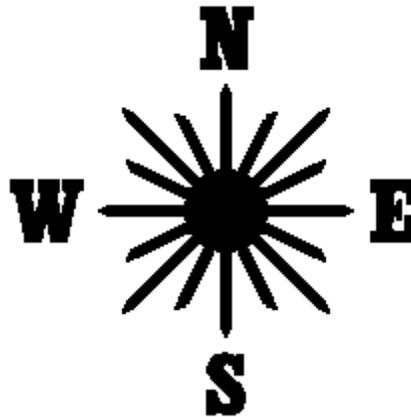


Mission Statement

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

9:30am Tuesday 16th July 2013

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.

The above-mentioned Meeting of Council will be held in the Community Hall, Sunset Strip on Tuesday 16th July 2013 commencing at 9:30am.

Morning Tea is scheduled to be served at 10:30am and Lunch at 12:00pm. Refreshments will be served in the Community Hall.

The Hon Sussan Ley, Federal Member for Farrer will address Council at 11am to give an update regarding her Electorate.

ORDER OF BUSINESS

SECTION 1. RECEIPT OF APOLOGIES AND THE GRANTING OF LEAVE OF ABSENCE	4
SECTION 2. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC	5
SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	6
3.1 BUSINESS ARISING FROM MINUTES	6
3.2 STATUS OF COUNCIL RESOLUTIONS – JULY 2013	7
SECTION 4. MAYORAL MINUTES OR REPORT	11
SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY	12
SECTION 6. NOTICE OF MOTIONS.....	13
SECTION 7. NOTICE OF RESCISSION MOTIONS.....	14
SECTION 8. ACTING GENERAL MANAGER’S REPORT	15
8.1 INFORMATION ITEMS	15
8.1.1 LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) BILL 2013 ATTACHMENT 1.....	15
8.1.2 FUNDING OPPORTUNITIES ATTACHMENT 2	15
8.1.3 INQUIRY – MANAGEMENT AND DISPOSAL OF WASTE ON PRIVATE LAND ATTACHMENT 3.....	15
8.2 DRAFT WORK HEALTH & SAFETY POLICY ATTACHMENT 4	16
8.3 LGNSW CONFERENCE	17
8.4 SES – REAPPOINTMENT OF VOLUNTEER CONTROLLERS ATTACHMENT 5.....	18
8.5 MURRAL DARLING ASSOCIATION NATIONAL CONFERENCE	19
8.6 INTERNAL AUDIT COMMITTEE ATTACHMENT 6	20
SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT.....	21
9.1 INFORMATION ITEMS ATTACHMENT 7	21
9.1.1 GRADING PROGRAM	21

9.1.2 WARRAWONG WATER CONNECTION	21
9.1.3 SH21 COBB HIGHWAY CONSTRUCTION WORKS	21
9.1.4 ABORIGINAL COMMUNITIES WATER AND SEWER PROGRAM	21
9.2 ROADS REPORT	21
9.3 SERVICES REPORT.....	24
9.4 PROJECTS REPORT.....	26
SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT	28
10.1 INFORMATION ITEM.....	28
10.1.1 WILCANNIA POST OFFICE	28
10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JUNE 2013.....	28
10.3 HERITAGE STRATEGY 2013-2016 ATTACHMENT 8.....	29
10.4 SUNSET STRIP WASTE DEPOT.....	30
SECTION 11. FINANCE MANAGER'S REPORT	32
11.1 INVESTMENTS AND BANK BALANCES.....	32
11.2 END OF YEAR RATES REPORT 2013 ATTACHMENT 9	33
11.3 ROAD NAMING REPORT NUMBER ONE - MONOLON/REOLA ROAD.....	35
11.4 ROAD NAMING REPORT NUMBER TWO – EXTENSION OF POONCARIE ROAD, MENINDEE...	37
SECTION 12. CORRESPONDENCE	38
12.1 MEDIA RELEASES	38
12.2 CIRCULARS/NEWSLETTERS	39
SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES.....	40
SECTION 14. DELEGATES' REPORTS.....	44
SECTION 15. QUESTIONS WITH NOTICE	45
SECTION 16. URGENT BUSINESS.....	46
SECTION 17. CONFIDENTIAL MEETING.....	47
17.1 STAFF ISSUE.....	49
17.2 COMMUNITY HEALTH BUS SERVICES CONTRACT 2013-2015	49
17.3 ATLAS CAMPASPE MINERAL SANDS PROJECT	49
SECTION 18. DATE AND VENUE FOR NEXT MEETING	50

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

RECOMMENDATION

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

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

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

- Public access to meetings of the Central Darling Shire Council are to be listed on the agenda following the Mayoral Minute.
- Each member of the public who wishes to address Council is to register with Management prior to the commencement of the meeting, listing their name and the general topic or topics they wish to raise. Those who register will have precedence.
- Each address will be limited to five (5) minutes at the discretion of the Chair.
- All matters raised by members of the public will be recorded and actioned within one month of the meeting.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Council held on the 27th June 2013, copies of which were circulated to all Councillors, be taken as read and confirmed as a correct record of the proceedings of the meeting.

