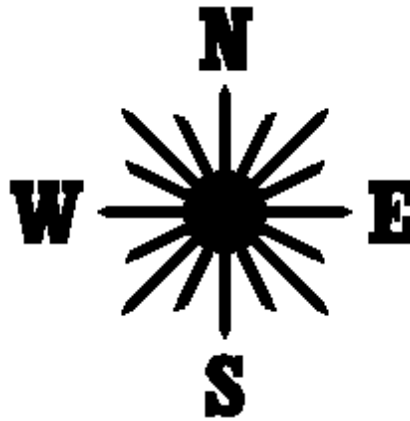


## Mission Statement

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

# CENTRAL DARLING



# SHIRE COUNCIL

## Minutes

Of the Ordinary Meeting

Tuesday 15th April 2014

In the Council Chambers

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 Ordinary Meeting of Council was held in the Council Chambers, Wilcannia on Tuesday 15<sup>th</sup> April 2014 and commenced at 9:02am.

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## SECTION 1. ATTENDANCE

### **PRESENT:**

Greg Wright – Interim Administrator

### **ALSO PRESENT:**

Brian Wilkinson	Acting General Manager
Reece Wilson	Manager Technical and Engineering Services
Adelaide Elliott	Executive Assistant

## SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

None

## SECTION 3. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC

None

## SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

***1-04-14***

***That the minutes of the Ordinary Meeting of the Council held on the 11th March 2014, be taken as read and confirmed as a correct record of the proceedings of the meeting.***

***Resolved***

### 4.1 BUSINESS ARISING FROM MINUTES

## SECTION 5. ADMINISTRATOR MINUTE REPORT

***2-04-14***

***That the information contained in the Administrator's Minute be noted.***

***Resolved***

## SECTION 6. DETERMINATION REPORTS

### 6.1 FIXATION OF COMMON SEAL

***3-04-14***

***That Council approve the completion of documentation relating to the Sealing Contract 2014 and 2015 under the Common Seal of Council.***

***Resolved***

### 6.2 TRANSFER OF LAND (RESERVE 1007445)

***4-04-14***

***That Council as Reserve Trust endorse the progression of the transfer of land outlined in this report (relating to Reserve 1007445 – Burke Oval) subject to the transfer costs and any council infrastructure issues being dealt with to the satisfaction of Council. Further that Council authorise completion of any necessary processes associated with that transfer (including the completion of documents under the Common Seal of Council).***

***Resolved***

### 6.3 COMMUNITY TRANSPORT SERVICE ARRANGEMENTS/ CONTRACT

***5-04-14***

***That Council note the information in this report and endorse the proposed review of issues/factors/arrangements involved in the delivery of community access transport within the Council area.***

***Resolved***

6.4 ORGANISATION STRUCTURE

***6-04-14***

***That Council approve the adoption of the Organization Structure outlined in this report. Further that Council confirm its' intent to communicate changes resulting from the structure to employees and union representatives and that the implementation of the organization structure be undertaken via various stages taking into account financial and other relevant factors.***

***Resolved***

6.5 ASBESTOS POLICY

***7-04-14***

***That Council adopt the Asbestos Policy 2013.***

***Resolved***

6.6 TRANSFER OF COUNCIL LAND- HOOD STREET

***8-04-14***

***That Council endorse the progression of discussions with government agencies and Maari Ma Health Aboriginal Corporation in relation to the potential transfer/sale of land in Hood Street, Wilcannia.***

***Resolved***

6.7 COUNCIL MEETINGS –PUBLIC ACCESS POLICY

***9-04-14***

***That Council approve the amendments to the Public Access to Council Meetings Policy as outlined in this report.***

***Resolved***

6.8 LEASE OF 37 REID STREET, WILCANNIA

***10-04-14***

*That Council agree to lease part of 37 Reid Street to Save the Children for an initial period of six (6) months for an agreed rental of \$7,500 (\$1,250 pm) payable monthly in advance. One (1) months rental is payable as a bond on signing of the lease.*

*Resolved*

#### 6.9 TERMINATION OF PERMISSIVE OCCUPANCY

*11-04-14*

*That Council agree to the writing off of the rates as set out in the body of this report.*

*Resolved*

#### 6.10 WRITE-OFF OF RATES AND CHARGES POLICY

*12-04-14*

*That Council adopt the Write-off of Rates and Charges Policy.*

*Resolved*

#### 6.11 SURRENDER OF WESTERN LANDS LEASE

*13-04-14*

- That Council agree to write-off the rates due as outlined in the body of this report.*
- That Council agree to be the Trust Managers of the land currently occupied by the Ivanhoe Golf Club.*
- That Council agree to the trust being named the Ivanhoe Golf Club Trust*

