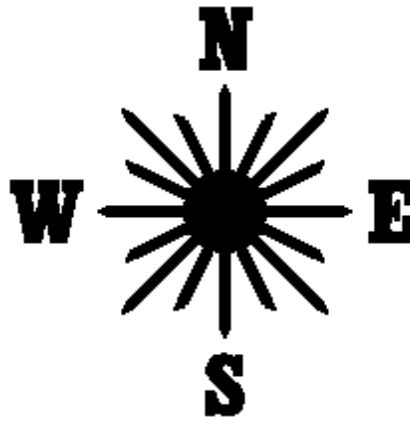


Mission Statement

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 17th July 2012

at

Sunset Strip

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. These minutes should be read in conjunction with the agenda for the meeting.

The above-mentioned Meeting of Council was held in the Community Hall, Sunset Strip on Tuesday 17th July 2012 commencing at 9:39am.

ORDER OF BUSINESS

SECTION 1. RECEIPT OF APOLOGIES AND THE GRANTING OF LEAVE OF ABSENCE	5
SECTION 2. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC	6
SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	6
3.1 BUSINESS ARISING FROM MINUTES	6
3.2 STATUS OF COUNCIL RESOLUTIONS – JUNE 2012	6
SECTION 4. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY	6
SECTION 5. MAYORAL MINUTES OR REPORT	7
SECTION 6. NOTICE OF MOTIONS.....	7
SECTION 7. NOTICE OF RESCISSION MOTIONS	7
SECTION 8. GENERAL MANAGER’S REPORT.....	7
8.1 INFORMATION ITEMS	7
8.1.1 2012 LOCAL GOVERNMENT ELECTIONS UPDATE	7
8.1.2 2011 CENSUS DATA	7
8.1.3 DESTINATION 2036 ACTION PLAN	8
8.1.4 EMERGENCY SERVICES FUNDING DISCUSSION PAPER	8
8.1.5 CONFERENCES/SEMINARS REPORT.....	8
8.1.6 GENERAL MANAGER ACTIVITY/MEETING SCHEDULE	8
8.2 2012/13 OPERATIONAL PLAN UPDATE	8
8.3 2011/12 SPECIAL PROJECTS FUNDING	9
8.4 PROMOTING BETTER PRACTICE REVIEW UPDATE	9
8.5 LOCAL GOVERNMENT REVIEW PANEL	9
8.6 COUNCIL MEETING SCHEDULE	9
SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT.....	10
9.1 INFORMATION ITEMS	10
9.1.1 GRADING PROGRAM	10
9.1.2 2012 FLOOD DAMAGE ASSESSMENTS.....	10

9.1.3 SH21 COBB HIGHWAY CAPITAL WORKS 10

9.2 ROADS REPORT 10

9.3 SERVICES REPORT..... 11

9.4 PROJECTS REPORT..... 11

9.5 ROADS TO RECOVERY 2012/13 11

9.6 INTEGRATED WATER CYCLE MANAGEMENT AND LIVING WITH CLIMATE CHANGE – A PLAN FOR THE CENTRAL DARLING SHIRE COUNCIL, STRENGTHENING BASIN COMMUNITIES PROGRAM 12

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT 12

10.1 INFORMATION ITEMS..... 12

10.1.1 MENINDEE COMMON 12

10.1.2 VICTORY PARK CARAVAN PARK..... 12

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JUNE 2012 12

10.3 MALLEE PLAYGROUND..... 13

10.4 JOINT REGIONAL PLANNING PANELS..... 13

10.5 RISK BASED DRINKING WATER MANAGEMENT..... 13

10.6 CENTRAL DARLING DRAFT LEP, DCP & SHIRE STRATEGY 13

SECTION 11. FINANCE MANAGER’S REPORT 14

11.1 INVESTMENTS 14

11.2 RATES COLLECTIONS STATEMENT..... 14

SECTION 12. CORRESPONDENCE 14

12.1 MEDIA RELEASES 15

12.2 CIRCULARS/NEWSLETTERS 15

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES..... 15

SECTION 14. DELEGATES’ REPORTS..... 15

SECTION 15. QUESTIONS WITH NOTICE 16

15.1 Cr LOONEY 16

SECTION 16. URGENT BUSINESS..... 17

SECTION 17. CONFIDENTIAL MEETING..... 17

17.1 COMMUNITY ACCESS BUS CONTRACTS 19

17.2 ORGANISATIONAL STRUCTURE/STAFFING ARRANGEMENTS 19

SECTION 18. DATE AND VENUE FOR NEXT MEETING 20

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

PRESENT:

Councillors:

Ray Longfellow (Mayor)

Moya Reid (Deputy Mayor)

Paul Brown

Clive Linnett

Lorraine Looney

Eamon Sammon

Ron Page

ABSENT:

Councillor:

Graham Wellings

Peter Sullivan

ALSO PRESENT:

Tim Drew

General Manager

Reece Wilson

Manager Technical and Engineering Services

Leeanne Ryan

Manager Environmental Services

David Cuming

Acting Finance Manager

Paul Gavin

Accountant

Adelaide Elliott

Executive Assistant

MOTION CARRIED

MOVED CLR BROWN /CLR LINNETT

1-07-12 resolved

That the apologies be received and noted and leave of absence be granted.

