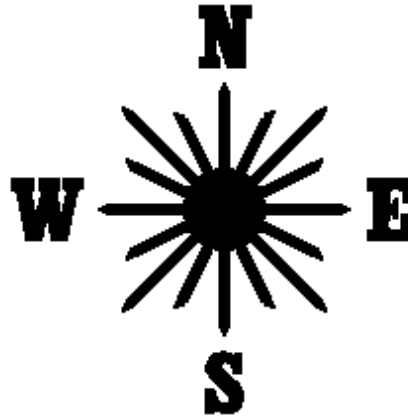


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Draft Minutes

For the Ordinary Meeting

Wednesday 22 November 2017 at 9:00am

In the Council Chambers

Wilcannia NSW

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 declared open at 9am AEDT.

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DRAFT

SECTION 1. ATTENDANCE

PRESENT:

Greg Wright	Administrator
Michael Boyd	General Manager
Reece Wilson	Director Shire Services
Jacob Philp	Director Business Services

APOLOGIES:

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

RECOMMENDATION:

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

Nil

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

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

- public access to monthly meetings of Council 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 meeting date.

Note: The Council registration form 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.

Member of the Public Paul Brown attended the meeting and asked questions in relation to the following issues:

- *Council's cash at bank and restricted cash future.*

SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

01-11-17

RECOMMENDATION:

That the minutes of the Ordinary Meeting of the Council held on the Wednesday 25 October 2017, 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

Nil.

DRAFT

SECTION 6. DETERMINATION REPORTS

6.1 PROPOSED DECEMBER 2017 COUNCIL MEETING

02-11-17

RECOMMENDATION

- *That Council determine that the December 2017 meeting be held on Tuesday 19 December 2017, commencing at 9.00am at Wilcannia.*

Resolved.

6.2 JANUARY 2018 COUNCIL MEETING

03-11-2017

RECOMMENDATION

- **RECOMMENDATION**
That Council adopt the following meeting schedule with all monthly Council meetings to be generally held on the 4th Wednesday of the month (dependant on public holidays), commencing at 9.00am, with all meetings to be held in Wilcannia in accordance with the following schedule:

Wednesday 28 February 2018

Wednesday 28 March 2018 (Easter Friday 30 March)

Wednesday 18 April 2018 (Anzac Day 25 April; meeting adjusted to 3rd week)

Wednesday 23 May 2018

Wednesday 27 June 2018

Wednesday 25 July 2018

Wednesday 22 August 2018

Wednesday 26 September 2018

Wednesday 24 October 2018

Wednesday 28 November 2018

Tuesday 18 December 2018 (meeting date adjusted to 3rd week)

Resolved.

6.3 2018 COUNCIL MEETING SCHEDULE

04-11-17

RECOMMENDATION:

- *That Council note the ongoing progress to September 2017 on the Compliance and Reporting Requirements 2017-2018.*

Resolved.

6.4 ADMINISTRATOR TOWN VISIT SCHEDULE 2018

05-11-17

- **RECOMMENDATION**
That Council adopt the following 2018 Administrator Town Visit schedule:

Tuesday 27 February 2018 - Wilcannia

Tuesday 17 April 2018 – White Cliffs

Tuesday 24 July 2018 - Ivanhoe

Tuesday 25 September 2018 - Menindee

Tuesday 27 November 2018 - Wilcannia

Resolved.

6.5 2017 STAFF CHRISTMAS FUNCTION

06-11-17

RECOMMENDATION

- *That the Council hold a Christmas lunch function at Wilcannia on Tuesday 19 December 2017 and that all staff be required to attend.*

Resolved.

6.6 ANNUAL REPORT – JULY 2016 TO JUNE 2017

07-11-17

RECOMMENDATION

- *That Council receive and note the Annual Report 2016-2017 in accordance with Section 428 of the Local Government Act 1993.*

Resolved.

