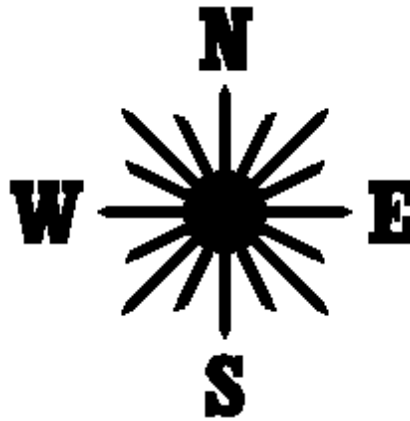


Mission Statement

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 15th July 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 will be held in the Council Chambers, Wilcannia on Tuesday 15th July 2014 commencing at 9:00am.

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SECTION 1. ATTENDANCE

PRESENT:

Greg Wright – Interim Administrator

ALSO PRESENT:

Michael Boyd	General Manager
Reece Wilson	Acting Director Shire Services
Jacob Philp	Acting Director Business Services
Adelaide Elliott	Executive Assistant
Nicole Sanderson	Administration Officer - Creditors

SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

Greg Wright noted that the Administrator fee is determined in the same way as the Councillors Expenses and Fees.

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

Paul Brown - 6.1.6 Investments and Cash Balances

Noted that there was a positive cash balances as of the 30th June and asked if that amount included any pre payments for the FAGS first instalment.

The Administrator answered that there was no major pre-payment included in the cash balance.

SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

1-07-14

That the minutes of the Ordinary Meeting of the Council held on the 20th June 2014, 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 MINUTE REPORT

Public Inquiry

As most people will be aware by now, the Minister for Local Government continued the suspension of the Council on 19 June and convened a Public Inquiry.

While it is not my role to comment specifically on the Public Inquiry – indeed my role as Administrator is quite independent of the Inquiry – I do believe that it is worthwhile to promote the opportunities that the Inquiry process will present to interested persons and parties.

The Commissioner, Mr Richard Colley, has invited submissions on matters related to the Inquiry's terms of reference and has asked that any written submissions be made by 18 July 2014. There are some useful documents on the Office of Local Government's website that fully outline the process and the terms of reference. I would encourage people to make a submission if they have views about the performance of the Council and its capacity to deal with the issues it faces.

Appointment of a Permanent General Manager

I was pleased to announce recently the appointment of Mr Michael Boyd as the Shire's new General Manager. This is a permanent appointment, unlike the recent Interim appointment of Brian Wilkinson and the prior Acting roles of other Council staff in the absence of a permanent General Manager. There has not been a permanent General Manager for at least the past two years.

Michael Boyd is an experienced local government chief executive and I look forward to working with him for whatever period remains of the suspension of the Council. His experience is largely in rural Councils so he is well versed in the needs of rural communities and their organisations. Michael commenced on 14 July 2014 and has been appointed on a four year contract.

Central Darling Shire Council Recovery Plan 2014

I mentioned in my report last month that, as part of my brief as Administrator, I was to leave behind a detailed plan for the continuation of the work that I had commenced.

I submitted my Recovery Plan to the Minister as part of the statutory s.438N report that I am obliged to provide as a term of my administration on 8 June 2014. It contains about thirty specific High Priority Requirements to be implemented in addition to a number of other recommendations that I believe the Council should consider. It has now been made publicly available by the Minister and the Office of Local Government and is on the website of the Office of Local Government. It may prove to be a useful document for interested people to view as it sets out the key recommendations that I will be continuing to work toward and for the Councillors to pursue on their return.

Greg Wright welcomed the new General Manager Michael Boyd, indicating that he looked forward to working with him for the remainder of the Administration term.

2-07-14

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

Resolved

SECTION 6. DETERMINATION REPORTS

6.1 HERITAGE WHARF- WILCANNIA

3-07-14

That Council approve the fixing of the Council Common Seal to the Crown Lands Act Licence RI 525065 documentation for the Wilcannia Heritage Wharf.

Resolved

6.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL – MAYORAL / COUNCILLOR FEES

4-07-14

That the Local Government Remuneration Tribunal – Mayor/Councillor Fees report be received and noted and that the Council increase Councillor and Mayoral Fees by 2.5% for the Financial year 2014/15.

Resolved

6.3 MENINDEE BMX BIKE TRACK

5-07-14

That Council proceeds with the construction of the Menindee BMX Bike Track

Resolved

SECTION 7. INFORMATION REPORTS

7.1 INFORMATION ITEMS

7.1.1 ENVIRONMENTAL SERVICES STATISTICS

7.1.2 ROAD GRADING PROGRAM

7.1.3 ROADS REPORT

7.1.4 RATES REPORT

7.1.5 END OF YEAR RATES REPORT 2014

6-07-14

That the Information Items report be received and noted

Resolved

8.0 MEDIA RELEASES

8.1 CIRCULARS/NEWSLETTERS

7-07-14

That the Correspondence for Council be received and noted

Resolved

SECTION 8.2 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 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.

It was noted by the Administrator that there were no matters to be considered in the confidential section.

SECTION 11. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 19th August 2014 in Wilcannia at 9:00am.

There being no further business, Council meeting concluded at 9:09am
