	-	1,786.96
Water	17,138.85	2,685.94	78,800.00	-	-	1,100.00	503.78	42,901.64	-	1,947.10	-	53,179.83
Water-Filtered	2,176.12	2,176.43	-	-	-	-	62.77	278.80	-	-	-	4,136.52
Excess Water	15,946.32	192.42	-	10,094.70	-	95.70	156.85	19,505.43	1.39	-	-	6,787.77
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-233.78	-233.78
Overpayments Water	-	-	-	-	-	-	-	-	-	-	-100.42	-100.42
GROUP TOTAL	43,112.54	7,312.16	110,923.49	10,094.70	1,199.70	953.02	80,261.91	1.39	3,810.33	-334.20	86,788.38	
Menindee (Environ)												
General	36,177.12	11,459.60	73,973.60	-	-	-	1,080.20	34,277.53	-	4,068.81	-	84,344.18
Garbage	6,953.28	1,235.69	19,080.00	-	-	-	213.41	8,211.81	-	1,262.85	-	18,007.72
Charge on Land	943.76	-	-	-	229.24	-	-	66.70	-	-	-	1,106.30
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-0.12	-0.12
GROUP TOTAL	44,074.16	12,695.29	93,053.60	229.24	1,293.61	42,556.04	5,331.66	-0.12	103,458.08			
Menindee												
General	31,015.28	5,734.82	49,773.41	-	460.45	458.45	928.61	22,232.80	-	3,099.65	-	62,121.67
Special Rate	4,913.00	1,006.60	5,855.51	-	70.54	72.54	142.86	3,059.22	-	-	-	8,856.75
Garbage	40,257.25	4,877.89	74,620.00	-	-	700.00	1,228.65	32,740.30	-	4,886.83	-	82,656.66
Charge on Land	596.92	-	-	-	-	-	-	-	-	-	-	596.92
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-816.73	-816.73
GROUP TOTAL	76,782.45	11,619.31	130,248.92	530.99	1,230.99	2,300.12	58,032.32	7,986.48	-816.73	153,415.27		
Rural												
General	33,220.75	3,786.90	306,308.56	-	-	2,132.75	1,092.74	132,040.30	-	159.03	-	210,076.87
Water	-	4.97	2,125.00	-	-	255.00	1.44	361.89	-	-	-	1,514.52
Excess Water	1,811.40	6.45	-	294.00	-	-	14.15	1,413.60	-	-	-	712.40
Charge on Land	500.62	-	-	-	-	-	-	-	-	-	-	500.62
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-142.93	-142.93
GROUP TOTAL	35,532.77	3,798.32	308,433.56	294.00	2,387.75	1,108.33	133,815.79	159.03	-142.93	212,661.48		
Sundry Villages												
General	28.37	0.98	1,325.75	-	-	-	0.93	1,115.83	-	-	-	240.20
GROUP TOTAL	28.37	0.98	1,325.75	0.93	1,115.83	240.20						
Sunset Strip												
General	7,652.59	1,086.55	55,378.15	-	-	-	211.74	28,700.31	-	2,598.11	-	33,030.61
Garbage	427.76	30.09	3,450.00	-	-	-	12.09	1,769.64	-	159.38	-	1,990.92
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-60.95	-60.95
GROUP TOTAL	8,080.35	1,116.64	58,828.15	223.83	30,469.95	2,757.49	-60.95	34,960.58				
REPORT TOTAL	677,103.27	168,306.49	1,148,402.07	97,406.10	760.23	9,790.49	17,715.61	694,061.90	58.79	29,950.10	-9,239.98	1,366,592.51
TOTAL ALL RATE GROUPS												
General	176,733.95	44,487.63	585,926.33	-	460.45	2,591.20	5,309.74	265,833.97	0.31	14,131.44	-	530,361.18
Special Rate	17,174.60	4,482.77	20,765.74	-	70.54	83.59	497.74	10,220.00	0.08	-	-	32,687.72
Water	150,931.58	39,593.03	275,000.00	-	-	1,460.00	4,343.45	137,351.56	0.90	5,097.10	-	325,958.50
Water-Filtered	14,801.77	13,990.74	-	-	-	-	417.44	1,084.73	-	-	-	28,125.22
Sewer	51,415.00	23,048.84	80,500.00	-	-	300.00	1,356.76	47,091.18	-	962.50	-	107,966.92
Garbage	96,972.00	20,715.66	186,210.00	-	-	880.00	2,829.61	90,358.16	0.73	9,759.06	-	205,729.32
Excess Water	163,494.47	21,987.82	-	97,406.10	-	4,475.70	2,960.87	142,055.60	56.77	-	-	139,261.19
Charge on Land	5,579.90	-	-	-	229.24	-	-	66.70	-	-	-	5,742.44
Overpayments Rates	-	-	-	-	-	-	-	-	-	-	-8,720.05	-8,720.05
Overpayments Water	-	-	-	-	-	-	-	-	-	-	-519.93	-519.93
TOTAL	677,103.27	168,306.49	1,148,402.07	97,406.10	760.23	9,790.49	17,715.61	694,061.90	58.79	29,950.10	-9,239.98	1,366,592.51

RECOMMENDATION

That the Rates Collections Report be received and noted.

20-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Linnett that the Rates Collections Report be received and noted.

MOTION CARRIED

5.3 Questions

At a recent meeting of Council a number of issues were raised and were taken on notice. These included:

- Interest accruals – still being investigated.

RECOMMENDATION

For Council's information.

5.4 2005/2006 Quarterly Review

The report on the September review of the 2005/2006 Management Plan is contained in an attachment to the Agenda

RECOMMENDATION:

That

1. the first quarter review of the 2005/2006 Management Plan as presented be adopted.

2. the budget review for the September 2005 quarter be adopted and the estimates be varied by the amounts as stated within the report.

21-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Linnett that

1. the first quarter review of the 2005/2006 Management Plan as presented be adopted.

2. the budget review for the September 2005 quarter be adopted and the estimates be varied by the amounts as stated within the report.

MOTION CARRIED

5.5 Policy Consideration – Confidential Minutes

Further to the October meeting of Council the following policy on Confidential Minutes is put forward for consideration and formal adoption.