MOTION CARRIED

MOVED CLR LOONEY /CLR BROWN

2-07-12 resolved

That Council move into public access.

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

Barry Fowler – Spoke in relation to a range of issues at Sunset Strip including: Operational Plan – 20 point list from community forum, street bins, stormwater management, Sunset Strip 50yr celebration, public toilets renovations and the septic system.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION CARRIED

MOVED CLR REID /CLR SAMMON

3-07-12 resolved

That the minutes of the Ordinary Meeting of the Council held on the 29th June 2012, copies of which were circulated to all Councillors, be taken as read and confirmed as a correct record of the proceedings of the meeting, with an alteration to minute number 11-06-12, point 9, replacing 2011/12 with 2012/13.

3.1 BUSINESS ARISING FROM MINUTES

Nil

3.2 STATUS OF COUNCIL RESOLUTIONS – JUNE 2012

MOTION CARRIED

MOVED CLR PAGE /CLR REID

4-07-12 resolved

That the Status of Council Resolutions be received and noted.

SECTION 4. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

Nil

SECTION 5. MAYORAL MINUTES OR REPORT

Voting for One Association has commenced with the Australian Electoral Commission conducting the ballot for and on behalf of both the Shires and the Local Government Associations.

The ballot is being conducted by postal voting and will close on the 7th August 2012. Every Council in New South Wales will receive one vote per Council and for the yes vote to succeed it is necessary to have 50% plus 1.

Council has decided to support the no vote after lengthy debate concerning this issue.

MOTION CARRIED

MOVED CLR LONGFELLOW

5-07-12 resolved

That the Mayoral Report be received and noted.

SECTION 6. NOTICE OF MOTIONS

Nil

SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

SECTION 8. GENERAL MANAGER'S REPORT

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

6-07-12 resolved

That the General Manager's Report be dealt with.

8.1 INFORMATION ITEMS

8.1.1 2012 LOCAL GOVERNMENT ELECTIONS UPDATE

8.1.2 2011 CENSUS DATA

8.1.3 DESTINATION 2036 ACTION PLAN

8.1.4 EMERGENCY SERVICES FUNDING DISCUSSION PAPER

MOTION CARRIED

MOVED CLR PAGE /CLR REID

7-07-12 resolved

That Council make a submission to the State Government in regards to the Emergency Services Funding Discussion paper and that the General Manager consult with other Councils regarding their submissions.

8.1.5 CONFERENCES/SEMINARS REPORT

8.1.6 GENERAL MANAGER ACTIVITY/MEETING SCHEDULE

MOTION CARRIED

MOVED CLR LOONEY /CLR LINNETT

8-07-12 resolved

That the Information Items report be received and noted.

8.2 2012/13 OPERATIONAL PLAN UPDATE

MOTION CARRIED

MOVED CLR LOONEY /CLR BROWN

9-07-12 resolved

That Council amend the 2012/13 Operational Plan and Budget for the following items:

- 1 Increase the annual fee for public toilet maintenance at Sunset Strip and Copi Hollow to \$600.***
- 2 Provide \$200 to Sunset Strip for a Christmas Community Celebration in its own right.***
- 3 Amend the interest rate applicable to overdue rates and charges to 10% in accordance with Circular 12-17 from the Division of Local Government on 6 June 2012.***

8.3 2011/12 SPECIAL PROJECTS FUNDING

MOTION CARRIED

MOVED CLR PAGE /CLR SAMMON

10-07-12 resolved

That Council allocate \$25,000 special projects funding in 2012/13 to the Sunset Strip Community for either the viewing platform project or upgrades to the public toilets.

8.4 PROMOTING BETTER PRACTICE REVIEW UPDATE

MOTION CARRIED

MOVED CLR PAGE /CLR BROWN

11-07-12 resolved

That Council adopt the Disposal and Sale of Assets Policy.

8.5 LOCAL GOVERNMENT REVIEW PANEL

MOTION CARRIED

MOVED CLR LOONEY /CLR BROWN

12-07-12 resolved

That Council request further direct consultation with the Local Government Review Panel or members of the Local Government Review Panel and that this consultation occur prior to formal submissions being due.