3.1 BUSINESS ARISING FROM MINUTES

3.2 STATUS OF COUNCIL RESOLUTIONS – JULY 2013

Status of Council Resolutions - July 2013

Minute Number	Required action from Resolution	Responsible Officer	Secondary Support	Action Taken
13-9-11	Inform Councillors and Staff of the changes and Council's new policy "Public Interest Disclosures Act : Internal Reporting Policy".	AGM	EA	To be completed.
19-02-12	White Cliffs Water Supply - Glen Hope Agreement, too seek urgent legal advice regarding the original agreement	MTES	WE	Draft agreement sent 6-2-13. Awaiting reply
45-06-12	That Council prepare a detailed submission to the Minister for Roads in relation to the sealing of Pooncarie Rd.	MTES	AGM	In Progress
40-09-12	That Council inform Essential Energy that Council accepts the proposal offered regarding the White Cliffs Solar Power Station and will negotiate further the method of transfer.	MES	AGM	Essential Energy dealing with transfer
7-11-12	That the Central Darling Shire Council sign a Memorandum of Understanding between the Central Darling Shire, the Lands Councils and the Working Parties of Wilcannia, Ivanhoe and Menindee.	AGM	EA	In progress
8-11-12	That the Central Darling Shire Council seek grant funding from both State and Federal Governments to build housing for the aged in Menindee	MES	AGM	In progress
9-11-12	That the Central Darling Shire Council arrange a date for a training workshop on how to Chair Council Meetings and update our policy on meeting procedure.	AGM	EA	In progress
16-11-12	That the Internal Audit Committee be reviewed at the end of this financial year	AGM	MCCD	Report to Council in July 2013
31-11-12	1.That Council endorse the findings of the Playground Audit. 2.That Council allocate an additional \$45,500 towards repairs to existing playground facilities to comply with AS 4685, and 3.That Council considers funding of \$40,000 towards replacement of playground facilities at Menindee's Bill Murray Memorial park because of critical non-compliance with AS 4685 at the next quarterly review.	MTES	WE	To be considered under Works Committee budgets
15-12-12	That the Draft Employee Housing Policy report be received and noted and further: 1. That the Draft Employee Housing Policy be adopted and publicly advertised for 28 days; 2. That a further report be submitted to Council after the closure of public submissions;	MES	AGM	Exhibition period completed and report to be presented to Council

Central Darling Shire Council - Ordinary Meeting - 16th July 2013

23-12-12	<p>That Council adopt the draft Street Tree policy and draft Verge Maintenance Policy including the following amendments,</p> <p>Point 3. Number of trees per allotment – 2 trees per 20m allotment frontage and increased pro-rata for wider allotments.</p> <p>Point 4. Where planting of street tree/s are approved, trees will be placed on a tree planting program. Tree planting will be undertaken during March to August of each year.</p> <p>Point 8. Endemic tree species will generally be preferred.</p> <p>That Council consider a Comprehensive Review of the Street Trees, Streetscape and Verge Maintenance Policies following consideration by Manex and quantification of resources required.</p>	MTES	WE	In progress, Points 3,4,8 need to be added to the existing policy.
54-12-12	That the policy register have the inclusion of the grids policy incentive agreement.	MTES	WE	In progress
45-02-13	That identified Aboriginal organisations across the Shire be invited to enter into MOU's with Council individually.	AGM	EA	In progress
10/04/2013	<p>That the Athenaeum Building, Reid Street, Wilcannia report be received and noted, and further;</p> <p>That investigations into the possible return of the building to its former use as a Rural Transaction Centre be undertaken and reported back to Council.</p>	AGM	IO	To be progressed
16/04/2013	That Council write to the relevant Minister to have Menindee included in the Remote Communities Water Supply and Sewerage Program.	AGM	EA	In Progress
23/04/2013	That Council adopts the Draft PAMP and further ,That it be placed on public exhibition for 28 days with any submissions being reported back to Council.	MTES	WE	In Progress

Central Darling Shire Council - Ordinary Meeting - 16th July 2013

9-05-13	<p>1. That Council be provided with a written statement from the NSW Office of Water confirming additional funds will be made available to Council to cover the new scope of works for this project.</p> <p>2. That the NSW Office of Water indemnify Council, in writing, against any and all costs, penalties, awards for damages and /or such other losses that may be incurred as the result of legal action by any parties in relation to the tender process, selection and appointment of the successful tenderer.</p> <p>3. That Resolutions 1. and 2. (as noted above) must be undertaken before the project proceeds.</p> <p>4. That after Resolutions 1. and 2. (as noted above) have been carried out, Council endorse the expanded scope of works which now includes full gravity sewerage collection system for the Mallee and Warrali Aboriginal Precincts in addition to repairs to river intake structure, a new raw water main from river to WTP and new inlet works at Wilcannia sewage treatment plant</p> <p>5. That after Resolutions 1. and 2. (as noted above) have been carried out, Council endorse the retendering by the NSW Office of Water of the expanded scope of works to such of those existing tenderers as it deems appropriate.</p> <p>6. That after Resolutions 1. and 2. (as noted above) have been carried out, Council agree to the request of the NSW Office of Water to accept the role of Principal in the civil works contract and authorise the Acting General Manager to endorse relevant Letter of Award of Contract to the preferred tenderer.</p>	MTES	AGM	<p>1. Has been confirmed. Further report to Council in June 2013 regarding remaining points. Resolution 48-06-13 also relates to this matter and includes this resolution.</p>
7-05-13	<p>That \$540,000 from the Regional Roads Block Grant be spent on the Ivanhoe – Balranald Road, and that consideration be given to an allocation from future Regional Roads Block Grants for the sealing of the Menindee – Pooncarrie Road.</p>	MTES	WE	
9-06-13	<p>That this motion be deferred until the August meeting of Council with input from the Wilcannia Works Committee with public consultation prior to the Wilcannia Works Committee meeting.</p>	AGM		In progress
14-06-13	<p>That the Draft Complaint Handling Policy be received and noted; and further That the Draft Complaint Handling Policy be placed on public exhibition for 28 days.</p>	AGM	MCCS	On public exhibition for 28 days

48-06-13	That Council request that the project be re-tendered, but only if funding is sought and received by NOW from the Federal Government to cover the cost of the project, and further; That the previous conditions Council requested through resolutions from May 2013 Ordinary Meeting relating to this project remain.	MTES	AGM	Ongoing
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RECOMMENDATION

That the Status of Council Resolutions be received and noted.

