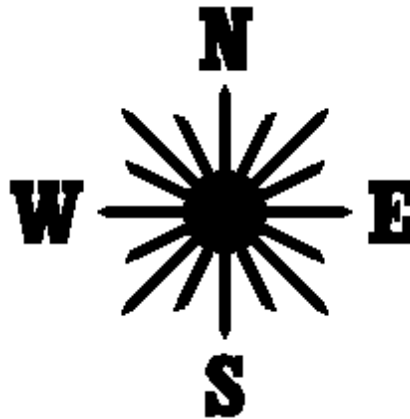


## Mission Statement

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 16<sup>th</sup> April 2013

at

Menindee

**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 Community Town Hall, Menindee on Tuesday 16<sup>th</sup> April 2013 commenced at 9:40am.

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

### **PRESENT:**

Councillors:

Ray Longfellow

Clive Linnett

Lorraine Looney

Ron Page

Peter Sullivan

Dennis Standley

Garry Astill

Eamon Sammon

### **ABSENT:**

Honor Liversidge

### **ALSO PRESENT:**

Leeanne Ryan

Acting General Manager

Kane Kreeck

Acting Manager Technical and Engineering Services

David Cuming

Acting Manager Corporate and Community Services

Adelaide Elliott

Executive Assistant

## SECTION 2. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC

### **MOTION CARRIED**

### **MOVED CLR SULLIVAN /CLR LINNETT**

***1-04-13 resolved***

***That Council suspend standing orders***

---

*Standing orders suspended at 9:41am*

---

Cheryl Blore addressed the Council speaking in favour of the application for financial assistance for the Menindee Wedge Tail Eagles

Trevor Mallon spoke about the Pooncarie Road and asked why Council keeps voting against any action to be taken on the road.

Bob Looney addressed Council on the Menindee Waste Depot stating the Waste Depot is a disgrace and has not been back covered for at least a month. Acting GM will reply in regards to his question within four weeks.

John Williams MP addressed the Council on the following issues,

-Revenue base for Councils

-Ivanhoe Health Service and the Opening of the new building (John Williams MP was not invited to the opening and a letter should be sent to the relevant Minister regarding this).

-Ambulance in White Cliffs was removed and has since returned. There is to be training to be provided to any willing person wishing to become a volunteer ambulance driver.

Clr Astill and Clr Page spoke about housing and the lack thereof. Clr Page will supply costing's for John Williams MP.

Clr Astill thanked John Williams MP for his commitment to Menindee.

Clr Sullivan thanked John Williams for his ongoing support for Council.

### **MOTION CARRIED**

### **MOVED CLR SULLIVAN/ CLR STANDLEY**

***2-04-13 resolved***

***That Council resume standing orders.***

---

*Standing orders resumed at 10:10am*

---

## SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LINNETT**

**3-04-13 resolved**

***That the minutes of the Ordinary Meeting of the Council held on the 19th March 2013, copies of which were circulated to all Councillors, be taken as read and confirmed as a correct record of the proceedings of the meeting.***

### 3.1 BUSINESS ARISING FROM MINUTES

### 3.2 STATUS OF COUNCIL RESOLUTIONS – MARCH 2013

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR ASTILL**

**4-04-13 resolved**

***Status of Council Resolutions be received and noted.***

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR PAGE**

**5-04-13 resolved**

***That Item 8.2 be dealt with.***

### 8.2 WEDGETAIL EAGLES REQUEST FOR DONATION

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR PAGE**

**6-04-13 resolved**

***That the Menindee Wedge Tailed Eagles – Request for Sponsorship for \$1000 be approved.***

## SECTION 4. MAYORAL MINUTES OR REPORT

9<sup>th</sup> April 2013- Mayor attended the Ivanhoe Working Party Meeting

9<sup>th</sup> April 2013- Mayor, Clr Astill, Clr Page attended the CDSC Tourism Meeting in Wilcannia this was the second meeting. At this meeting an executive was elected with Clr Astill being Chairman and Colin Clark taking the combined positions of Secretary / Treasurer. Ten people were in attendance with some robust and open discussion occurring. The next meeting will be held on Monday 24<sup>th</sup> June commencing at 6pm in the Shire Chambers.

