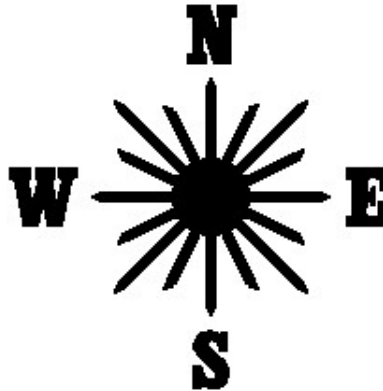


**Mission Statement**

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

# **CENTRAL DARLING**



# **SHIRE COUNCIL**

## **Agenda**

**For the Ordinary Meeting**

**Wednesday 26 October 2016 at 9:00am**

**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 will be held in the Council Chambers, Wilcannia on Wednesday 26 October 2016 commencing at 9:00am.

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## SECTION 1. ATTENDANCE

**PRESENT:**

Greg Wright	Administrator
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**ALSO PRESENT:**

Reece Wilson	Director Shire Services
Jacob Philp	Director Business Services
Pam Roncon	Executive Officer

**APOLOGIES:**

Michael Boyd	General Manager
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## SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

***RECOMMENDATION:***

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

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

Council's policy on public access to Council Meetings states:

- public access to monthly Council meetings is listed as an agenda item;
- each member of the public seeking to address Council is to register with the General Manager prior to commencement of the Council meeting. Each member of the public is to complete a "registration form" obtained from Council staff. The registration form seeks the proposed topic or topics in public access to be stated;
- each registered member of the public address is limited to five minutes; and
- all matters raised in public access are recorded and a response provided at the Council meeting, or in writing within one month after the meeting date.

Note: The registration form Council indicates only policy making and strategic matters are permitted in public access. Operational matters are to be addressed/ raised separately with the General Manager. Comments/Statements made at Council Meetings are not subject to Parliamentary Privilege.

## SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### ***RECOMMENDATION:***

***That the minutes of the Ordinary Meeting of the Council held on the 28 September 2016, be taken as read and confirmed as a correct record of the proceedings of the meeting.***

### 4.1 BUSINESS ARISING FROM MINUTES

**SECTION 5. ADMINISTRATOR'S MINUTE REPORT**

*To be Tabled*

## SECTION 6. DETERMINATION REPORTS

### 6.1 ASSET MANAGEMENT POLICY

ATTACHMENT 1

#### **Purpose**

The purpose of this report is for Council to adopt the Draft Asset Management Policy (the Policy).

#### **Commentary**

At the Ordinary meeting of Council, August 2016, Council resolved that:

- Council adopt the Draft Asset Management Policy and place it on public exhibition for 28 days; and
- a report be presented to Council after the 28-day exhibition period regarding any submissions received during the exhibition period.

The Policy was placed on public exhibition for 28 days. No public comment was received during the exhibition period.

#### **Policy Implications**

The Draft Asset Management Policy (Attachment 1) is an overarching document of Council's objectives that provide the required levels of service in the most cost effective manner.

The Draft Asset Management Policy proposes to develop and maintain an Asset Management Improvement Strategy with a planning horizon of four years and sets out continual improvement for asset management systems and processes in line with the State Government's Integrated Planning and Reporting Framework.

As advised at the August 2016 Council meeting, a suite of Asset Management Plans are currently under review and is proposed to be presented to Council upon completion of the Asset Register update in the first quarter of 2017.

The Draft Asset Management Policy will be updated on Council's Policy Register subject to Council adopting the Policy.

#### **Financial Implications**

The Asset Management Policy, Asset Management Strategy and Asset Management Plans are all referenced with Council's Community Strategic Plan and Long Term Financial Plan.

Resources have been allocated to asset management.

#### **Legal Implications**

The relevant parts of Section 8 of the *Local Government Act 1993*, "The Council's Charter", read as follows:

1. a Council has the following charter:

- To provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
- To have regard to the long term and cumulative effects of its decisions.
- To bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible.
- To facilitate the involvement of Councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government.

**Community Consultations**

The Draft Asset Management Policy was placed on public exhibition for 28 days. No public comment was received during the exhibition period.

***Recommendation:***

***That Council:***

- ***adopt the Asset Management Policy and the Policy Register be updated accordingly; and***
- ***note the Asset Management Plans is proposed to be presented to Council in the first quarter of 2017.***

## SECTION 7. INFORMATION REPORTS

### 7.1 INFORMATION ITEMS

#### 7.1.1 ENVIRONMENTAL SERVICES STATISTICS

<b>Statistics for September 2016</b>		
Number of DA's Approved		0
Total Value of DA's Approved		\$0
Food Premises Inspected		0
Animal Control Activities	Impounded	0
	Rehomed	3
	Returned to Owner	0
	Euthanized	12
	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 2

The Yearly Grading Program is 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 electrification of completed electricity works and minor telemetry works at Ivanhoe. Wet weather has delayed completion of these outstanding works and an extension of time has been granted by NSW Infrastructure in this regard until the end of November 2016. These outstanding works are expected to be completed during October including commissioning.



#### 7.1.4 COUNTRY ROADS WATER SUPPLY, REGIONAL WATER & WASTEWATER BACKLOG

Recapping previous advice, 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.

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.