SECTION 4. MAYORAL MINUTES OR REPORT

RECOMMENDATION

That the Mayoral Report be received and noted.

SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

RECOMMENDATION

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

SECTION 6. NOTICE OF MOTIONS

SECTION 7. NOTICE OF RESCISSION MOTIONS

SECTION 8. ACTING GENERAL MANAGER'S REPORT

8.1 INFORMATION ITEMS

8.1.1 LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) BILL 2013

ATTACHMENT 1

As previously reported on a number of separate occasions, the Local Government Amendment (Early Intervention) Bill was approved by Parliament on 20 June 2013. The Bill was deferred to allow for further consultations, and has now been approved. LGNSW advised that four amendments were made to the original Bill, including the need for the Minister to give reasons for issuing performance improvement orders or suspension orders as set down by specific criteria in either the Regulations or guidelines. A copy of the relevant circular is attached.

8.1.2 FUNDING OPPORTUNITIES

ATTACHMENT 2

Correspondence has been received indicating that the 2013 funding round for the Community Building Partnership program commenced on 19 June 2013, and closes on 31 July 2013. This program provides funds for community groups and local councils to invest in community infrastructure. The funding is capped at \$200,000 for the entire Murray-Darling electorate and is required to be matched \$ for \$.

Correspondence has also been received from Regional Development Australia announcing funding available under the Regional Development Australia Fund (RDAF). The Minister for Regional Development and Local Government announced that this funding will be delivered through Round 5 of RDAF and will be allocated to Councils and Shires that already receive Financial Assistance Grants. Upon searching the RDAF website, it was noted that Council has been allocated \$227,062 under this funding round. Council will need to submit for approval an application for eligible projects; this is to be as one application only, and can be for one large project or a number of smaller projects. Any application must comply with all requirements under the RDAF Round Five Guidelines. Funding Criteria 2 states "projects must be for the construction of new infrastructure, or the refurbishment or upgrade to existing infrastructure".

Some projects that come to mind that could benefit from funding within Central Darling include renewal of White Cliffs playground, expansion of the Menindee playground to provide for older age groups, completion of concrete floor for the Menindee Multipurpose Centre, further development of the Wilcannia Post Office if it is intended to be used as a Tourist Information Centre, development of further shade structures at all Council owned swimming pools, White Cliffs Men's Shed.

8.1.3 INQUIRY – MANAGEMENT AND DISPOSAL OF WASTE ON PRIVATE LAND

ATTACHMENT 3

Correspondence has been received from the Legislative Assembly Committee on Environment and Regulation advising an inquiry is being conducted into the management and disposal of waste on private land. The terms of reference are as follows;

a) The health and safety risks posed by inadequate management and disposal of waste, overgrowth

- and excess vegetation, pests, and odour;
- b) The effectiveness of current regulatory arrangements and powers to compel clean-ups on private land and manage derelict buildings;
 - c) The adequacy of inspection and enforcement procedures, including relevant sanctions and powers to recover costs;
 - d) possible measures to improve the management of waste on private land;
 - e) The extent of illegal dumping and the impact on local government authorities of requirements to remove dumped waste;
 - f) any other related matter.

Submissions on any of the above matters close 29 July 2013.

RECOMMENDATION

That the Information Items report be received and noted.

8.2 DRAFT WORK HEALTH & SAFETY POLICY

ATTACHMENT 4

Summary

This report presents Council with a Draft Work Health & Safety Policy as required.

Commentary

Over the past months, staff have been working on improving Work Health and Safety (WHS) documentation. It has been noted that Council has not formally adopted a policy on this matter; hence, a draft document has been produced and is attached for Councillors information. Along with the draft policy, a number of other documents have and continue to be prepared by staff and will be utilized in-house such as WHS Site Specific Risk Assessments, WHS Strategy Plan, Safe Work Method Statements, Incident and Investigation Reports and WHS Policy Handbook for all Workers.

The draft policy is an overarching document that deals with Council's Objectives and Responsibilities relating to WHS, a copy is attached. The working documents as noted above will sit under the policy document. It is recommended that Council adopt the draft document and it be placed on public exhibition for 28 days.

(a) Policy Implications

Council does not currently have a policy dealing with WHS however it is highly recommended that Council proceeds with adoption of such a document as required under relevant legislation and risk requirements.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Draft policy required to be placed on public exhibition for 28 days, with submissions being presented to Council in a further report.

RECOMMENDATION

That the Draft Work Health & Safety Policy be received and noted; and further

That the Draft Work Health & Safety Policy be placed on public exhibition for 28 days and a report be presented to Council after this period.

8.3 LGNSW CONFERENCE

Summary

This report provides information on delegates attendance at the upcoming LGNSW Annual Conference to be held in October 2013.

Commentary

Last month Council considered a report on information received regarding the LGNSW Annual Conference. It was requested that Council policies and prior resolutions be checked to determine representation at the conference. It is noted from carrying out these checks that representation is to consist of the following – Mayor or nominated delegate, the General Manager, and one Councillor from each ward.

(a) Policy Implications

Representation is clearly stated in Council's Policy – Payment of Expenses and Provision of Facilities to Councillors and states the Mayor or nominated delegate, the General Manager, and one Councillor from each ward.

