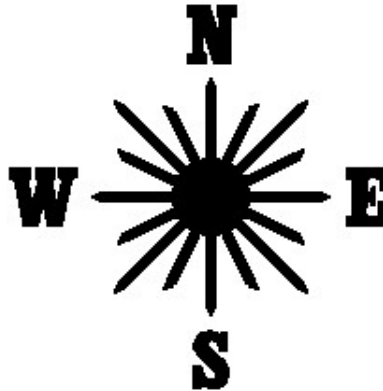


Mission Statement

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

Wednesday 10 August 2016 at 9:00am

In the Council Chambers

Wilcannia

(Adjourned from 27 July 2016)

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 Wednesday 10 August 2016 commencing at 9:00am. Adjourned from 27 July 2016.

ORDER OF BUSINESS

SECTION 1. ATTENDANCE	3
SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY	3
SECTION 3. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC	4
SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
4.1 BUSINESS ARISING FROM MINUTES	5
SECTION 5. ADMINISTRATOR’S MINUTE REPORT	6
SECTION 6. DETERMINATION REPORTS	7
SECTION 7. INFORMATION REPORTS	8
7.1 INFORMATION ITEMS	8
7.1.1 ENVIRONMENTAL SERVICES STATISTICS	8
7.1.2 ROAD GRADING PROGRAM ATTACHMENT 1	9
7.1.3 RESTART NSW, WATER SECURITIES FOR REGIONS	9
7.1.4 COUNTRY ROADS WATER SUPPLY, REGIONAL WATER & WASTEWATER BACKLOG	9
7.1.5 SEISMIC SURVEY – OPAL MINERS WAY	10
7.1.6 TENDER CDSC 1/2017 – SPRAY SEALING CONTRACT	10
7.1.7 COBB HIGHWAY – EURALLA INITIAL SEAL PROJECT	10
7.1.8 ROADS REPORT	11
7.1.9 SERVICES	12
7.1.10 CAPITAL WORKS	13
7.1.11 INVESTMENTS AND BANK BALANCES	14
SECTION 8. THE RECEIPT OF REPORTS FROM COMMITTEES	15
SECTION 9. URGENT BUSINESS	16
SECTION 10. CONFIDENTIAL MEETING	17
10.1 TENDER CDSC 1/2017 – SPRAY SEALING CONTRACT (CONFIDENTIAL)	19
SECTION 11. DATE AND VENUE FOR NEXT MEETING	20

SECTION 1. ATTENDANCE

PRESENT:

Greg Wright	Administrator
-------------	---------------

ALSO PRESENT:

Reece Wilson	Director Shire Services
Cindy Toiava	Executive Assistant

ABSENT:

Michael Boyd	General Manager
Jacob Philp	Director Business Services

SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

01-07-16

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

Resolved

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

Council's policy in regards to public access to Council Meetings states:

- Public Access to monthly meetings of Council will be listed as an agenda item
- Each member of the public who wishes to address Council is to register with Management prior to commencement of the meeting; this registration will involve the completion of a "registration form" made available by council staff. The registration form will require the proposed topic or topics in public access to be stated
- Each address will be limited to five (5) minutes, at the discretion of the Chair
- All matters raised in public access will be recorded with a response provided at the meeting or in writing within one month of the meeting date

Note: the registration form provided by council will indicate that only policy making and strategic matters will be permitted in public access; operational matters should be addressed/ raised separately with the General Manager. In addition, the registration form will state that statements made at council meetings are not subject to parliamentary privilege.

- Christine Elliott – Cleaning and Maintenance of Wilcannia Community Hall

SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

02-07-16

That the minutes of the Ordinary Meeting of the Council held on the 22 June 2016, be taken as read and confirmed as a correct record of the proceedings of the meeting.

Resolved

4.1 BUSINESS ARISING FROM MINUTES

NIL

SECTION 5. ADMINISTRATOR'S MINUTE REPORT

Administrators Minute

Deferred Meeting

Firstly, I would like to apologise for the deferral of the July Council Meeting due to my ill health and inability to travel to Wilcannia for my scheduled visit. I have taken some pride in not having missed any of the nearly 50 visits during my time as Administrator, however it could not be avoided on this occasion. I am particularly sorry that I didn't get to Menindee for my scheduled community consultation that week and will reschedule that trip for the 25th of this month in order to meet with those people who had booked in to speak to me.

Vice Regal Visit to Wilcannia and White Cliffs

I was delighted on Monday to welcome the Governor of New South Wales, His Excellency General David Hurley AC DSC (Ret'd) together with Mrs Hurley, to Wilcannia and the Shire. The Governor spent time at the Wilcannia Central School and at a civic reception on Monday, visited several other community organisations in Wilcannia on Tuesday morning before moving on to White Cliffs that afternoon.