Also as previously advised these projects have commenced with substantial data collection being provided by Council to inform various studies, modelling and projections, including a comprehensive land survey of Wilcannia water and sewerage infrastructure, rating database usage etc. This information will particularly inform the update of the Integrated Water Cycle Management Plan which will subsequently guide many key conclusions and recommendations concerning future water supply and sewerage infrastructure.

Survey works have been undertaken at White Cliffs, Wilcannia and Ivanhoe (excluding Tooralee Station Bore Field which was not accessible to the extended wet weather) and water quality testing at each plant by the NSW Public Works in early October.

Council has received confirmation of 100% construction funding for the White Cliffs Augmentation to the value of \$5.5 Million by the local State member Kevin Humphries pursuant to the Country Towns Water and Sewerage Program – Backlog Works. This is great news for Council and essential to the works proceeding in mid-2017 following confirmation of capital funding and completion of necessary studies, reports and tender documentation.

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#### 7.1.5 COBB HIGHWAY – EURALLA INITIAL SEAL PROJECT

Initial culvert civil works and side track construction are in progress; delays have been encountered due to rainfall events with an estimated completion date of early November 2016.

Further works, including but not limited to; bulk earthworks, supply and haul select fill and gravel, sealing works are being considered by RMS following cost estimates supplied by Council.

The final Environmental Protection Licence (EPL) has been received from the EPA and all relevant gravel pit licences have been obtained.

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#### 7.1.6 SEISMIC SURVEY – OPAL MINERS WAY

ATTACHMENT 3

Further to information report, July 2016, NSW Department of Industry have sought permission to extend the scope of works for proposed seismic surveys within the Northern part of the Shire. The seismic lines survey extents are shown on the attached map.

Council has no objection in principal for the proposed non-invasive survey on Opal Miners Way and Wanaaring Rd. 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.

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#### 7.1.7 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 to \$650,000.
- 3 Works Orders (WO) have been received to date, totalling \$76,747.31
- Euralla Initial Seal Project – RMS have provided Council with 8 Works Orders relating to the Cobb Highway project totalling \$837,286.09
- Springdale Initial Seal Project – RMS have provided Council with 1 Work Order relating to the Cobb Highway project totalling \$38,571
- Fairmount Initial Seal Project – RMS have provided Council with 1 Work Order relating to the Cobb Highway project totalling \$33,903

	Original Budget	% Completed	Remaining Budget
<b>RMCC (Routine Works)</b>	\$650,000	25%	\$488,515
<b>RMCC (Ordered Works)</b>	\$76,747	22%	\$59,861
<b>Euralla IS Project</b>	\$837,286	85%	\$125,511
<b>Springdale IS Project</b>	\$38,571	50%	\$19,285
<b>Fairmount IS Project</b>	\$33,903	50%	\$16,951

**Regional Roads:**

- 2016/17 Regional Road Block Grant amount (including traffic and supplementary components) is \$2,642,000. RRRP allocation \$400,000
- 2016/17 Regional Roads Repair Program (RRRP) – MR433 Ivanhoe to Menindee Rd \$800,000

	Original Budget	% Expended	Remaining Budget
<b>Regional Road Block Grant</b>	\$2,242,000	14%	\$1,929,402
<b>Regional Roads Repair Program</b>	\$800,000	0%	\$800,000

**Local Roads:**

- 2016/17 Local Roads Component (FAG) has been advised \$1,480,000 which has been fully allocated to Local Roads
- 2016/17 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
<b>Local Roads Component (FAG)</b>	\$1,480,000	38%	\$914,406
<b>Roads to Recovery</b>	\$1,621,547	0%	\$1,621,547

## 7.1.8 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	6%	\$99,547
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	65%	\$80,810
CTWS – Preconstruction activities	Pre-construction activities  Training	\$1,000,000 \$200,000	10% 80%	\$909,867 \$40,473
Wilcannia Boat Ramp	Postponed pending Weir Feasibility Study	\$85,000	0%	\$0

7.1.9 INVESTMENTS AND BANK BALANCES

<b>Schedule of Investments and Bank Balances as at 30 September 2016</b>		<b>Amount</b>
<b>Cash Reserve</b>		
Westpac Business Cash Reserve		\$280,000
<b>Total Reserve Balance as at 30 September 2016</b>		<u>\$280,000</u>
<b>Bank Balances as at 30 September 2016</b>		
General Fund		\$15,538 In Funds
Clearing Account (Account used for receiving deposits)		\$45,668 In Funds
	Total Cash at Bank	<u>\$341,206</u>
<b>Cash Restrictions</b>		
Internal Restrictions		\$260,000
External Restrictions		<u>\$280,000</u>
	Total Restrictions	<u>\$540,000</u>

## SECTION 8. THE RECEIPT OF REPORTS FROM COMMITTEES

## SECTION 9. URGENT BUSINESS

## 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 Council 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.

Pursuant to Section 10A(2) of the *Local Government Act 1993*(the Act) Council or a Committee may close to the public so much of its meeting when matters listed below are to be discussed being:

- (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,
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

Section 10A(3) of the Act states that a Council, or a Committee, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Section 10A(4) provides that a Council, or a Committee, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

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 if 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.

#### ***RECOMMENDATION:***

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

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

### 10.1 CARAVAN LEASE ARRANGEMENT

### 10.2 DISCLOSURE OF INTEREST RETURNS FOR THE PERIOD 2015/16

#### ***RECOMMENDATION:***

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

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

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*The next meeting of Council will be held on 23 November 2016 in Wilcannia at 9:00am.*

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