(b) Financial Implications

Costs will include accommodation, travel and conference costs. It is estimated to be at least \$1,000 per delegate.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the LGNSW Annual Conference report be received and noted, and further;

That Council nominated and approve the following delegates to attend the LGNSW Annual Conference - Mayor, Acting General Manager and one Councillor from each ward.

8.4 SES – REAPPOINTMENT OF VOLUNTEER CONTROLLERS

ATTACHMENT 5

Summary

The purpose of this report is to advise Council of correspondence seeking support from Council for the reappointment of SES controllers in Wilcannia, White Cliffs and Ivanhoe.

Commentary

Correspondence has been received from the NSW State Emergency Service seeking Council's support for the reappointment of the following Volunteer Controllers as noted below:

Wilcannia Unit – Mr Eric Nitschke

White Cliffs Unit – Mr Graham Wellings

Ivanhoe Unit – Mr Ron Maiden

The Regional Controller has carried out the necessary reviews, and is seeking to make a recommendation to the Commissioner of the NSW State Emergency Service that the above reappointments be made for a further two year period commencing on 1 August 2013. It is understood that the Menindee Volunteer Controller resigned a short while ago, and this position has been filled in the interim. It is unknown whether a continual replacement will be made at this point in time.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the SES Reappointment of Volunteer Controllers report be received and noted; and further,

That Council support the reappointment of the following Volunteer Unit Controllers and advise the SES Region Controller accordingly; Wilcannia – Mr Eric Nitschke, White Cliffs – Mr Graham Wellings, Ivanhoe – Mr Ron Maiden.

8.5 MURRAL DARLING ASSOCIATION NATIONAL CONFERENCE

Summary

The purpose of this report is to advise Council of the Annual Murray Darling Association Conference to be held in October 2013.

Commentary

Correspondence has been received regarding the Murray Darling Association 69th National Conference to be held in Goolwa on 8-11 October 2013. Council has sent representatives to this conference in the past and it is noted Council's delegates are Cr Linnett, Cr Page and Mayor. Cr Linnett has indicated his intentions to attend.

This year the conference will focus on the shrinking water resources within the basin. It will also consider the challenge of future droughts for all users and the need to find an improved social, economic and environmental balance from this shrinking resource for users within and outside the basin. The Conference also aims to address issues that have arisen due to those recent droughts, and discuss how water innovation can assist the management of the resource.

An array of speakers have been invited including The Hon Tony Burke – Minister for Sustainability, Environment, water, Population and Communities, The Hon Jay Weatherill MP – Premier of SA, The Hon Craig Knowles – Member, Murray-Darling Basin Authority, Professor Martin Thoms – Uni of New England, Peter McLean – National Chairman, Keep Australia Beautiful, Ms Karlene Maywald – Commission Chair, National Water Commission, Ms Sharon Starick – SA Murray Darling Basin NRM Board, Mr David Hariss PSM – Deputy Director General and Commissioner, NSW Office of Water.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Cost will include travel, accommodation and conference costs, and are expected to be approximately \$1,000 per person.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Murray Darling Association National Conference report be received and noted, and further;

That Council nominate and approve the following delegates to attend the Conference – Cr Linnett, Cr Page and Mayor

That costs associated with the attendance of nominated Councillors to the Conference be paid in accordance with the Payment of Expenses and Provision of Facilities to Councillors.

8.6 INTERNAL AUDIT COMMITTEE

ATTACHMENT 6

Summary

This report provides Council with an update on processes and actions relating to Council's Internal Audit Committee.

Commentary

Towards the end of 2012 and the start of 2013, Council deferred decisions regarding the continuation of the Internal Audit Committee. It was noted at the time that independent appointments to the committee were due to expire six months after the Council elections held in September 2012. It was also noted that there was no timeframe placed on Council's internal auditor being UHY Haines Norton. Due to the expiry of positions to the committee as six months has lapsed; it is timely for Council to consider whether or not to reappoint an auditor and independents to an internal audit committee.

At this point in time, it would be appropriate for Council to consider whether the use of funds on such expenditure would be worthwhile and provide value for money. Previous costs for committee members over a 12 month timeframe were in the vicinity of \$48,596. It is also worthy to mention that at this point in time no budget allocation has been set aside for 2013-14 financial year as a number of projects and initiatives were cut from the budget due to limited funds being available.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Previous costs of \$48,596 were incurred in 2011/12.

(c) Legal Implications

It is not compulsory to have an Internal Audit Committee, however is encouraged by the Division of Local Government.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Internal Audit Committee report be received and noted, and further;

That Council reconsider the need for an Internal Audit Committee in 12 month's time due to budgetary constraints under the current financial year.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

ATTACHMENT 7

9.1.1 GRADING 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 on a monthly basis.

9.1.2 WARRAWONG WATER CONNECTION

The owners of Warrewong Caravan Park have advised Council of their withdrawal of the application to connect to Council's potable water supply. The owners have advised that alternate arrangements are being sought.

9.1.3 SH21 COBB HIGHWAY CONSTRUCTION WORKS

The Manager Technical and Engineering Services and the Overseer met with RMS representatives, Andrew Prior and Ian Alcorn, on Monday 24th June to inspect and identify possible sites for construction/ sealing works on the unsealed section of the Cobb Highway.

All information will be collated and reviewed by RMS and further advice will be forthcoming.

9.1.4 ABORIGINAL COMMUNITIES WATER AND SEWER PROGRAM

At the June ordinary meeting of Council it was asked that the MTES clarify the need for a qualified plumber as part of the service agreement concerning provision of water and sewer services.

The need for Council to engage or have access to a qualified plumber relates to these works being undertaken on private land. Should these services be provided on Council's facilities in Wilcannia township a qualified plumber is not required as Council is authorized to undertake these works pursuant to the Local Government Act 1993.