Policy: Minutes of Confidential Meetings of Council

Date: November 2005

Background

The issue of recording discussions and resolutions made at confidential sessions of Council meetings has been the subject of much discussion and confusion. The purpose of this document is to put forward a policy on the recording of these minutes.

Legislation

Section 10 of the Local Government Act, 1993 prescribes certain circumstances where it is appropriate for a Council to close an ordinary meeting of Council and go into a Confidential Section of the meeting. The Regulations also state that a Chairperson must make it known as soon after the confidential section has ended, the resolutions taken by Council during the confidential section.

Clause 27 of the old Local Government Regulations (Meetings), replaced by clause 254 of the Local Government (General) Regulation 1995 deals with the matters to be included in minutes of a Council Meeting. It states:

The General Manager must ensure that the following matters are recorded in the Council's minutes:

- (a) details of each motion moved at a Council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion and amendment
- (c) whether the motion or amendment is passed or lost.

Clause 253 of the Local Government (General) Regulation 1995 provides for resolutions passed at closed meetings of the Council. Specifically it states:

If a Council passes a resolution during a meeting, or part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended.

Proposal

In line with the recording of all other meetings it is proposed that each Agenda will contain reports for consideration at the meeting of Council. If any matter is considered appropriate for discussion in a confidential section of the meeting, the reason for that request will be clearly stated at the commencement of the report and the report will be listed in the confidential section, marked by a separate coloured paper, pink. The Agenda containing the pink pages will be distributed to Councillors and relevant Senior Staff only.

When compiling Minutes, where a resolution differs markedly from the recommendation made at the conclusion of each report, then sufficient comment will be included to enable the reader to establish the reason for moving away from the considered recommendation. This comment will be marked by a vertical line to the left of the discussion, signifying it as important discussion. The resolution will be recorded below the recommendation as is current practice for Ordinary Meeting Minutes.

When the meeting is returned to ordinary status, the resolutions made in the confidential section will be re-stated and adopted by Council. Again, all information contained in the confidential section will be marked on pink paper, distinguishing it from the ordinary Council meeting, and will be made available to Councillors and relevant Senior Staff only.

RECOMMENDATION

That Council adopt the above policy for the recording of minute's at all Council meetings, including sessions held in confidential.

22-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Linnett that Council adopt the above policy for the recording of minute's at all Council meetings, including sessions held in confidential.

MOTION CARRIED

CR VAGG RECORDS AGAINST

5.6 Policy Consideration – Donation of Council Rates

Further to the adoption of the Council policy relating to the financial assistance program and the subsequent success of that policy in the annual allocation of financial assistance throughout the community it is apparent that the existing Council policy on the Donation of Council Rates is not required. It is therefore proposed to supersede this policy.

RECOMMENDATION

That the Council policy on Donation of Council rates be superseded and Council's policy manual be amended accordingly.

23-11-05 Resolved On the Motion Of Clr Pease, Seconded Clr Wellings that the Council policy on Donation of Council rates be superseded and Council's policy manual be amended accordingly.

MOTION CARRIED

5.7 2004-2005 Annual Financial Reports

In accordance with sections 418, 419 and 420 of the Local Government Act, 1993, Council is required to give public notice of the Council meeting at which the Annual Financial Reports are to be tabled. Such notice has been given and the Annual Financial Reports for the financial year 2004-2005 are hereby formally presented.

Council's external auditor, Mr Jeff Shanks of Alan Morse and Company will be in attendance at this meeting of Council to present his report and answer any questions that Councillors may have.

A copy of the 2004-2005 Annual Financial Reports have been included with this Business Paper for information.

RECOMMENDATION

That the Annual Financial Reports for the financial year 2004-2005 be formally presented.

24-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Arandt that the Annual Financial Reports for the financial year 2004-2005 be formally presented.

MOTION CARRIED

SECTION 6. DIRECTOR OF ENGINEERING SERVICES REPORT

RECOMMENDATION

That the Director of Engineering Services report be received and dealt with.

25-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Wellings that the Director of Engineering Services report be received and dealt with.

MOTION CARRIED

6.1 Activity Report October 2005

Staff meeting 5 November 2005

6.1.1 Staff

No Movement

6.1.2 Administration

Office Tasks Outstanding

Location	Task	Percent Complete
<u>Director of Engineering Services</u>		
Office / Shire	Enquiries, Supervision, RTA Invoices	
<u>Works Engineer</u>		
Office/Shire	Enquiries, Supervision	
Works Programme	Document 2005/2006 Programme, including heavy patching and reseals	0 %
SR 9	Review of Environmental Factors (REF) for Paroo crossing	20 %
<u>Contract Administration Engineer</u>		
State Roads SMC	Administer	
State Roads SMIC	Works Proposals submitted	0
	Works Orders received	0
	Inspection Maintenance Program – Implementation	85%
<u>Administration Officer</u>		
Office	Engineering Enquires, filing, correspondence	

6.1.3 Depots

Replacement signs shed completed, extra racks to be made

Other depots routine

6.1.4 Plant

Quotations being sought for replacement of 12 light vehicles, town maintenance truck Wilcannia. Awaiting delivery of Hilux for building maintenance employee

6.1.5 Training

Training planned

Sewage treatment course to be run in Wilcannia early 2006 with participants also from Bourke, Nyngan and Cobar

Training completed

Senior first aid and first aid refresher

6.1.6 Transport & Communication

General

Signs maintenance ongoing

State Roads - RTA Single Invitation Maintenance Contract (SIMC).