It was an honour to welcome His Excellency to the Shire and I know that he impressed all those present at the civic reception with his openness, friendliness and charm. The Governor was well informed on local matters such as the case for a new weir in Wilcannia and demonstrated a genuine interest in issues affecting the Shire and the broader Far West.

03-07-16

That the Administrator's Minute be received and noted.

Resolved

SECTION 6. DETERMINATION REPORTS

NIL

SECTION 7. INFORMATION REPORTS

7.1 INFORMATION ITEMS

7.1.1 ENVIRONMENTAL SERVICES STATISTICS

<u>Statistics for July 2016</u>		
Number of DA's Approved		0
Total Value of DA's Approved		0
Food Premises Inspected		0
Animal Control Activities	Impounded	17
	Rehomed	10
	Returned to Owner	0
	Euthanized	7
	Registrations	0
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	10
	Chemistry Samples Collected	0
	Non-Compliant Samples	0

7.1.2 ROAD GRADING PROGRAM

ATTACHMENT 1

The Yearly Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes will be presented on a monthly basis.

7.1.3 RESTART NSW, WATER SECURITIES FOR REGIONS

The Wilcannia and Ivanhoe Bore Field Augmentation Project is substantially completed with the exception of electrical and telemetry works including sub-station installation at Ivanhoe. These works are proposed to be completed in mid-July 2016 with commissioning to follow soon after.

Further consideration is being given to additional drought proofing measures for White Cliffs following unsuccessful groundwater investigation and test bore results. In this regard additional ground storage tank capacity is being investigated at White Cliffs. Any additional works in this regard will require approval by Infrastructure NSW and must remain within overall \$1 Million budget. An extension of time will also need to be approved by Infrastructure NSW. A submission in this regard is currently being prepared.

7.1.4 COUNTRY ROADS WATER SUPPLY, REGIONAL WATER & WASTEWATER BACKLOG

NSW Water Solutions has been engaged to complete the next stage of the pre-construction phase of the Ivanhoe, Wilcannia and White Cliffs Augmentation Project and complete options reports for these facilities at these locations. These studies will build upon the scoping reports completed by CWT P/L. On completion of the options studies further consideration will be given to engagement of suitable consultant/contractor to complete remaining pre-construction activities with respect to concept design, D&C Specification and tender documentation with an overall completion dead line of June 2017.

The additional studies are listed below,

- 1 Update the IWCM Strategy to comply with the July 2014 DPI Water IWCM Check List
- 2 Options Study for each of the proposed new water treatment plants
- 3 Concept design for each of the proposed new treatment plants
- 4 Hydraulic analysis for reticulation networks at Wilcannia and White Cliffs
- 5 Condition assessment of existing reticulation at Wilcannia, Ivanhoe and White Cliffs
- 6 Review of Environmental Factors
- 7 Topographic survey for White Cliffs
- 8 Geotechnical and survey of the three treatment plants
- 9 Tender documentation.

The initial engagement of NSW Water Solutions pertains to Items 1, 2, 3 and 4, with further consideration currently being given to geotechnical and environmental investigation and assessment.

As previously advised these studies are funded 100% pursuant to the Restart Program, Regional Water and Backlog Program and targeted at pre-construction activities only.

Council is awaiting advice with respect to the application for construction funding of the proposed White Cliffs WTP.

7.1.5 SEISMIC SURVEY – OPAL MINERS WAY

Council has no objection in principal for the proposed non-invasive survey on Opal Miners Way. The NSW Department of Industry (Geological Survey of NSW) are currently in the planning phase of an information gathering process to better inform decisions related to future drilling in the Darling basin and further enhance understanding of the geology of the State.

Council's approval has been sought for the planning phase only pursuant to its road authority role for this survey to be undertaken. Council has no objection on the basis of the non-invasive nature of the investigations and subject to an approved Environmental and Traffic management plan.

Additionally, a presentation by NSW Department of Industry to Council will be forthcoming – prior to works commencing.

7.1.6 TENDER CDSC 1/2017 – SPRAY SEALING CONTRACT

Tender CDSC 1/2017 closed on July 11th at 10:00am. Five (5) tenders were received and the assessment has been completed and preferred contractor identified. In this regard, refer to confidential report in this business paper

7.1.7 COBB HIGHWAY – EURALLA INITIAL SEAL PROJECT

Initial culvert civil works are in progress, minor delays have been encountered due to rainfall events with an expected completion date of 4 weeks

Further works, including but not limited to; side track construction, bulk earthworks, supply and haul select fill and gravel and sealing works are still in development phase. Council is awaiting specifications from RMS to be able to price the work and submit associated Works Proposals.