The service agreement arrangements negotiated with NSW Office of Water do not require these works be undertaken by a qualified plumber but do require a qualified plumber overseer such works.

RECOMMENDATION

That the Information Items report be received and noted.

9.2 ROADS REPORT

Summary

The purpose of this report is to update Council on the current status of the 2013/2014 Roads section of the Engineering Department for the previous month.

Council currently has three grading crews operating with priorities being on the RMS Ordered Works completion.

Commentary

State Roads:

- 2013/2014 RMCC works estimated cost for Routine Maintenance Works on both highways is \$514,000.
- 0 Works Orders received this financial year to date.
- 3 Works Orders remaining from 2012/13 financial year.
- White Elephant Tank Construction works order received \$1,064,953 and construction is in progress.

	Original Budget	Remaining Budget	% Expended
RMCC (ROUTINE WORKS)	\$514,000	\$514,000	0%
SH21 Capital Works (2012/13)	\$1,064,953	\$567,751	47%

Regional Roads:

- 2013/14 Regional Road Block Grant including traffic and supplementary components is yet to be confirmed. Amount shown below reflects the 2012/13 allocation. MR67 Balranald Rd Reconstruction Works has been allocated \$540,000 from the Block Grant.
- Roads to Recovery (R2R 2013/14) portion of \$353,770 has been allocated to Yampoola Crossing Upgrade Works, MR68C

	Original Budget	Remaining Budget	% Expended
Regional Road Block Grant	\$2,459,000	\$1,919,000	22%
MR68C Yampoola Crossing (R2R 13/14)	\$353,770	\$353,770	0%

MR67 Balranald Rd Reconstruction	\$540,000	\$444,951	18%
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Local Roads:

- 2013/14 Local Roads Component (FAG) is yet to be confirmed. Amount shown below reflects the 2012/13 allocation. Works Committee allocation this year is \$450,000.
- Roads to Recovery (R2R 2012/13) allocation of \$703,770 for SR1 Tilpa East Rd works are in progress.
- Roads to Recovery (R2R 2013/14) portion of \$350,000 has been allocated to SR3 Tongo Rd Flood Mitigation Works.

	Original Budget	Remaining Budget	% Expended
Local Roads Component (FAG)	\$1,374,991	\$924,991	33%
SR1 Bridges (R2R 12/13)	\$703,770	\$256,600	64%
SR3 Flood Mitigation Works (R2R 13/14)	\$350,000	\$350,000	0%

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

various as displayed in the above table.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

Town Improvement Funds:

- \$90k per town to be funded from Untied Local Road (FAG) Funds
- **Wilcannia** - \$90,000 To be determined
- **White Cliffs** - \$90,000 To be determined
- **Menindee** - \$90,000 To be determined

- **Ivanhoe** - \$90,000 To be determined
- **Sunset Strip** - \$25,000.

Note: Works Meetings will be scheduled ASAP to determine 2013/14 projects for each community.

	Original Budget	Remaining Budget	% Expended
Wilcannia	\$90,000	\$90,000	0%
White Cliffs	\$90,000	\$90,000	0%
Menindee	\$90,000	\$90,000	0%
Ivanhoe	\$90,000	\$90,000	0%
Sunset Strip	\$25,000	\$25,000	0%

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Various as displayed in the above table. Funds sourced from the Financial Assistance Grant – Local Roads Component.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the Roads Report be received and noted.

9.3 SERVICES REPORT

Summary

The purpose of this report is to update Council on the services expenditure to 30 June 2013. The Notes are provided to enable to Council to identify the areas of expenditure for each activity.

Commentary

Town Maintenance:

- General routine inspections and maintenance
- The table below references Parks and Gardens which include mowing, buildings and toilets. The Ancillary Works include Kerb and Gutter, Footpaths, Trees, Signs and Street lighting.

	Original Budget	Remaining Budget	% Expended	Notes
Parks & Gardens	\$137,500	-\$90,776	100%	Labour \$82,336 Plant \$10,828 Stores \$13,452 Creditor\$124,016
Ancillary Works	\$150,000	\$30,267	80%	Labour \$50,270 Plant \$6,869 Stores \$1,285 Creditor \$61,309
Street Cleaning/ Bins	\$113,500	-\$12,805	100%	Labour \$112,868 Plant \$11,921 Stores \$856 Creditors \$659
Aerodromes	\$68,000	-\$32,657	100%	Labour \$35,801 Plant \$5,504 Stores \$556 Creditor \$59,587
Public Conveniences	\$37,250	-\$3,517	100%	Labour \$32,266 Plant \$572 Stores \$731 Creditors \$7,197

Water & Sewerage Maintenance:

- Wilcannia town water supply is currently being sourced from the Emergency Bore Supply.
- White Cliffs town water supply is sourced from ground tanks current levels detailed below:
Tank 1 =4.5 m, Tank 2 =3.0m, Tank 3 (Wakefield) 8.25m
- Ivanhoe town water supply is currently being sourced from the Morrisons Lake reservoir. Morrison’s Lake storage is currently 220 megalitres, town storage dam 40 megalitres.

	Original Budget	Remaining Budget	% Expended	Notes
Wilcannia Water	\$308,250	-\$30,502	100%	Labour \$193,990 Plant \$6,419 Stores \$8,601 Creditor\$129,742
Wilcannia Sewer	\$81,000	\$10,968	77%	Labour \$13,905 Plant \$534 Stores \$41,859

				Creditor\$13,734
White Cliffs Water	\$113,500	-\$27,561	100%	Labour \$90,792 Plant \$9,455 Stores \$1,183 Creditor\$39,631
Ivanhoe Water	\$151,500	-\$37,557	100%	Labour \$96,932 Plant \$6,507 Stores \$649 Creditor\$84,969

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the Services Report be received and noted.