Road	Activity	Comments
SH 8	Routine maintenance (SIMC). Patching edge breaks Shoulder grading of sections for reseal Shoulder slashing	Ongoing Completed Completed In progress
SH21	Routine maintenance (SIMC) Shoulder Grading of sections for reseal	Ongoing Completed completed

Regional Roads

Road	Activity	Comments
MR66 Broken Hill to MR68	Nil	
MR67 Ivanhoe to Balranald	Nil	
MR 68A Wilcannia To Tilpa	Nil	
MR68B Wilcannia to Menindee	Maintenance grade	26km Menindee end
MR68C Menindee to Pooncarie	Shoulder grade	All sealed section south from bridge
MR80 Mossgiel to Hillston	Reshape	Mossgiel to Shire boundary
MR 416 Ivanhoe to Cobar	Nil	
MR428 White Cliffs toTibooburra	Nil	
MR 433 Ivanhoe to Menindee	Reshape Shoulder grade	6km Menindee end All sealed section north from bridge

Road	Activity	Comments
MR435 Wilcannia to White Cliffs	Shoulder slashing	White Cliffs to Dry Lake

Local Roads

Road	Activity	Comments
SR10 Wilcannia – Menindee East side	Shoulder grade	All sealed section north from MR 433
SR19 Mossgiel - Clare	Reshape	13.9km to Shire boundary
SR 50 Copi Hollow	Shoulder grade	3.1km, full length

Town Streets

Town	Activity	Comments
Wilcannia	Routine Alcohol Free Zones	Signs erected and footpaths stencilled
Ivanhoe	Routine	
Menindee	Routine	
White Cliffs	Routine	
Tilpa	Nil	

6.1.7 Aerodromes

Wilcannia

Maintenance grade of cross strip completed

Ivanhoe

Routine

Menindee

Routine

White Cliffs

Routine

Tilpa

Routine

Routine

Next meeting

8.30am Tuesday 6 December 2005, meeting room, Engineering Office

RECOMMENDATION

That the Monthly Activity Report be received and noted

The Director of Engineering Services reported that Shree Shrestha, Contracts Engineer has resigned from Council effective 30th November.

Cr Reid asked the Director of Engineering Services why lights haven't been installed on the Menindee Airstrip.

The Director of Engineering Services replied that Council need to ensure that the lighting satisfies the RFDS as emergency lighting.

The Director of Engineering Services will notify the Menindee Health Service of the reasons for the delay.

26-11-05 Resolved On the Motion Of Clr Linnett, Seconded Clr Sullivan that the Monthly Activity Report be received and noted

MOTION CARRIED

6.2 Wilcannia Streets

Rubbish Tip Road

After rain the tip road becomes almost impassable and water lies on the corner at the end of Hood Street. The garbage collection has been postponed at times because the tip was inaccessible. To improve tip access to all weather, this road has been resheeted. While the bitumen sealing crew is in the area in late November, the extra cost involved to seal this road would be approximately \$7,500.00. This would also dispense with the continual dust problem suffered by residents at the end of Hood Street.

Woore Street

Four residences at the southern end of Woore Street have been suffering water pools and bog holes in their driveways for at least two years. In order to improve drainage and fix the problem, the street has been gravel resheeted, drains gravel lined and recut to grade. Whilst the gravel is new the cost to seal this street would be \$2,100.00.

The cost to seal both these roads is minimised as there would be no establishment charges and the sealing aggregate (blue metal) left over from other jobs would be utilised.

RECOMMENDATION

That the Tip Road and Woore Street be bitumen sealed.

27-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Brown that the Tip Road and Woore Street be bitumen sealed.

MOTION CARRIED

6.3 Plant Replacement – Menindee Skid Steer Loader

Quotations have been received for the replacement of the Menindee Skid Steer Loader, 1995 model. As workcover is endeavoring to phase out backhoe attachments for skid steers due to the operator not having ROPS protection, it would be advantageous to replace with a small articulated loader with a permanent backhoe attached. The front end loader bucket is quick release and the current hole borer can be readily attached. This machine is larger in capacity than a skid steer and would handle the operation of the Menindee rubbish tip, should the occasion arise.

There are two options

- 1) Replace with a new skid steer and purchase a second hand mini excavator. This would then require a plant trailer to be purchased for Menindee.

The cost for this option is:

new skid steer less trade	\$30,000	
Second hand mini excavator	\$32,700	\$62,700

- 2) Replace with an articulated loader/backhoe as described above, less trade \$61,000

The second is the preferred option as it is the one new unit and a plant trailer is not required.

This item has been budgeted in the current year's plant replacement program.

RECOMMENDATION

That the Menindee skid steer be replaced with a Kubota R420s loader with backhoe for a changeover price of \$61,000.00

28-11-05 Resolved On the Motion Of Clr Arandt, Seconded Clr Reid that the Menindee skid steer be replaced with a Kubota R420s loader with backhoe for a changeover price of \$61,000.00

MOTION CARRIED

6.4 Information Items

6.4.1 Mount Manara Deviation

I have been advised the deviation is unlikely to proceed. Attached is an email as received.

From: PAVAN Anan [Anan_PAVAN@rta.nsw.gov.au]
Sent: Monday, October 31, 2005 4:53 PM
To: Russel Bow
Subject: RE: Mount Manara
Russell

Due to the significance of aboriginal sites over the entire area of the re-alignment, it is highly unlikely that RTA will have chance of obtaining a Section 90 permit to destroy these sites, particularly without the support of aboriginal communities.

Therefore, in my view, the deviation option is not going to happen!

Will ring you to discuss.

Regards
Anan

From: Russel Bow [mailto:engineering@centraldarwin.nsw.gov.au]
Sent: Monday, 31 October 2005 11:15 AM
To: PAVAN Anan
Subject: Mount Manara

Anan

Can you please provide an update as to the progress with this project.

Regards Russell

Cr Linnett suggested a meeting be organised with Community Elders, RTA and the Property owners on site to discuss this matter.

6.4.2 **Small Bridges Conference**

Attached is an article promoting the sale of presentations from the Small Bridges Conference on CD. I am of the opinion that the content of the conference is not all that applicable to the issues at CDSC. However if Council wishes, these CD's can be purchased.

From: Denise McQueen [denise@halledit.com.au]
Sent: Wednesday, November 02, 2005 11:40 AM
To: Denise McQueen
Subject: AUSTRALIAN SMALL BRIDGES CONFERENCE 2005 CDs

The Australian Small Bridges Conference 2005

**FULL VIDEO OF PROCEEDINGS AVAILABLE NOW ON 3 CD-
ROM SET FOR ONLY \$198 incl. GST!**

Dear Colleague,

The three CD ROM set of the recently held Australian Small Bridges Conference in Sydney is now available with full video and audio recording of the speakers synchronised with their presentation slides as displayed at the conference. Organised by Hallmark Conferences and held at the Powerhouse Museum, the conference was attended by more than 150 council engineers and private sector consultants.