8.6 COUNCIL MEETING SCHEDULE

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

13-07-12 resolved

That Council approve the following meeting schedule for the remainder of 2012:

21st August – Ivanhoe

25th September – Wilcannia

16th October – Tilpa

20th November – White Cliffs

18th December – Wilcannia

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

14-07-12 resolved

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

9.1 INFORMATION ITEMS

9.1.1 GRADING PROGRAM

9.1.2 2012 FLOOD DAMAGE ASSESSMENTS

9.1.3 SH21 COBB HIGHWAY CAPITAL WORKS

MOTION CARRIED

MOVED CLR LINNETT /CLR SAMMON

15-07-12 resolved

That the Information Items report be received and noted.

9.2 ROADS REPORT

MOTION CARRIED

MOVED CLR LOONEY/CLR BROWN

16-07-12 resolved

That the Roads Report be received and noted.

9.3 SERVICES REPORT

MOTION CARRIED

MOVED CLR BROWN /CLR REID

17-07-12 resolved

That the Services Report be received and noted.

9.4 PROJECTS REPORT

MOTION CARRIED

MOVED CLR PAGE /CLR REID

18-07-12 resolved

That a meeting date be set for the Wilcannia Weir Committee as soon as possible.

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

19-07-12 resolved

That the Projects Report be received and noted.

9.5 ROADS TO RECOVERY 2012/13

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

20-07-12 resolved

1. That Council confirm that the previous commitment of \$540,000 per annum for the Ivanhoe-Balranald Rd be sourced from the 2012/2013 Regional Road Block Grant.

2. That the 2012/2013 Roads to Recovery work schedule submission identify the replacement of Papenpapinbilla Creek Bridge and Talyawalka Creek Bridge on the Wilcannia-Tilpa East Rd.

9.6 INTEGRATED WATER CYCLE MANAGEMENT AND LIVING WITH CLIMATE CHANGE – A PLAN FOR THE CENTRAL DARLING SHIRE COUNCIL, STRENGTHENING BASIN COMMUNITIES PROGRAM

MOTION CARRIED

MOVED CLR BROWN /CLR REID

21-07-12 resolved

That this progress report including advice of community workshops, concerning the development of the Integrated Water Cycle Management and Living with Climate Change – A Plan For The Central Darling Shire Council, be noted.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

MOTION CARRIED

MOVED CLR LINNETT /CLR REID

22-07-12 resolved

That the Manager Environmental Services Report be dealt with.

10.1 INFORMATION ITEMS

10.1.1 MENINDEE COMMON

10.1.2 VICTORY PARK CARAVAN PARK

MOTION CARRIED

MOVED CLR REID /CLR BROWN

23-07-12 resolved

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JUNE 2012

MOTION CARRIED

MOVED CLR BROWN /CLR REID

24-07-12 resolved

That the Environmental Services Department Statistics for June 2012 report be received and noted.

10.3 MALLEE PLAYGROUND

MOTION CARRIED

MOVED CLR BROWN /CLR PAGE

25-07-12 resolved

That Council delegate authority to the Mayor and General Manager to sign and seal land transfer documents for Lots 15 & 16 in DP2809 as required.

10.4 JOINT REGIONAL PLANNING PANELS

MOTION CARRIED

MOVED CLR BROWN /CLR RIED

26-07-12 resolved

That Council inform the Department of Planning that Council will provide the names of our JRPP nominees when the need arises, and further,

In the event that there is no time to refer to full Council the Mayor and General Manager be delegated to nominate the Council's JRPP nominees when the need arises with reference to the independent members of the Audit Committee for ratification only.

10.5 RISK BASED DRINKING WATER MANAGEMENT

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

27-07-12 resolved

That the Risk Based Drinking Water Management System report be received and noted.

10.6 CENTRAL DARLING DRAFT LEP, DCP & SHIRE STRATEGY

MOTION CARRIED

MOVED CLR REID /CLR BROWN

28-07-12 resolved

That Council adopt the draft LEP, draft DCP and draft Shire Strategy having regard to the changes outlined in the report and prepare a Report to the Department pursuant to section 68 of the EP&A Act requesting that the LEP be made.

Meeting adjourned at 10:49am, resuming at 11:26am

SECTION 11. FINANCE MANAGER'S REPORT

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

29-07-12 resolved

That the Finance Managers Report be dealt with.

11.1 INVESTMENTS

MOTION CARRIED

MOVED CLR REID /CLR BROWN

30-07-12 resolved

That the Schedule of Investments Report for June 2012 be received and adopted.

11.2 RATES COLLECTIONS STATEMENT

MOTION CARRIED

MOVED CLR BROWN /CLR LINNETT

31-07-12 resolved

That the Rates Collection Report for June 2012 be received and adopted.