9.4 PROJECTS REPORT

Summary

The purpose of this report is to update Council on the current status of projects being undertaken by the Engineering Department.

Commentary

Project	Comments	Original Budget	Remaining Budget	% Expended
Remote Communities Water & Sewer Project	Reservoir Relining works completed. Treatment Plant Upgrade works in progress. Civil works, Council resolved that the project be	\$3,030,000	\$2,610,865	14%

	retendered subject to conditions			
Aboriginal Communities Water	Ongoing. Interim arrangements end 30 June 2013. An additional \$59k has been approved for filtered water pipeline over the Old Wilcannia Bridge. Council to resume water and sewer services from July1 2013	\$243,000	\$47,000	81%
SR1 Bridge Replacements	Tenders Closed. Report to Feb Meeting	\$703,770	\$256,600	64%
MR67 Balranald Rd Construction 2013/14	Works scheduled for July 2013	\$540,000	\$540,000	0%

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Various as displayed in the above table.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

As required

RECOMMENDATION

That the Projects Report be received and noted.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

10.1 INFORMATION ITEM

10.1.1 WILCANNIA POST OFFICE

Work is continuing on the Wilcannia Post Office to install and renovate kitchen and bathroom facilities. The works are being undertaken in-house and will be finalised shortly.

RECOMMENDATION

That the Information Item report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JUNE 2013

Summary

This report provides a statistical summary of legislative activities undertaken by Environmental Services within June 2013.

Commentary

The statistics will be provided to Council on a monthly basis. The below table demonstrates results for June 2013.

<u>Statistics for June 2013</u>	
Number DA'S Approved for June 2013	4 – broken down into the following categories; Commercial = 0 Residential = \$7,400
Total Value of DA's approved for June 2013	\$7,400
Food Premises Inspected in June 2013	15, 1 requiring reinspection.
Animal Control Activities for June 2013	Impounded = 21, Rehomed = 7, Returned to Owner = 2, Euthanized = 12 Registrations = 0, Microchipped = 6
Water Sampling for June 2013	Microbiology Samples Collected = 9 Chemistry Samples Collected = 0 Disinfection By Products = 0 Non-compliant Samples = 0

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Environmental Services Department Statistics for June 2013 report be received and noted.

10.3 HERITAGE STRATEGY 2013-2016

ATTACHMENT 8

Summary

This report provides information on Council's Heritage Strategy, and outlines future recommendations for heritage management across the Shire.

Commentary

Every three years Council is required to consider its Heritage Strategy in line with funding received through the NSW Heritage Office. To date, Council receives two lines of funding under its Heritage Strategy being the Local Advisory Service, and the Local Heritage Fund. The Heritage Strategy has been running for approximately 6 years, and the benefits to date can be seen, with many buildings being renovated in Wilcannia, Menindee and White Cliffs. The advice provided by Council's Heritage Adviser is valuable and utilised on a regular basis by local residents under the Local Advisory Service. A number of projects are undertaken each year through the \$ for \$ funding provided by the Local Heritage Service, hence the renovations across the Shire of heritage buildings.

As the strategy is due for reviewing, a number of recommendations have been considered that are worthy of inclusion into the strategy to guide the future direction of heritage management into the future for the next three years. These recommendations are:

1. Establish a heritage committee to deal with heritage matters in our area.
2. Identify, list and legally protect heritage items in our LGA.
3. Continue the Local Heritage Adviser program to assist Council, the community and owners of heritage items.
4. Manage local heritage in a positive manner.
5. Continue the Local Heritage Fund to provide small grants to encourage local heritage projects.
6. Continue with the recommendations under Council's Main Street Report for Wilcannia.
7. Present educational and promotional programs.
8. Council to lead by example by continuing to manage and maintain heritage items under its control and ownership.
9. Promote sustainable development as a tool for heritage conservation.

The strategy continues on with a number of incentives previously adopted by Council; however has the inclusion of new concepts, such as the development of a heritage committee. It is recommended that Council adopts the Heritage Strategy 2013-2016 to enable heritage work to continue across the Shire in a positive manner.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Continuation of heritage funding from NSW Heritage Office for Council's Local Heritage Advisory

Program and Local Heritage Fund. Total cost to Council \$15,000 per year as matched \$ for \$ by heritage office.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

If adopted, interest in forming a local heritage committee should to be sought from the local community.

RECOMMENDATION

That the Heritage Strategy 2013-2016 report be received and noted, and further;

That Council adopt the Heritage Strategy 2013-2016 as attached to this report.

10.4 SUNSET STRIP WASTE DEPOT

Summary

This report follows on from a further resolution of Council relating to the Sunset Strip Waste Depot.

Commentary

At the February 2013 Ordinary Meeting of Council it was resolved that the Council consider the future management of the Sunset Waste Depot. It management of the waste depot was noted for future consideration as to whether or not the Sunset Strip Progress Association could take on the future day to day maintenance of the waste depot for a set fee of \$3,000.

The Sunset Strip Waste Depot is located on Crown Land, and Council is Trust Manager of the reserve. The reserve is surrounded by the Lake Menindee Plantation Reserve of which the Sunset Strip Progress Association is Trust Manager. For a number of years, the waste depot has been maintained by Council, with assistance from the Association for a fee of approximately \$1000. This small fee generally was a contribution from Council to the Association to see the area kept tidy and free from litter.