The three-set CD contains more than 11 hours of presentations by local government, road authorities, and private sector experts outlining the legal, technical and financial issues involved in the testing, strengthening and replacement of small bridges in Australia including both road and pedestrian bridges.

Leading international and Australian bridge experts addressed the vital issues of public liability, risk management, bridge asset management, funding issues, the scope of the New Bridge Code AS5100 requirements, inspection and assessment, load testing, monitoring of timber bridges, bridge materials, repair and strengthening and related technical matters.

This important conference focused on the solutions available to road authorities in their search for cost effective outcomes to improve the management of their ageing bridge assets. The conference had a structured program to take delegates through all the major issues facing small bridges, and equip them to more effectively manage bridge assets into the future. Presentations included case studies focused on practical solutions to be put into practice now.

The cost of the three CD set (11 hours of recordings) is only \$198 including GST. To order the conference CD, please go to our website www.halledit.com.au/conferences/bridges or contact Denise McQueen on (03) 8534 5000 or email denise@halledit.com.au.

Kind regards,

Scott Matthews, BE MIEAust CPEng
Convenor
Australian Small Bridges Conference 2005

6.4.3 Pooncarie Road – MR 68C

The meetings arranged by the RTA to inspect and evaluate sections of the Pooncarie Road have had two postponements. It is now proposed that the inspection be Thursday 17th November. Confirmation of this date will be made verbally at the meeting.

6.4.4 Boat Ramp – Menindee

It was indicated to Council at the October meeting that a report and estimate of cost would be presented to the November meeting. Time has not permitted the preparation of these items for this meeting.

6.4.5 Ivanhoe Emergency Water Supply Costs

As requested an itemised list of costs for the Ivanhoe emergency water supply is below. Total expenditure to date is \$277,883.62. The costs associated with the creation of an easement at the bore sites on Tooralee are not included. The total final cost is expected to be in the vicinity of \$280,000. The approved grants are 50% of \$50,000.00 for investigation and test drilling and 50% of \$300,000.00 to provide Ivanhoe with an emergency water supply.

Item	Expenditure	Totals
Investigation and test drilling	\$50,000.00	\$50,000.00
Develop bores	25,113.71	
Equip bores	19,246.68	
Electricity supply to bore field	21,968.15	
Electricity connections to bores	18,180.34	
Telemetry switch controls	52,074.47	
Connection to existing pipeline	35,689.62	
Upgrade existing pipeline	3,265.90	

Pipeline and plumbing at water treatment plant	48,694.56	
Process adjustments	<u>3,650.19</u>	
	<u>\$227,883.62</u>	<u>\$227,883.62</u>
		<u>\$277,883.62</u>

RECOMMENDATION
For Council's Information

SECTION 7. MANAGER, ENVIRONMENTAL SERVICES REPORT

RECOMMENDATION

That the Manager of Environmental Services Report be received and dealt with

29-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Brown that the Manager of Environmental Services Report be received and dealt with

MOTION CARRIED

7.1 Information Items

7.1.1 Swimming Pools

Preparations are underway to open Council swimming pools within the next few weeks. After discussion with pool committees and relevant Councillors it was decided that Pool Attendant positions be advertised in the communities of Menindee, Ivanhoe, White Cliffs and Wilcannia. Applications are currently being called for these positions; interest has been forthcoming from all communities except Ivanhoe at this point in time.

RECOMMENDATION

For Council Information

7.2 NetWaste Hazardous & Unwanted Household Chemical Collection

Council has recently been contacted by NetWaste and invited to participate in the hazardous waste collection program. Last year, this program (known as Chemcollect) was undertaken in the communities of Menindee and Wilcannia. The program proved successful in Wilcannia with a wide variety of unwanted chemicals handed in for disposal; participation at Menindee was disappointing with no participation from community members. It is proposed that the program be run again this year at Wilcannia due to its proven success in the previous year. Tentative dates have been set down for December. Cost to participate in the program is similar to last year, and in the vicinity of \$3,000. It is recommended that Council once again be involved in this worthwhile program.

RECOMMENDATION

That Council participate in the NetWaste program for collection of hazardous and unwanted household chemicals

30-11-05 Resolved On the Motion Of Clr Brown, Seconded Clr Wellings that Council participate in the NetWaste program for collection of hazardous and unwanted household chemicals

MOTION CARRIED

7.3 Menindee Waste Depot

As resolved last month, the current arrangements with the contractor employed to maintain the tip face at the Menindee Waste Depot has been continued for a three month period. After this period it is proposed that expressions of interest will be called from local contractors to undertake the role. At present the existing contract and current arrangements are being reviewed.

An inspection of the waste depot was undertaken by Manager Environmental Services on the 3rd November 2005. It is noted that the existing landfill will require extension or renewal in the near future due to the current area becoming depleted. Future management options are being considered and a further report will be presented to Council in the coming months.

RECOMMENDATION

That the Menindee Waste Depot report be received and noted

31-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Reid that the Menindee Waste Depot report be received and noted

MOTION CARRIED

7.4 Western Sub Regional Waste Management Plan

Some months ago, Council was invited by NetWaste to be involved in the formation of the Western Sub Regional Waste Management Plan. As part of the plan formation, Council held public meetings around the Shire to gain community input into future waste management. It is pleasing to report that the plan has now been released. As previously reported the aim of the sub-regional waste management plan is to identify waste management methodologies and proposals that are achievable within individual localities, whilst having regard for the existing geographical constraints, economic, environmental and social initiatives. The plan is required to provide direction for the ongoing management of waste services and collaborative interaction opportunities, to serve as a resource across the whole NetWaste region.

The plan outlines strategies to improve the delivery and planning of waste management services across the subregion. In formulating strategies to assist member Councils, the following issues were taken into consideration:

- Waste management priorities and the need to address localised requirements for economic service provision.
- Trends in waste management that might assist member Councils to take advantage of collaborative activities within the subregion
- Environmentally and economically sustainable waste management practices having regard to geographical dependency
- Resource sharing opportunities between Councils in the subregion and broader NetWaste region.
- Existing and planned waste management and resource utilisation initiatives
- Resource recovery opportunities having regard for potential benefits of group aggregation characteristics
- Educational support initiatives
- Inter-organisational learning and research

The strategies and outcomes/actions of the plan are too numerous to include in this report, however in summary, address waste characterisation, regional profile, council services, waste management and infrastructure, litter management and education. Many of these strategies will be useful within Central Darling Shire to assist manage waste in a more orderly fashion than the current ad hoc arrangement. A copy of the plan has been made available for Councillors.