4<sup>th</sup> April 2013- Mayor attended a briefing in Wilcannia, regarding the suspected disappearance of a major volume of filtered water from the Wilcannia water supply

12<sup>th</sup> April 2013-Mayor attended the Official Opening of the Ivanhoe Health Services Accident and Emergency Building. Extended a welcome on behalf of Council and complemented NSW Health on the provision of the facility for the community of Ivanhoe and District.

## SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

Nil

## SECTION 6. NOTICE OF MOTIONS

Nil

## SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

## SECTION 8. ACTING GENERAL MANAGER'S REPORT

***MOTION CARRIED***

***MOVED CLR SULLIVAN / CLR***

***7-04-13 resolved***

*That the Acting General Manager’s Report be dealt with.*

#### 8.1 INFORMATION ITEMS

8.1.1 LOCAL GOVERNMENT INDEPENDENT REVIEW PANEL

8.1.2 LOCAL GOVERNMENT NSW

8.1.3 CRISTAL MINING

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR PAGE**

**8-04-13 resolved**

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

#### 8.3 LOCAL LAND SERVICE WORKSHOP

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR ASTILL**

**9-04-13 resolved**

***That the Local Land Services Workshop report be received and noted***

#### 8.4 ATHENAEUM BUILDING, REID STREET, WILCANNIA

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR SULLIVAN**

**10-04-13 resolved**

***That the Athenaeum Building, Reid Street, Wilcannia report be received and noted, and further;***

***That investigations into the possible return of the building to its former use as a Rural Transaction Centre be undertaken and reported back to Council.***

#### 8.5 POLICY - MOTOR VEHICLE – PRIVATE USE OF

**MOTION CARRIED**



**MOVED CLR LINNETT / CLR PAGE**

***11-04-13 resolved***

***That the Council Policy Motor Vehicles – Private Use Of report be received and noted, and further;***

***Council alter the existing policy titled Motor Vehicles – Private Use Of to revert it back to its original form, whereby any position that had a motor vehicle assigned to the position for everyday duties was entitled to utilise the vehicle for private use as per the fortnightly charge, or under a contract package provision.***

| Clr Sullivan recorded against the motion

---

*Clr Astill left the Meeting at 10:34am returned 10:36am*

---

---

*Meeting adjourned for Morning Tea at 10:39am, resuming at 11:18am*

---

#### 8.6 OPERATIONAL PLAN AND BUDGET 2013/14 WORKSHOP

| Clr Linnett put in his apologies as he won't be able to attend

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR ASTILL**

***12-04-13 resolved***

***That the Operational Plan and Budget 2013/14 Workshop report be received and noted, and further;***

***That a workshop for Councillors on the Operational Plan and Budget 2013/14 be held on 6th May 2013.***

#### 8.7 INQUIRY INTO NON-REGISTERED MOTORISED VEHICLES

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LINNETT**

***13-04-13 resolved***

*That the Inquiry in Non-registered Motorised Vehicle report be received and noted.*

## SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLRSULLIVAN**

*14-04-13 resolved*

*That the Manager Technical and Engineering Services Report be dealt with.*

### 9.1 INFORMATION ITEMS

#### 9.1.1 GRADING PROGRAM

#### 9.1.2 WAKEFIELD TANK

#### 9.1.3 MISSING WATER

Clr Looney requested that a statutory declaration is obtained from RFS regarding the amount of the water that was carted.

**MOTION CARRIED**

**MOVED CLR LOONEY/ CLR SAMMON**

*15-04-13 resolved*

*That a statutory declaration is obtained from Rural Fire Service regarding the amount of that water was carted.*

#### 9.1.4 REMOTE COMMUNITIES WATER SUPPLY AND SEWERAGE PROGRAM

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR LOONEY**

*16-04-13 resolved*

*That Council write to the relevant Minister to have Menindee included in the Remote Communities Water Supply and Sewerage Program.*

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR SULLIVAN**

*17-04-13 resolved*

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

#### 9.2 ROADS REPORT

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LINNETT**

*18-04-13 resolved*

*That the Roads Report be received and noted.*

#### 9.3 SERVICES REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR ASTILL**

*19-04-13 resolved*

*That the Services Report be received and noted.*

**MOTION CARRIED**

**MOVED CLR SULLIVAN /CLR LINNETT**

*20-04-13 resolved*

*That Council suspend standing orders*

---

*Standing orders suspended at 11:43am*

---

Detective Inspector Mick Stoltenberg, NSW Police Barrier Local Area Command, addressed the Council to clarify a number of issues that have been raised throughout the community.