The new proposal would see the fee increase to \$3,000. It is not known what service/s would be provided for this increased fee. Council also needs to consider risk and insurance related requirements of any expanded works that maybe proposed for the site through the Association over and above any services that were previously provided. It is noted that the Association have public liability insurance however it could be likely that further insurance and compliances are required, such as machinery registration, comprehensive equipment insurance, workers compensation etc.

Recent costings for the Sunset Strip Waste Depot were considered under the 2013/14 Operational Plan adopted by Council in June 2013, and determined to be \$4,455 for the 2013/14 financial year being \$33 per user. Sufficient funds under the budget would be available to cover the requested \$3,000 fee.

It is important for clear expectations to be set by both Council and the Association. At this stage, no discussions have occurred on what is being provided, nor what Council may expect. It is recommended that Council request the Association provide a written detailed proposal of services that would be provided for the \$3,000 fee. It is also necessary for Council to confer with Statewide

as to required insurance policies etc. that maybe required for the Association to undertake day to day maintenance on Councils behalf. Once this information is available, Council should formulate an agreement for both parties to sign to provide clear defined boundaries of roles and responsibilities.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Sunset Strip Waste Depot report be received and noted, and further;

That Council request the Sunset Strip Progress Association provide a written proposal advising services to be provided at the Sunset Strip Waste Depot.

That Council seeks advice from Statewide regarding any insurance and risk requirements that maybe required if the Association takes over the day to day maintenance of the waste depot.

That a further report to Council be provided once the abovementioned information has been obtained.

SECTION 11. FINANCE MANAGER'S REPORT

11.1 INVESTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 30th June 2013						
			Term	Interest Rate	Maturity	Amount
Deposits at Call						
Westpac 11am Call Account						\$0
Australian Corporate Mortgage Backed Securities (CDO)						
Castlereagh Trust (face value) (90 points over 3 month BBSW)				6.05%	21 June 2013	\$1,500,000
Capital Value as at 30th June 2013						
Total Investments as at 30th June 2013						\$0
Bank Balances as at 30th June 2013						
General Fund (Overdraft limit: \$3,000,000)						\$1,015,870 OD
Trust Account						\$6,168 In Funds
At Call refers to funds held at a financial institution that can be recalled within 24 hours.						
A Mortgage Backed Security is a longer term investment with a floating interest rate on the Notes. The rate is adjusted every 3 months. Council classifies this facility as 'available for sale' which requires measurement at fair value at the end of the period.						
Commercial Bills and Term Deposits are short term investments issued by a bank with a promise to pay a specified amount on settlement (being the face value plus interest).						

RECOMMENDATION

That the Schedule of Investments Report for the 30th June 2013 be received and adopted.

11.2 END OF YEAR RATES REPORT 2013

ATTACHMENT 9

Summary

Each month a report is presented to Council providing information on a monthly basis with respect to rates and charges collections, adjustments, write offs and trends in arrears for rates and water charges.

This report provides an annual commentary on Council's collection performance, arrears position and the projected Rates and Annual Charges outstanding Percentage performance indicator. The standalone figures for June.

Commentary**Collection Performance**

	Rates and Annual Charges	Water Usage Charges	TOTAL
2012-2013	\$	\$	\$
Levied	1,441,472	399,900	1,841,372
Collected	<u>-1,267,000</u>	<u>-314,800</u>	<u>-1,581,800</u>
Outstanding	<u>174,472</u>	<u>85,100</u>	<u>259,572</u>
% Collected	87.9%	78.7%	85.9%

The collection percentage for rates and annual charges has exceeded the budget target of 85% and illustrates that the focus on encouraging and working with ratepayers is producing a positive result. It is worthy of note that of the outstanding balance of \$174,472, 3.05% of the total yearly levy or \$44,973 is regarded as uncollectible due largely to untraceable owners. The remaining balance of \$129,499 or 9.05% reflects a core of 'problem' ratepayers.

Whilst the percentage collected for water usage charges does not appear to have met the target of 85%, the expected but not yet received collection of a single large payment of \$21,300, if received in June, would have raised the percentage to 83.9%.

Arrears Position

	Rates and Charges	Water Usage Charges	TOTAL
	\$	\$	\$
Opening Balance 1 July 2012	810,600	210,700	1,021,300
Closing Balance 30 June 2013	<u>751,500</u>	<u>240,000</u>	<u>991,500</u>
% Change	- 7.2%	+13.9%	2.9%

Payment of a long outstanding balance of \$128,000 and late payment by a water usage debtor of \$21,300 are the main factors, respectively, in the decrease in rates and charges and the increase in water usage charges arrears. By way of information, of the total closing balance of \$991,500, \$243,000 or 21.5% represents outstanding interest charges.

Under the LGA 1993 there is an option for ratepayers, subject to a financial assessment, to enter into an arrangement to pay in respect of their rates, charges and water usage debts. Over the past two years arrangements have been put in place for debts totalling in excess of \$240,000 which is not only beneficial and cost effective for Council, but can save a ratepayer legal and interest costs.

Rates and Charges Outstanding Percentage.

	2013	2012
Result	13.4%	19.6%

This ratio is a measure of the effectiveness of a council's underlying debt recovery management and processes and is calculated by dividing the amount of rates and charges expected to be collected (net of any doubtful debt provisions) by the total outstanding balance of rates and charges.

In Council's case, performance in this measure has been amongst the worst in the State, reaching 28.04% in the 2011 year. Subject to confirmation by Council's auditors, this year the projected percentage has decreased from 19.6% for the 2012 year to 13.4%, a most pleasing result. The main factors behind this significant improvement have been increased collections reducing the gross outstanding balance, and somewhat perversely, an increase in the amount of the doubtful debts provision.