RECOMMENDATION

That the Western Sub Regional Waste Management Plan report be received and noted

32-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Arandt that the Western Sub Regional Waste Management Plan report be received and noted

MOTION CARRIED

7.5 Menindee Lakes Caravan Park

Once again, the Menindee Lakes Caravan Park Approval to Operate is due for renewal. The existing approval expires on the 20th November 2005. It is recommended that the approval to operate be renewed for a further six month period. As reported some months back, inspections by a Structural Engineer were undertaken on site of rigid annexes and associated structures. The report from the Engineer has since been received by Council and forwarded to the Menindee Lakes Park Trust for distribution to those site holders involved in the inspections. Overall, a number of the structures were found to be structurally satisfactory, however some problems were evident in a number of the structures. These problems were mainly due to the structures being relatively weak and requiring strengthening. Recommendations from the Engineer suggest that these structures need to be repaired, or removed. These recommendations will be forwarded to the Trust for implementation, and Council will review compliance by site holders in the coming months.

RECOMMENDATION:

That Council renew the Approval to Operate for the Menindee Lakes Caravan Park for a further six month period.

33-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Arandt that Council renew the Approval to Operate for the Menindee Lakes Caravan Park for a further six month period.

MOTION CARRIED

7.6 Reserve 83244 for Bushfire Brigade Purposes

Council has received notification from the Department of Infrastructure, Planning and Natural Resources that Council is the appointed trust manager of Reserve 83244 for Bushfire Brigade Purposes located at Ivanhoe. It is requested that Council provide a corporate name for the trust, this name will then become its legal entity. It is recommended that the trust be known as the Ivanhoe Bushfire Brigade Reserve Trust.

RECOMMENDATION:

That the trust name for Reserve 83244 for Bushfire Brigade Purposes be the Ivanhoe Bushfire Brigade Reserve Trust.

34-11-05 Resolved On the Motion Of Clr Linnett, Seconded Clr Brown that the trust name for Reserve 83244 for Bushfire Brigade Purposes be the Ivanhoe Bushfire Brigade Reserve Trust.

MOTION CARRIED

SECTION 8. MANAGER OF COMMUNITY DEVELOPMENT REPORT

RECOMMENDATION

That the Manager of Community Development's report be received and dealt with

35-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Brown that the Manager of Community Development's report be received and dealt with

MOTION CARRIED

8.1 Old Wilcannia Post Office

A submission for grant funding from NSW Heritage Office is being prepared. The target is to apply for funds on a dollar for dollar basis matching Council's reserved funds. The Heritage Advisor to Broken Hill City Council, Liz Vines, has been contacted regarding the submission. It is not anticipated that this funding will be sufficient to complete the required works and further avenues of funding are being sought.

As per a prior report by structural engineers (Barnsons of Dubbo), there is significant structural and cosmetic works to be carried out on both the commercial and residential sections of the building. An ensuing report by Gordon Scott identified further required cosmetic works.

Liz Vines will prepare a report as part of our submission that specifies scope of the project and stages of work. This submission is due and will be completed by the 9th December 2005.

A current investigation into a continuing works program within the CDEP is being carried out and a favourable outcome may provide for some employees to carry out some of the required works under supervision.

National Parks and Wildlife Service (NPWS) have indicated in correspondence from August 2005 that their commitment will be as follows:

"... The NPWS (Far West Region) is prepared to co-contribute to the establishment of a [general] Information Centre in the old Wilcannia Post Office. We can give a commitment to sponsor trained NPWS staff to enable a full time presence within the Centre – for a pilot period of up to 20 months. The Centre would be the Gateway to the Far West, featuring not only the NPWS but other tourism individuals and organisations. To further assist, we are prepared to contribute up to \$30,000 towards a display featuring the national parks of Far West NSW."

A future vision for the Old Wilcannia Post Office will be to create a point where tourists and residents alike will be encouraged to stop and call in, a point where they can receive information on the entire shire and surrounding areas, be an accredited Visitor Information Centre and provide a welcoming gateway to our Shire.

RECOMMENDATION

That the Old Wilcannia Post Office report be received and noted.

Cr Brown reported that the Old Wilcannia Post Office Building has been vandalised again. Is there any way that it can be secured?

The General Manager suggested getting the accommodation area of the building renovated to allow tenants, this will stop the vandalism.

Cr Pease suggested installing a video surveillance camera. These cameras have proved effective in the past.

36-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Sullivan that the Old Wilcannia Post Office report be received and noted.

MOTION CARRIED

8.2 Wilcannia Rivertowns Project Manager's Report

Wilcannia Interagency: meetings continue to be a valuable forum for service providers in Wilcannia. The last meeting was held on the 19th of October with several services in attendance including Sureway Employment, Greater Western Area Health Service, The Uniting Church, CDEP, Central Darling Shire Council and Ministry of Transport.

Youth Roundtable: This forum was conducted on the 7th of September and a report detailing outcomes of the forum made available. The outcomes have been presented to the Interagency meeting held on the 19th of October. The majority of actions requested by the Youth Roundtable are now in the initial stages of investigation and development. A primary focus at this stage is the nomination and election of Youth Council representatives.

Wilcannia Business: CDEP and Department of Employment and Workplace Relations recently completed 26 week works program centred around the Wilcannia Mobil Site and Heritage Trail. Participants are keen to have employment options developed and maintain momentum for full time employment.

The main goal verbalised by participants is a long term business venture using skills of participants and capitalising on training and filling the Wilcannia skill shortage gap.

A Business review has been conducted by Excelink-Pacific with the final report due by the end of the month.

Wilcannia Families First: This program commenced on the 21st of August and ran for a 12 week period. The program targeted families with children aged 0 to 5 years with the objective of increasing health, education and social outcomes for these families. The four Teaching Interns have been welcomed by the whole community and provided strong leadership in the organisation of the Paint the West Read Relay and facilitation of a Mothers Reading Group.