6.7 QUARTERLY PERFORMANCE REPORT – Q1 – JULY 2017 TO SEPTEMBER 2017

08-11-17

RECOMMENDATION:

That Council resolve to:

- *Receive and note the Quarterly Budget Review in accordance with Regulation 203 of the Local Government (General) Regulation 2005*
- *Authorise the required variations to the Operational Plan and Budget adopted by Council on 28 June 2017*
- *Note that the revised projected surplus/deficit for the financial year 2017/18 is \$426,000 surplus.*

Resolved.

6.8 DECLARATION OF FOSSICKING DISTRICTS

09-11-17

RECOMMENDATION:

That Council resolve to:

- *support the proposal for declaration of a fossicking district for the Shire*
- *advise the NSW Department of Industry that Council consents to the Central Darling Shire Council Local Government Area being declared as a fossicking district.*
- *reserve the right to withdraw its support in the event that there is any watering down of Permission/Consent provisions in respect to private, leasehold or licensed lands.*

Resolved.

SECTION 7. INFORMATION REPORTS

7.1 ENVIRONMENTAL SERVICES STATISTICS

<u>Statistics for October 2017</u>		
Number of DA's Approved		0
Total Value of DA's Approved		0
Food Premises Inspected		0
Animal Control Activities	Impounded	13
	Rehomed	6
	Returned to Owner	0
	Euthanized	7
	Registrations	0
	Microchipped	1
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	10
	Chemistry Samples Collected	0
	TOC Samples Collected	0
	DBP Samples Collected	0
	Non-Compliant Samples	0

Council commenced testing of two new samples:

Total Organic Carbon (TOC)

Disinfection Byproducts (DBP)

These samples are apart of the Disinfection by-product Project and will be carried out as part of Council's Routine Sample Collection.

7.2 WORKS PROGRAM

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 monthly.

7.3 THE WOOL TRACK – INITIAL SEAL FUNDING

Council received correspondence (attached) from the Roads and Maritime Services (RMS) advising that the NSW Government will be releasing up to \$4.7M towards the sealing of the Wool Track between Balranald and Ivanhoe.

As agreed, the funding split provides Council with \$1.925M to complete the remaining unsealed section within Central Darling LGA, approximately 7km. RMS representative have been in contact with the Director Shire Services who will now provide a program of works, key milestones and cash flow forecast to enable RMS to review as part of the funding profile and subsequent release of funds.

Initial estimates could see the project commence in February 2018 and see full completion by December 2018 pending approvals for gravel supply and water supply and consent for new culvert structures in waterways. Funding split at this early stage is estimated at \$900k for 2017-18 and the balance \$1025k for 2018-19.

A further report will be provided to Council once all approvals and timeframes have been confirmed. The additional works and income will be reflected in future budget review.

7.4 LANDFILL CONSOLIDATION AND ENVIRONMENTAL IMPROVEMENTS GRANTS PROGRAM

The Landfill Consolidation and Environmental Improvements grants program will provide \$5 million over two years (until 2019/20) to fund landfill consolidation, closure or environmental improvements of rural and regional landfills. This is the third round of funding under this program which has allocated a total of \$6.8 million to 60 successful projects. The closing date is 23 November 2017.

Council is responsible for 6 Landfills; Wilcannia, Ivanhoe, Menindee, White Cliffs, Sunset Strip and Tilpa. Following an inspection by Environmental Protection Authority (EPA) Officers in November 2016 it became evident that Council's management of landfill premises could facilitate potential harm to the local environment. Council subsequently produced Landfill Management Plans to address the long-standing issues at the landfill sites.

The Management Plans and further inspections by staff and environmental consultant identify immediate improvements required at Wilcannia, Menindee and Ivanhoe sites. In this regard, staff are preparing applications for each of these landfills at present. Additionally, NetWaste will provide expertise and guidance and the EPA have offered their support.

Grants of up to \$200,000 (excluding GST) will be available per stream for landfill consolidation and closure, and environmental improvements. Funding will be available to provide up to 70 per cent of the eligible costs and the remainder of the costs (minimum 30 per cent) must be covered by Council's financial or in-kind contributions. Councils contribution can be sourced from within operational budget constraints.

Further details will be provided to Council following completion of the applications.