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR LOONEY**

***21-04-13 resolved***

***That Council resume standing orders.***

---

*Standing orders resumed at 12:06pm*

---

#### 9.4 PROJECTS REPORT

Clr Sammon declared a non-pecuniary interest in the water & sewer project.

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR ASTILL**

***22-04-13 resolved***

***That the Projects Report be received and noted***

#### 9.5 PEDESTRIAN ACCESS AND MOBILITY DRAFT PLAN

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR SULLIVAN**

***23-04-13 resolved***

***That Council adopts the Draft PAMP and further ,That it be placed on public exhibition for 28 days with any submissions being reported back to Council.***

#### SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLRASTILL**

***24-04-13 resolved***

***That the Manager Environmental Services Report be dealt with.***

## 10.1 INFORMATION ITEMS

### 10.1.1 SWIMMING POOLS

### 10.1.2 FUNDING APPLICATION – MENINDEE MULTI-PURPOSE CENTRE

### 10.1.3 KNOX AND DOWNS

The Acting GM presented Council with Advice from Councils Solicitor recommending Knox and Downs be dealt with via Expressions of Interest as opposed to tender.

### 10.1.4 STAFF UPDATE

#### ***MOTION CARRIED***

***MOVED CLR ASTILL / CLR SULLIVAN***

***25-04-13 resolved***

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

#### ***MOTION LOST***

***MOVED CLR ASTILL / CLR PAGE***

***That the original motion for Knox and Downs to go tender be acted upon.***

The Motion was lost upon the Mayors casting vote

The Mayor called for a division

For	Against
Clr Sammon	Clr Sullivan

Clr Astill	Clr Linnett
Clr Page	Clr Longfellow
Clr Standley	Clr Looney

***MOTION CARRIED***

***MOVED CLR LONGFELLOW / CLR SULLIVAN***

***26-04-13 resolved***

***That Knox and Downs go out for expressions of interest.***

---

*Clr Astill left the Meeting at 12:23pm returned 12:26pm*

---

#### 10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR MARCH 2013

***MOTION CARRIED***

***MOVED CLR SULLIVAN / CLR LINNETT***

***27-04-13 resolved***

***That the Environmental Services Department Statistics for March 2013 report be received and noted.***

#### 10.3 2013/14 PUBLIC RESERVES MANAGEMENT FUND PROGRAM

***MOTION CARRIED***

***MOVED CLR SULLIVAN/ CLR LOONEY***

***28-04-13 resolved***

***That the 2013/14 Public Reserves Management Fund Program (PRMFP) report be received and noted, and further;***

***That Council apply for funding under the PRMFP to fence the old Ivanhoe Water Storages, and***

***That Council apply for funding under the PRMFP to erect litter fencing at the Sunset Strip Waste Depot along with fencing of the site.***

#### 10.4 STATE DEBT RECOVERY OFFICE – SERVICE LEVEL AGREEMENT

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR LINNETT**

***29-04-13 resolved***

***That the State Debt Recovery Office – Service Level Agreement report be received and noted, and further,***

***That Council enter into the Premium Service Level Agreement with the SDRO, and sign and seal the agreement as required.***

#### SECTION 11. FINANCE MANAGER'S REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR SULLIVAN**

***30-04-13 resolved***

***That the Finance Manager's Report be dealt with.***

#### 11.1 INVESTMENTS AND BANK BALANCES

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR SULLIVAN**

***31-04-13 resolved***

***That the Schedule of Investments Report for the 31st March 2013 be received and adopted.***

---

*Clr Sammon left the Meeting at 12:26pm returned 12:30pm*

---

#### 11.2 RATES REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR SULLIVAN**

***32-04-13 resolved***

*That the Rates Collection Report for March 2013 be received and adopted.*

11.3 RENEWAL OF COUNCIL AGENCY AGREEMENT WITH ROADS & MARITIME SERVICES (FORMERLY RTA)

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LINNETT**

**33-04-13 resolved**

*That Council enter into a three year agency agreement with Roads & Maritime Services for the provision of services as from 1 July 2013 and that the Acting General Manger is given authority to sign as representative of Council.*