The Paint the West Read Relay arrived in Wilcannia on the 25th of October commencing with a parade through the town to introduce the Reading Bug. A presentation ceremony followed with Wilcannia being presented with a book to encourage all to read. Following the official ceremony lunch and games were held in Burke Park. The day was deemed a big success by all those who attended. Thank you to all in Wilcannia who participated to make the day such a success.

The Mothers Group held its 3rd meeting on the 7th of November at the Community Hall. The group is meeting weekly each Monday in the Community Hall to provide a forum for the Mothers and Children to play and read together. Other activities such as the Toy Library and cooking by the mothers also form part of the daily program. The feedback from participants has been very positive and investigations are underway into the development of a fathers group.

Wilcannia Deb Ball: A final date for the Ball remains open at this stage. TAFE are currently conducting a sewing class with two of the women in attendance making their dress for the ball.

RECOMMENDATION

That the Wilcannia Rivertowns report be received and noted.

37-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Brown that the Wilcannia Rivertowns report be received and noted.

MOTION CARRIED

8.3 S355 Committees of Council

An audit of S355 Committees of Council was to be provided at the October meeting. Unfortunately, due to the difficulty of arranging meetings with the existing 20 committees the report of this audit has been delayed.

It is anticipated however, that this report will be completed for the December meeting.

RECOMMENDATION

That the S355 Committees of Council report be received and noted.

38-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Arandt that the S355 Committees of Council report be received and noted.

MOTION CARRIED

8.4 NSW Sport and Recreation Local Government Forum

The Manager of Community Development attended the NSW Sport & Recreation Local Government Forum in Tocumwal 26th & 27th October 2005.

We were provided with an informative 2 days that was always relative to our shire as the Forum only includes council's within the Western Division. The Forum provided the ability to liaise with other council staff to discuss issues and their solutions that affect western shires.

Information sessions were held on the following topics:

- Building community capacity and partnerships
- Capacity building from a local government perspective
- Volunteers in sport
- An update on new partnerships between State & Commonwealth Governments on service delivery to aboriginal communities
- Glenroi Project – Orange. Providing opportunities for children to participate in activities
- Sports rage
- Aboriginal sports program
- Active aging program
- Good Sports Accreditation program
- Child Protection
- Ballerini Case Study
- NSW Government Grants Program
- Albury Community Plan
- Community Facilities Case Studies

A more detailed report on the Forum will be presented for the December 2005 Council Meeting.

RECOMMENDATION

For Council's information.

SECTION 9. RECEPTION OF CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council Information be received and noted

39-11-05 Resolved On the Motion Of Clr Linnett, Seconded Clr Sullivan that the Correspondence for Council Information be received and noted

MOTION CARRIED

9.1 Media Releases

Date	Sender	Contents
4/11/2005	NSW Department of Primary Industries	Farm technology adoption driven by profit and regulation: Farrer Medallist
1/11/2005	Local Government Association of NSW	Local Government will re-visit homes being used for private rental
1/11/2005	Local Government Association of NSW	Local Government opposes Workplace Changes
1/11/2005	Local Government Association of NSW	Local Government opposes early Electoral Rolls closure
1/11/2005	Local Government Association of NSW	Transparency for all Political Donations endorsed
26/10/2005	NSW Department of Primary Industries	Spelt Research Takes Wheat Back To The Future
24/11/2005	John Cobb - The Hon MP - Federal Member for Parkes	Out and About (Broken Hill and the Far West)
20/10/2005	Minister for Communications, Information Technology and the Arts	Government Committed to Mobiles in the Bush
19/11/2005	Local Government Assoc of NSW & Shires Assoc of NSW	Financial Sustainability of Local Services presents challenges for all levels of Government
18/11/2005	NSW Department of Primary Industries	Inaugural NESB Grower Group Achieves High Level Agriculture Training Honours
14/10/2005	NSW Department of Primary Industries	Calici Carrots Make Easier work of Rabbit Control
14/10/2005	NSW Department of Primary Industries	Lightning Ridge Inspections Show Encouraging Results
13/10/2005	Shires Association of NSW - Sydney	Government Asked to Defer Rate Changes for Two Years
13/10/2005	Cobb, John	More than \$200,000 in Australian Government Funding to boost airport security at Dubbo, Cobar and Parkes
13/10/2005	NSW Department of Primary Industries	Researchers Upper Hand on Devastating Lettuce Aphid Using Lady Beetles
13/10/2005	NSW Department of Primary Industries	New Lable Warning for Chemical Users
13/10/2005	Shires Association of NSW - Sydney	Government asked to defer Rate changes for two years

12/10/2005	NSW Department of Primary Industries	Dairying to be Different: Annual Symposium to be Staged Next Month
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9.2 Circular/Newsletters

Sender	Date	Contents
Local Government Assoc of NSW & Shires Assoc of NSW	4/11/2005	Local Government Weekly - 44/05
Local Government (NSW Dept Of)	1/11/2005	05-64 - Council Rating and Revenue Raising Manual
Local Government (NSW Dept Of)	1/11/2005	05-63 - Revised Pensioner Concession Forms
Local Government Assoc of NSW & Shires Assoc of NSW	1/11/2005	Local Government Weekly - 43/05
Local Government (NSW Dept Of)	27/10/2005	05-62 - Healthy Local Government Grants Program
Local Government (NSW Dept Of)	25/10/2005	05-60 - Changes to the Management of Crown Land
Local Government (NSW Dept Of)	25/10/2005	05-61 - Council Data Collection system for seizures of Cats and Dogs for 2005-06
Local Government Assoc of NSW & Shires Assoc of NSW	21/10/2005	Local Government Weekly 42/05
Local Government (NSW Dept Of)	19/10/2005	05-59 - Practice Note 15: Water Safety - Amendment to Appendix 2 (Recommended Qualifications)
Local Government (NSW Dept Of)	17/10/2005	05-58 - Implementation of the Model Code of Conduct for Local Councils in NSW
Local Government Assoc of NSW & Shires Assoc of NSW	14/10/2005	Local Government Weekly - 41/05
Local Government (NSW Dept Of)	14/10/2005	05-57 - Compliance with Special Variation Approval Conditions