7.5 SAFE AND SECURE WATER PROGRAM

The Safe and Secure Water Program is a program established as part of the Restart NSW Program to fund eligible water and sewer projects that will deliver public health, environmental and social benefits to regional communities which in turn support economic growth and productivity in the State. This funding available supersedes the now redundant Country Towns Water and Sewerage Program.

Council has identified three main projects which are eligible for funding, these being:

- Wilcannia Township Gravity Sewer Scheme
- Ivanhoe Water Treatment Plant
- Wilcannia Water Treatment Plant

NSW Government co-funding is available for both planning and construction projects as follows:

- Preliminary planning
- Business case development
- Detailed design and construction

As part of preconstruction funding already received, and in progress, the Ivanhoe Water Treatment Plant and Wilcannia Water Treatment Plant have been assessed and design will be completed shortly. Council will soon be able to seek capital cost funding.

The Wilcannia Township Gravity Sewer Scheme aims to replace existing pressure system and associated pump stations that are nearing end of useful life. Recently completed sewerage schemes in the Mallee and Warrali Aboriginal estates have proven to be highly beneficial to residents and Council alike.

Councils annual water and sewer revenue is less than \$5M, meaning that the amount of funding that Council would be eligible for is up to 75%. It is proposed to submit an expression of interest for the scoping study phase of the Wilcannia Township Gravity Sewer Scheme at this time. There may be the possibility of additional funding pursuant to the Aboriginal Water and Sewerage Program considering Wilcannia's isolation and dominant indigenous population.

Further information will be provided to Council and no commitment has been made with respect to funding and budget allocations.

7.6 ABORIGINAL COMMUNITIES WATER SUPPLY AND SEWERAGE PROGRAM

The Aboriginal Communities Water Supply and Sewerage Program provides annual funding for operational costs with respect to the provision of water and sewerage services for the Warrali and Barkindji Aboriginal Estates in Wilcannia.

The program also provides capital funding for approved capital works. In this regard funding approval has been provided for replacement of the Warrali Sewerage Pumping Station rising main, ancillary pipework, access works and fencing subject to quotation submission. These works are expected to be completed by Christmas 2017.

7.7 REGIONAL ROADS REPAIR PROGRAM

At the Ordinary Meeting of Council December 2016 Council considered a detailed report related to the Regional Roads Repair Program (attached for reference) which resolved:

04-12-16

RECOMMENDATION:

That Council:

- 1. endorse Council to submit an application for Regional Roads Repair Program funding in the amount of \$400,000 for the installation of a new reinforced box culvert structure and approach roadworks at Marra Creek, MR68A Wilcannia – Tilpa West Rd; and*
- 2. allocate \$400,000 of the Regional Road Block Grant in the Draft 2017/18 Operational Plan to match the funding amount and enable works to be completed.*

Resolved

Council received 22 points pursuant to the established points assessment system in place for the 2017-18 year. Advice indicates that the points may not be adequate to secure the funding required to complete works this financial year.

Submissions are now invited for the 2018-19 Regional Roads Repair Program. Additional points are awarded to those Councils who are unsuccessful in the reporting year provided the same project is submitted the following year.

Accordingly, staff will prepare and submit Council's application to ensure this necessary funding is secured for 2018-19.

7.8 ROADS REPORT

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

State Roads:

- 2017/2018 RMCC Routine Maintenance budget this year has recently been increased across the region. Councils allocation is now \$630,000.
- 5 Works Orders (WO) has been received to date. SH21 Slamannon Culverts \$85,410, SH21 Slamannon bores \$76,736, Heavy Patching SH8 \$431,411, Reseals SH8 \$393,380, Reseals SH21 \$353,116
- Eureka Initial Seal Project – RMS have provided Council with 11 Works Orders relating to the Cobb Highway project totalling \$6,100,440. RMS will meet actual expenditure.
- Springdale Initial Seal Project – RMS have provided Council with 1 Work Order relating to the Cobb Highway project totalling \$38,571. On hold
- Slamannon Initial Seal Project – RMS have provided Council with 2 Works Orders relating to the Cobb Highway project totalling \$37,873. On hold