SECTION 12. CORRESPONDENCE

MOTION CARRIED

MOVED CLR LINNETT /CLR REID

32-07-12 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 LINNETT /CLR REID

33-07-12 resolved

That the Receipt of Reports from Committees be dealt with.

MOTION CARRIED

MOVED CLR BROWN /CLR REID

34-07-12 resolved

That the MANEX Minutes dated 21st June 2012 be received and noted.

MOTION CARRIED

MOVED CLR BROWN /CLR REID

35-07-12 resolved

That the Audit Committee Meeting Minutes dated 22nd June 2012 be received and noted.

SECTION 14. DELEGATES' REPORTS

Clr Reid Delegates Report from the Inland Rail Symposium 21ST-22ND June 2012 in Parkes.

The above Symposium was well attended with 120 people in attendance

The welcome to Parkes Shire Council from Mayor Clr. Ken Keith.

Guest included Clr. Ray Donald, President of the Shires Association, Mr Vince O'Rourke, Chairman Warren Truss MP, John Cobb MP, Mr Bryan Nye, CEO ARA and the key note address by Anthony Albanese MP.

Unfortunately the presentation by Mr John Hearsch (GATR SYSTEMS) was not available on the internet.

The cost has been estimated at anywhere from \$5.6 billion to \$7 billion and \$3.7 million has been committed, with the final costings still to come.

The project is on a 15 year plan with a 5 year upgrade and the final route is still to be decided with the line going through Albury or Shepparton and this final decision will be made sometime in 2014. At this point in time no plans are in place for a passenger service, this proposal line is only for freight mainly grain and ore.

The trains will be about 1800 metres long, double stacked in some instances, with a speed of about 120km or more, and will run with the Auto Track Maintenance System in place. The tracks will be built to the American Standard as this has been found to better suit the conditions of where the line will run. One of the major problems is the actual line from Toowoomba to the port of Brisbane to off load the grain/ore, due to the tunnels having to be extended and or raised.

At this stage the Project looks to come on line in 2020, but the general consensus amongst those present the sooner the better, to ignore regional Australia is something we can no longer ignore.

MOTION CARRIED

MOVED CLR LINNETT /CLR BROWN

36-07-12 resolved

That the Delegates' reports be received and noted.

SECTION 15. QUESTIONS WITH NOTICE

MOTION CARRIED

MOVED CLR BROWN /CLR LINNETT

37-07-12 resolved

That the Councillors' Questions with Notice be received and noted.

15.1 CR LOONEY

1. How often is the couchgrass around the playground on Burke & Wills Reserve at Menindee get watered.

Answer.

The Couch grass in question is not regularly watered or on any established irrigation system. The sporting oval, swimming pool grounds and cenotaph receive sprinkler irrigation only.

2. Please provide a breakup of the spending on Menindee town improvement funds

Answer.

Pays \$11,670.59 Plant \$2,589.32 Creditors \$23,759.74 = Total \$38,019.65

Added to this figure is the \$12,500 contribution for the town entrance signs, total yearly expenditure \$50,519.65.

SECTION 16. URGENT BUSINESS

MOTION CARRIED

MOVED CLR LINNETT /CLR LOONEY

38-07-12 resolved

That the Urgent Business be dealt with.

MOTION CARRIED

MOVED CLR PAGE /CLR SAMMON

39-07-12 resolved

That the BMX track in the Menindee township be progressed in consultation with local Councillors.

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 LOONEY

40-07-12 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 moved into closed session at 11:40am

17.1 COMMUNITY ACCESS BUS CONTRACTS

MOTION CARRIED

MOVED CLR BROWN /CLR LOONEY

41-07-12 resolved

- 1 That Council delegate authority to the General Manager and Mayor to sign and execute the variation to Funding Agreements between Council and Director General of Transport for NSW for the Wilcannia Community Access Bus and the Menindee Community Access Bus, from 1 July 2012 until 31 January 2013.***
- 2 That Council extend the current service contracts with the operators of both bus services, Buses R Us for the Menindee service and Arron Burzoni for the Wilcannia service, from 1 July 2012 until 31 January 2013 and delegate authority to the General Manager and Mayor to sign and execute variations to these contracts.***

17.2 ORGANISATIONAL STRUCTURE/STAFFING ARRANGEMENTS

MOTION CARRIED

MOVED CLR BROWN /CLR SAMMON

42-07-12 resolved

That the Organisational Structure/Staffing Arrangements report be received and noted.

MOTION CARRIED

MOVED CLR BROWN /CLR LOONEY

43-07-12 resolved

That Council move back into Open Council.

Council resumed in open session at 11:51am.

MOTION CARRIED

MOVED CLR BROWN / CLR LOONEY

44-07-12 resolved

That all decisions passed in Closed Council be made public.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 21st August 2012 in Ivanhoe commencing at 9:30am.

There being no further business, Council meeting concluded 11:53am