9.3 Letters

Date	File No	Sender	Regarding
4/11/2005	073-03 -1/55P	Peter Black Member for Murray Darling	Thanking Council for seeking assistance re Overhead Residential Electricity Supply, Tilpa
3/11/2005	073-03 -1/56P	Ivanhoe Central School	Thanking Council for assistance and support for "Paint the West Read (Red)"
21/10/2005	073-03 -1/54P	Menindee Central School	Thanking Council for their donation of \$500 for the "Paint the West Read" day
20/10/2005	120-18 -2/10P	Western Catchment Management Authority	Thanking GM and Staff for their assistance during the CMA's visit to Wilcannia to conduct Community Consultations
20/10/2005	073-03 -1/53P	Geoscience Australia	Thanking Council for allowing seismic reflection traverses along Shire Roads
18/10/2005	045-01 -2/8P	State Emergency Service - SES	cc of letter to Eric Nitschke notifying of his appointment as Unit Controller, Wilcannia SES

Date	File No	Sender	Regarding
17/10/2005	031-02 -1/38P	Hay Shire Council	Congratulating Cr Longfellow on his election as Mayor
17/10/2005	134-04 -1/21P	Far Western Regional Development Board	Requesting Council's support to seek funding to update the Western Research Institute Economic Impacts Study to assist with sealing of the Menindee-Pooncarie Road
29/09/2005			

SECTION 10. THE RECEPTION OF REPORTS FROM COMMITTEES

10.1 MANEX Minutes – 13th October 2005

MANEX Meeting held on Thursday 13th October 2005

Present:

Mr Bill O'Brien	General Manager
Mr Tim Hazell	Director of Corporate Services
Mr Russell Bow	Director of Engineering Services
Mrs Sharon Hutch	Manager Community Development
Mrs Marilyn O'Brien	Senior Administration Officer

Meeting Commenced at 3:00 pm

Apologies

Leeanne Ryan continues Maternity Leave.

October 2005 Agenda

The Agenda for the Council Meeting to be held in Ivanhoe on 18th October 2005 was discussed.

Copi Hollow Road

Copi Hollow Road is currently under lease by both Tandou and State Water. The Member for Murray Darling Peter Black OAM MP would like Council to acquire the road under a compulsory acquisition. The General Manager said the matter is currently under investigation.

Rural Transaction Centres

The Manager of Community Development requested from the Environmental Section a report on progress of the RTC buildings. The official opening can happen as soon as the paving and fencing are finished out front of the new section in Wilcannia, and the verandah up in Menindee.

Ivanhoe Multi Service Outlet

Very successful program, Local Coordinator Adrienne Whitchurch is doing an excellent job. Many locals as well as Adrienne are volunteering to take the bus to Griffith and Hay each month, craft classes are being held at the centre with volunteers, also elderly citizens are reading to children at the school.

Wilcannia Caravan Park

The General Manager reported that Murdi Paaki Enterprise Corporation are interested in managing the park as a commercial enterprise. A report to Council will be prepared containing options for the future operations of the Caravan Park. It was recommended that Expressions of Interest could be called for.

The General Manager also reported that all moneys owing from the temporary housing of local people has been paid by the Department of Commerce and the Contractors.

Old Wilcannia Shire Depot

The General Manager asked the Director of Engineering Services if further cleanup works could take place at the Old Shire Depot at Wilcannia to allow the Maintenance Officer to use the site as his workshop.

The Director of Engineering Services agreed to attend to the matter.

General Business

- Council has been in contact with the Bendigo Bank informing them of Council's interest in introducing a Community Banking Service concept in Central Darling Shire. The General Manager will follow this matter through and report to the November 2005 meeting of Council.
- Still waiting on a response from Bevans Contractors.
- The General Manager will be attending a Darling to Diamantina Alliance meeting in Cameron Corner on 3rd November, representatives from 3 states will be in attendance.

There being no further business, the meeting concluded at 5:00 pm

RECOMMENDATION

That Council adopt the MANEX Minutes and endorse the actions of the MANEX Team

40-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Linnett that Council adopt the MANEX Minutes and endorse the actions of the MANEX Team

MOTION CARRIED

SECTION 11. DELEGATES REPORTS

RECOMMENDATION

That the Delegates Reports be received and noted

41-11-05 Resolved On the Motion Of Clr Wellings, Seconded Clr Sullivan that the Delegates Reports be received and noted

MOTION CARRIED

11.1 Cr Clive Linnett – Wentworth/Balranald Rural Counselling Service

Annual General Meeting held 21-10-05

It is with a great deal of pleasure that I present the President's report on behalf of the Wentworth & Balranald Farm Fightback Committee Inc.

This is my 3rd year as President and has been a memorable one in many ways. From a Management Committee point of view there have been significant variances to the program already as the issues of Corporate Coverance and the over-all Management of Rural Counselling Program, slowly fall into place with the deadline set for the end of December, 2005. The Dept of Agriculture Fisheries & Forestry as a result of *the review* of the program will reduce the Management Committee role to one of support of the Rural Counsellors and removing the responsibility of the Administration etc. of the Services. I am extremely disappointed in the changes that DAFF have devised I believe in the adage *if it ain't broke don't fix it*.

From a personal point of view the weather conditions so far this winter have been very encouraging with good falls up till now and the likelihood of more too come. We have in fact had the best start to a season for at least a decade. Let us not forget that some good rains do not rain cash and it is going to take the majority of us quite a few years to recover and reduce the debts we have incurred by feeding stock, agistment and feeding costs and other related drought expenses. Exceptional Circumstances status is due for review in November, 2005 and may I take this opportunity to remind the Federal Government that the Financial and Economic Period of recovery has not yet happened and that we require at least a year of the *recovery period*.

I have stated in previous report the aims of the Service are to provide professional, confidential and free service to the people of the Western Division of New South Wales and I am proud to say we achieve that goal with integrity and distinction.

Thank you again to Brian Dodson for his continued commitment and dedication to the Services clients and to Terri Halls and Belinda Piccirillo for their support to not only myself and the Management Committee but to Brian. To my out-going colleagues I say thank you for your input and contribution to our Service and the in-coming may we continue the standard of achievement.