## SECTION 12. CORRESPONDENCE

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR SULLIVAN**

**34-04-13 resolved**

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

12.1 MEDIA RELEASES

12.2 CIRCULARS/NEWSLETTERS

## SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR SULLIVAN**

**35-04-13 resolved**

*That the Ivanhoe Works Committee Meeting Minutes dated Wednesday 20th March 2013 be received and noted.*

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR SULLIVAN**



***36-04-13 resolved***

***That the Menindee Works Committee Meeting Minutes dated Wednesday 20th March 2013 be received and noted.***

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR SULLIVAN**

***37-04-13 resolved***

***That the Wilcannia Works Committee Meeting Minutes dated Thursday 21st March 2013 be received and noted.***

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR SULLIVAN**

***38-04-13 resolved***

***That the White Cliffs Works Committee Meeting Minutes dated Thursday 21st March 2013 be received and noted.***

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR SULLIVAN**

***39-04-13 resolved***

***That the MANEX Meeting Minutes dated Monday 25th March 2013 be received and noted.***

## **SECTION 14. DELEGATES' REPORTS**

Clr Linnett attended a Long Paddock Meeting in Hay. There is a current advertisement running on Imparja for the Long Paddock.

Clr Astill attended a presentation for the Australia Day Young Citizen of the Year Anthony Cicak.

**MOVED CLR SULLIVAN / CLR ASTILL**

***40-04-13 resolved***

***That the Delegates' reports be received and noted.***

## SECTION 15. QUESTIONS WITH NOTICE

Nil

## SECTION 16. URGENT BUSINESS

Clr Astill requested the bark chips for the Menindee Playground area be costed separately.

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR PAGE**

***41-04-13 resolved***

***That 60% of the cost for barkchips be costed to Menindee Town improvement funds, and the remaining 40% costed to Town Beautification.***

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR LINNETT**

***42-04-13 resolved***

***That a letter be forwarded to the NSW Premier regarding visitation of Ministers to our LGA, and that appropriate notification should be given.***

**MOTION CARRIED**

**MOVED CLR PAGE/ CLR LOONEY**

***43-04-13 resolved***

***That Council except the nominations for the Tourism Committee and that a further report be bought back to the next Council Meeting.***

## SECTION 17. 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.

### **Reports to be Considered in Closed Council**

***MOTION CARRIED***

***MOVED CLR LINNETT / CLR PAGE***

***44-04-13 resolved***

***That Council formally close the meeting to the public to discuss matters in accordance with Section 10A (2) of the Local Government Act, 1993.***

---

Council went into Closed Session of Council at 12:48 pm

---

#### **17.1 EXPRESSION OF INTERESTS**

Clr Sammon declared a non-pecuniary interest in item 17.1

***MOTION CARRIED***

***MOVED CLR ASTILL / CLR LINNETT***

***45-04-13 resolved***

***That Council accept the following Expressions of Interest as listed below; Steel Drainage Pipe - J M Caskey***

***Tank Stand - Richard Taylor***

*Windmill – Richard Taylor*

17.2 T CORP LETTER

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR LINNETT**

***46-04-13 resolved***

***That the T-Corp letter be received and noted***

**MOTION CARRIED**

**MOVED CLR LINNETT /CLR SULLIVAN**

***47-04-13 resolved***

***That Council move back into Open Council.***

---

Council resumed in open session at 12:54pm

---

**MOTION CARRIED**

**MOVED CLR PAGE /CLR ASTILL**

***48-04-13 resolved***

***That all decisions passed in Closed Council be made public.***

**SECTION 18. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on the 21<sup>st</sup> May 2013 in Darnick commencing at 9:30am.*

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*There being no further business, Council meeting concluded at 12:55pm*

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