Works Description	Original Budget	% Completed	Remaining Budget
RMCC (Routine Works)	\$630,000	35%	\$415,308
RMCC (Ordered Works)	\$1,340,053	12%	\$1,187,414
Eurella IS Project	\$6,100,440	100%	\$0
Springdale IS Project	\$38,571	50%	\$19,285
Slamannon IS Project	\$37,873	50%	\$18,936

Regional Roads:

- 2017/18 Regional Road Block Grant amount (including traffic and supplementary components) has not yet been provided. \$2,640,000 has been included as an indicative estimate based on last year's allocation.
- MR67 Wool Track funding \$1,925,000 to seal remaining 7km within Central Darling LGA.

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,640,000	27%	\$1,933,339
MR67 Wool Track	\$1,925,000	0%	\$1,925,000

Local Roads:

- 2017/18 Local Roads Component (FAG) has been estimated at \$1,480,000 based on last year's figures. The exact amount will be provided following confirmation.
- 2017/18 Roads to Recovery allocation this year is \$1,404,818, in addition to this \$521,751 was carried forward from last financial year. This funding is allocated to Local Road improvement projects.

Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,480,000	28%	\$1,073,248
Roads to Recovery	\$1,926,569	53%	\$910,712

7.9 SERVICES

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

Works Description	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$131,500	46%	\$71,151
Ancillary Works	\$139,500	45%	\$77,920
Street Cleaning/ Bins	\$101,290	40%	\$60,412
Aerodromes	\$76,500	33%	\$51,189
Public Conveniences	\$34,000	35%	\$21,810
Buildings	\$401,500	27%	\$294,963
Swimming Pools	\$355,000	25%	\$265,355
Waste Depots	\$151,500	18%	\$124,695

Water & Sewerage Maintenance:

- Wilcannia town water supply is being sourced from the Darling River Weir Pool. Sustained minor flow at the weir crest has not triggered any restrictions to date. Staff will continue to monitor.
- White Cliffs town water supply is sourced from above ground tanks, current levels: Tank 1 =5.5m, Tank 2 =3.7m, Tank 3 (Wakefield) =8.1m.
- Ivanhoe town water supply is currently being sourced from the Morrison’s Lake reservoir. Morrison’s Lake storage is currently 350 megalitres, town storage dam 45 megalitres.

Works Description	Original Budget	% Expended	Remaining Budget
Wilcannia Water	\$326,000	37%	\$208,628
Wilcannia Sewer	\$135,000	44%	\$76,524
White Cliffs Water	\$138,000	39%	\$84,296
Ivanhoe Water	\$241,000	27%	\$176,184

7.10 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	24%	\$80,781
CTWS – Preconstruction activities	Pre-construction activities	\$1,000,000	63%	\$368,774
	Training	\$200,000	100%	\$0
Wilcannia Boat Ramp	Postponed pending Weir Feasibility Study	\$85,000	0%	\$0
Restart NSW – White Cliffs Water Supply	Funding Deed signed	\$5,500,000	0%	\$5,500,000

7.11 CASH AND INVESTMENTS

Schedule of Investments and Bank Balances as at 31 October 2017

	Amount	
Cash Reserve		
Westpac Business Cash Reserve	\$645,000	
Total Reserve Balance as at 31 October 2017	\$645,000	
Bank Balances as at 31 October 2017		
General Fund	\$911,055	In Funds
Clearing Account (Account used for receiving deposits)	\$136,791	In Funds
Total Cash at Bank	\$1,692,847	
Cash Restrictions		
Internal Restrictions	\$260,000	
External Restrictions	\$1,565,000	
Total Restrictions	\$1,825,000	

10-11-17

RECOMMENDATION:

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 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.

Nil

SECTION 11. DATE AND VENUE FOR NEXT MEETING

*The next meeting of Council will be held on Tuesday 19 December 2017 in
Wilcannia at 9:00am.*

The Council Meeting was declared closed by the Administrator Mr. Greg Wright at 09:14am AEDT.