**Clive Linnett OAM
President**

The Meeting adjourned at 1:07 pm and resumed at 2:00 pm

***42-11-05 Resolved On the Motion Of Clr Sullivan, Seconded
Clr Wellings that Council suspend standing orders
to hear from officers from the Department of
Natural Resources***

MOTION CARRIED

The Mayor introduced Mr Peter Walker, Mr Andrew Bell, Ms Janet Sternbeck and Mr Wayne Garnsey from the Department of Natural Resources.

There were several items that Council needed clarification on, therefore the Department were invited to address Council.

***43-11-05 Resolved On the Motion Of Clr Linnett, Seconded
Clr Sullivan that standing orders resume***

MOTION CARRIED

Meeting adjourned at 3:25 pm and resumed at 3:37 pm

The General Manager's item 4.4, Department of Natural Resource was then provided to the Council for discussion.

***44-11-05 Resolved On the Motion Of Clr Sullivan, Seconded
Clr Linnett that the Department of Natural
resources report be received and noted.***

MOTION CARRIED

SECTION 12. QUESTIONS WITHOUT NOTICE

Cr Vaqq

Asked the Director of Engineering Services about Plant Contracts. What happens if the plant item changes?

The Director of Engineering Services said that the item must not be any smaller and must be charged at the same rate. The contractor can submit a new price at the end of the year.

Cr MacMillan

Asked what is happening with the Knox and Downs building.

The General Manager replied that there is nothing further to report.

Cr MacMillan also asked about the Crime Prevention Plan.

The General Manager said that the funding for the project has been received, funding for the Camera workshop has been given and expended. The Manager of Community Development reported that a BMX track is currently being considered, there is already a track, but it needs upgrading and updating.

The General Manager said that the Crime Prevention Committee has not met for a while, the committee does need to get back on track, but that probably won't happen until a permanent River Towns Facilitator is in place.

Cr Reid

Asked the Manager of Environment Services about Wheelie bins being provided for the Pensioners Association at Sunset Strip, they have been requesting one for a while. A few households are in need them.

The Manager of Environment Services said that there is a charge for each wheelie bin. The charges are in Council's Management Plan, and a bin will be provided upon receipt of funds.

Cr Brown

Asked about the Tip cleanup of scrap metal.

The Manager of Environmental Services said that the Council has made about \$15,000 from the metal cleanup at the Wilcannia Tip.

Cr Brown also asked about the White Cliffs Opal Miners Way signage is it Council's responsibility?

The Director of Engineering Services said that the signs are paid for by the RTA funding. The signs have been ordered and will be put up by Engineering services.

Cr Sullivan

Asked if it is Council's responsibility to ensure that households are compliant with installation of smoke detectors?

The Manager of Environmental Services said it is presumed that Council's only involvement is an education level only at this stage.

Cr Sullivan also asked that Council delegates should not vote against Council resolutions?

Cr Brown said he had a incident recently, but incorporated body, the needs of the body should be taken into account, not Council's policy.

Cr Sullivan asked why Council should be expected to pay travelling costs when the Council's policies are not being upheld.

Cr Linnett

Would Council please repaint the "Welcome to Central Darling Shire Council" signs on the Shire Boundaries.

The Director of Engineering Services will attend.

Cr Linnett also thanked the Director of Engineering Services for creating fire breaks around the Ivanhoe Township.

**SECTION 13. PUBLIC ACCESS - QUESTIONS AND
COMMENTS FROM THE PUBLIC**

SECTION 14. URGENT BUSINESS

Any other matter which the mayor may allow to be brought forward

Cr Reid moved the following motion, which was seconded by Cr MacMillan:

45-11-05 Resolved On the Motion Of Clr Reid, Seconded Clr MacMillan that all Australia Day Awards nominations receive acknowledgement

MOTION LOST

The Mayor informed Council that Councillors were responsible for selecting the recipients for the Awards from their own Wards.

Cr Linnett asked to bring the following motion to Council's attention as the Balranald Shire have commenced preparation to seal a further 4 kms. Once this is completed, there will only be 36 kms in the Balranald Shire and 31 kms in Central Darling Shire still to be sealed.

Balranald are asking what Central Darling are doing about sealing the 31 kms as there is a local lobby group interested in pushing for the sealing of the Balranald/Ivanhoe/Cobar road which will link the three highways of the Barrier, Cobb and Stuart.

46-11-05 Resolved On the Motion Of Clr Linnett, Seconded Clr Sullivan that Council kindly request the Engineer to do a costing of the sealing of Main Road 67 south of Ivanhoe of approximately 31 kms within Central Darling Shire Council and report back to Council with same so that the applications for funding can be made to the appropriate authorities

MOTION CARRIED

SECTION 15. CONFIDENTIAL MEETING

RECOMMENDATION

That Council form into a Committee of Council comprising the whole of the Council and all staff present according to the Local Government Act 1993 Section 10A (2) (c) in order to discuss Commercial Information of a Confidential Nature that would if disclosed prejudice the commercial position of the person who supplied it

47-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Wellings that Council form into a Committee of Council comprising the whole of the Council and the General Manager according to the Local Government Act 1993 Section 10A (2) (c) in order to discuss Commercial Information of a Confidential Nature that would if disclosed prejudice the commercial position of the person who supplied it

MOTION CARRIED

The following is the resolution passed during the confidential meeting of Council

48-11-05 Resolved On the Motion Of Clr Brown, Seconded Clr Pease that this matter be deferred until the December meeting of Council, and that a shareholder's agreement is prepared on the basis of the adopted MoU.

MOTION CARRIED

49-11-05 Resolved On the Motion Of Clr MacMillan, Seconded Clr Reid that the Council meeting revert to Ordinary status

MOTION CARRIED

50-11-05 Resolved On the Motion Of Clr Sullivan, Seconded Clr Arandt that all resolutions passed during the Confidential Section of the meeting be brought into the open meeting.

MOTION CARRIED

There being no further business, the meeting concluded at 5:28 pm

SECTION 16. FIXING DATES AND VENUES FOR NEXT MEETING

The next meeting of Council will be held on 20th December 2005 in the Council Chambers, Wilcannia, commencing at 9:00 am.

This will be followed by the Mayor's Christmas Party which will be held at the Wilcannia Works Depot, commencing at 6:00 pm