*Resolved*

#### 6.12 REQUEST TO VARY CROWN RESERVE

**14-04-14**

***That Council as Trustees of Crown Reserve 82962 agree to the transfer of a section of Bourke and Wills Park as set out in the body of this report to the Menindee Children's Centre.***

***Resolved***

## SECTION 7. INFORMATION REPORTS

### 7.1 INFORMATIONS ITEMS

7.1.1 SUBMISSIONS ON PANEL AND TASKFORCE FINAL REPORTS

7.1.2 SUSPENSION OF COUNCILLORS-EXTENSION BY MINISTER

7.1.3 RECRUITMENT OF A GENERAL MANAGER

7.1.4 ENVIRONMENTAL SERVICES STATISTICS

7.1.5 ROAD GRADING PROGRAM

7.1.6 REMOTE COMMUNITIES WATER AND SEWER PROJET – CIVIL WORKS

7.1.7 WATER RESTRICTIONS

7.1.8 ROADS REPORT

7.1.9 SERVICES REPORT

7.1.10 PROJECTS REPORT

7.1.11 INVESTMENTS AND BANK BALANCES



7.1.12 RATES REPORT

**15-04-14**

***That the Information Items report be received and noted.***

***Resolved***

**8.0 MEDIA RELEASES**

Date	Sender	Contents
21/03/2014	Member for Murray-Darling	Murray-Darling applauds impressive seniors with achievement award.
26/03/2014	Member for Murray-Darling	NSW Nationals support farmers through free meat day.
27/03/2014	LGNSW	LGNSW visits North, South and West NSW as its consultation roadhouse heads to its final destinations.
27/03/2014	Federal Member for Farrer	Labor puts \$45m brake on Farrer Roads
1/04/2014	Member for Murray-Darling	John Williams receives Loins highest international award.
4/04/2014	Federal Member for Farrer	Youth 'MP' from the Far West coming to Canberra.
7/04/2014	IPART	Valuer-General's land valuation services to Councils – Draft Prices

**8.1 CIRCULARS/NEWSLETTERS**

Date	Sender	Contents
25/03/2014	The Hon Gabrielle Upton MP	Letter: Regarding Menindee Multipurpose Centre concrete floor.
28/03/2014	Western Division Councils of NSW	Minutes: Annual Conference
28/03/2014	NSW Government, Office of Local Government	Circular: More time to get pools safe before sellings or leasing.
1/04/2014	NSW Government, Office of Local Government	Circular:Swimming Pool – granting exemptions – practice note

***16-04-14***

***That the Correspondence for Council be received and noted***

***Resolved***

## SECTION 8.2 THE RECEIPT OF REPORTS FROM COMMITTEES

None

## SECTION 9. URGENT BUSINESS

***17-04-14***

***That item 9.1 is an item that needs to be dealt with as a matter of urgency.***

***Resolved***

## 9.1 RECOMMENDATIONS AND OPTIONS TO IMPROVE COUNCIL'S FINANCIAL PERFORMANCE AND POSITION

***18-04-14***

***That the RSM Bird Cameron report "Recommendations and Options to Improve Central Darling Shire Council's Financial Performance and Position" be noted, tabled and utilized to inform and guide future actions by Council in respect to financial, strategic and other management/ operational matters.***

***Resolved***

***19-04-14***

***That item 9.2 is an item that needs to be dealt with as a matter of urgency.***

***Resolved***

## 9.2 ALCOHOL FREE ZONE- WILCANNIA

*20-04-14*

*That Council resolve that it proposes to establish (re-establish) an Alcohol Free Zone in Wilcannia which designates all made and maintained public roads and footpaths as an alcohol free zone and that the zone be in place for a period of four years from 26 August 2014 to 25 August 2018.*

*Resolved*

## SECTION 10. CONFIDENTIAL MEETING

### CLOSED COUNCIL

#### Confidential Reports

#### (Section 10A (2) of the Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public. The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would , if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the Council, or
  - (iii) reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

(h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Section 10A(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A(2):

(a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in a open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

(a) a person may interpret or misunderstand the discussion, or

(b) the discussion of the matter may:

(i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or

(ii) cause a loss of confidence in the Council or committee.

### **Resolutions passed in Closed Council**

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

**SECTION 11. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on the 20<sup>th</sup> May 2014 in Wilcannia at 9:00am.*

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*There being no further business, Council meeting concluded at 9:22am*

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