The draft Environmental Protection Licence (EPL) has been received from the EPA and feedback provided. It is expected that the final document will be received by 22nd July 2016 enabling further works to proceed

7.1.8 ROADS REPORT

The purpose of this report is to update Council on the roads expenditure to date.

State Roads:

- 2016/2017 RMCC Routine Maintenance budget this year has been reduced, both highways is \$650,000.
- 0 Works Orders (WO) have been received to date.
- Euralla Initial Seal Project – RMS have provided Council with 7 Works Orders relating to the Cobb Highway project totalling \$516,463.31

	Original Budget	% Completed	Remaining Budget
RMCC (Routine Works)	\$650,000	0%	\$650,000
RMCC (Ordered Works)	\$0	0%	\$0
Euralla IS Project	\$516,463	86%	\$70,305

Regional Roads:

- 2016/17 Regional Road Block Grant amount (including traffic and supplementary components) is \$2,642,000

	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,642,000	1%	\$2,621,330

Local Roads:

- 2016/17 Local Roads Component (FAG) has been advised \$1,480,000 which has all been allocated to Local Roads
- 2016/1 Roads to Recovery allocation this year is \$1,621,547. This funding will be allocated to Local Road improvement projects.

	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,480,000	1%	\$1,463,976
Roads to Recovery	\$1,621,547	0%	\$1,621,547

7.1.9 SERVICES

The purpose of this report is to update Council on the services expenditure to date.

	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$154,500	4%	\$148,354
Ancillary Works	\$158,000	2%	\$154,550
Street Cleaning/ Bins	\$110,000	3%	\$106,507
Aerodromes	\$65,500	6%	\$61,853
Public Conveniences	\$34,000	3%	\$32,895
Swimming Pools	\$350,000	1%	\$348,932
Waste Depots	\$107,000	0%	\$107,000

7.1.10 CAPITAL WORKS

The purpose of this report is to update Council on the capital works and projects expenditure to date.

Project	Comments	Original Budget	% Expended	Remaining Budget
Aboriginal Communities Water and Sewer	Federal remote communities funding program administered by NSW Office of Water.	\$105,865	2%	\$104,345
Restart NSW – Water Security	Start Dec 2014. Tilpa, White Cliffs, Wilcannia and Ivanhoe Project value \$1M (\$174,400 expended in 2014/15, \$595,300 expended in 2015/16)	\$230,300	0%	\$230,300
CTWS – Preconstruction activities	Pre-construction activities	\$1,000,000	7%	\$929,434
	Training	\$200,000	59%	\$81,926
Wilcannia Boat Ramp	Postponed pending Weir Feasibility Study	\$85,000	0%	\$0

7.1.11 INVESTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 30 June 2016

	Amount	
Cash Reserve		
Westpac Business Cash Reserve	175,000	
Total Reserve Balance as at 30 June 2016	\$175,000	
Bank Balances as at 30 June 2016		
General Fund	\$180,776	In Funds
Clearing Account (Account used for receiving deposits)	\$18,819	In Funds
Total Cash at Bank	\$374,595	
Cash Restrictions		
Internal Restrictions	\$260,000	
External Restrictions	\$280,000	
Total Restrictions	\$540,000	

04-07-16

That the Information Items report be received and noted.

Resolved

SECTION 8. THE RECEIPT OF REPORTS FROM COMMITTEES

NIL

SECTION 9. URGENT BUSINESS

NIL

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 an 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

05-07-16

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

Resolved

Council went into Closed Session of Council at 9:14am

06-07-16

That Council move back into open Council

Resolved

Council resumed in open Session at 9:16am

The Administrator advised in accordance with Clause 253 of the Local Government (General) Regulation 2005, that the following resolutions were resolved in the Closed Session of Council.

10.1 TENDER CDSC 1/2017 – SPRAY SEALING CONTRACT (CONFIDENTIAL)

08-07-16

- 1. That Council endorse the Tender Evaluation Panel conclusions with respect to the evaluations of tenders undertaken for the Supply of Services and Materials Necessary for the Bituminous Spray Sealing of Pavements, Contract CDSC 1/2017 and award the contract to Fulton Hogan.***
- 2. That Council authorise the General Manager to enter into relevant contractual arrangements with Fulton Hogan with respect to Contract CDSC 1/2017.***
- 3. That Council resolve to affix the Common Seal to the contract agreement with respect to the engagement of Fulton Hogan under contract CDSC 1/2017***

Resolved

SECTION 11. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on 24 August 2016 in Wilcannia at 9:00am.

There being no further business, Council Meeting concluded at 9:16am