Conclusion

Despite the improved collection rate for current year rates and charges and the overall reduction in rates and charges arrears, the closing balance of arrears still represents 50% of total rates and annual charges income and with the imposition of interest charges during the next financial year, this figure is likely to continue to rise .

It is estimated that of the arrears of \$751,500, approximately \$500,000 has been identified as unrecoverable. This balance mainly relates to situations where deceased estates have no funds; speculators who have acquired properties at previous sales of land for unpaid rates and not paid rates since their acquisition; unidentified owners and a core of ratepayers who for whatever reasons continue to ignore Council's requests for payment.

It is considered that sale of land for unpaid rates is the only option to rectify what is an ongoing distortion in any assessment of Council's financial position and a situation that is administratively costly. It is suggested that such a sale needs to be held early in the 2014 calendar year.

In regards to arrears of water usage charges, the option of sale of land is not readily available nor, in most cases, is the option of disconnecting supply. A number of possible solutions, which may involve changes in the way usage charges are billed or other payment options, will be assessed over the next six months.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATIONS

That the End of Year Rates Report 2013 be received and noted, and further:

That a report be submitted to Council on the process involved for sale of land for unpaid rates and a draft listing of properties for inclusion in the sale be provided for Council's approval.

That the above report be prepared for the meeting of Council in October 2013.

11.3 ROAD NAMING REPORT NUMBER ONE - MONOLON/REOLA ROAD

Summary

This report provides an update to Council on the road naming process for the Monolon/Reola Road. The renaming of the road was placed on public exhibition, and the closing date for submissions has now closed. This report provides Council with an update on the process and recommends the proposed future name of the road.

Commentary

During June 2013, Council undertook public consultation regarding the renaming of the Monolon/Reola Road (i.e. the stretch of road running north from White Cliffs to the Cut Line). Council received three (3) submissions regarding the naming/renaming of the Monolon/Reola under the consultation process.

Submission One supports the naming/renaming of the road but puts forward a case – based on legacy grounds – for the name to be 91 Mile Bore Road. The reasons for this suggestion is *that the 91 Mile Bore was put down by the government of the day in 1895 and was well known as the turning off point, south, to White Cliffs on a bush track*. The submission further claims (Council argue mistakenly) that the name Monolon Road to be non-compliant with Section 4.4.9 (Origin-Destination road name) of the Australia/New Zealand AS/NZS 4819:2011 which states: 'A road shall not consist of the conjoined names of places or localities found along or at the ends of the road.' While this section clearly rules out the conjoined name White Cliffs–Monolon Road as a suitable name, equally

clearly it does not rule out Monolon Road. Indeed landmarks, including property names, have long been used in the road naming process.

Submission Two supports the naming/renaming of the road as Monolon Road and has the support of station owners (7), White Cliffs residents (6) and others (7) who *'as far back as many can recollect, the Monolon Road has been named exactly that.'* The submission further supports Council's contention that *'there is much historical and anecdotal evidence to support maintaining the name Monolon Road'*.

Submission Three also supports the naming/renaming of the road as Monolon Road, stating: *'We have been carriers in the Western Division for the past 40 odd years and the Monolon Road has always been the Monolon Road. We feel that the renaming back to Monolon Road is beneficial to all concerned and most suitable as it is recognised by all'*.

Conclusion

Submissions Two and Three confirm the anecdotal evidence gathered by Council in making the decision to re-visit this matter yet again. In phone calls and personal conversations many people – particularly long term residents - expressed the view that the original suggestion to change the name away from Monolon was misguided and the process not transparent.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Road Naming Report Number One –Monolon/Reola Road be received and noted, and further;

That Council continue with the process of gazetting the stretch of road running north from White Cliffs towards the Cut Line as Monolon Road, and

That Council advise NSW Trade and Investment (the road naming authority in the Unincorporated Area) of this decision, and

That Council respond accordingly to Submission One clearly setting out the reasons why the submission was not acted on.

11.4 ROAD NAMING REPORT NUMBER TWO – EXTENSION OF POONCARIE ROAD, MENINDEE

Summary

This report provides Council with an update on the house numbering process in Menindee.

Commentary

Council has been looking into methods of making sense of the house numbering along those sections of the Pooncarie and East Wilcannia Roads that run through the urban area of Menindee. Currently these roads are addressed and numbered as Rural, with the Pooncarie Road beginning immediately one turns left after the bridge and East Wilcannia Road beginning immediately one turns right. The result of this is that there are both odd and even numbers on the same side of the road. The rural address numbers, as provided when the data was captured some years ago, are also rather nonsensical - eg the numbers heading south on the Pooncarie Road run 4,10,22, for three properties literally next door to each other.

To correct these anomalies it has been agreed with the LPI to begin the Pooncarie Road at the Darnick Road (the turn to Ivanhoe) cutting short the East Wilcannia Road by this distance. Section 5.9.6 of AS/NZS 4819:2011 (not written when the original data was captured) also allows that section of the road that runs through the urban section of Menindee to be addressed using the Urban not Rural methodology. Making these changes, together with beginning addressing the East Wilcannia Road from the Wilcannia end (as opposed to the Menindee end as is currently the case) will provide clear, unambiguous and common sense addressing.

RECOMMENDATION

That the Road Naming Report Number Two – Extension of Pooncarie Road, Menindee be received and noted.

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
14/06/2013	Member for Murray Darling	Flashing lights for all School in Murray-Darling.
18/06/2013	Member for Murray Darling	Securing the future for NSW and the Murray-Darling.
18/06/2013	Member for Murray-Darling	Putting the a stop to double-digit price hikes: prices decrease for first time in over 10 years.
19/06/2013	Local Government NSW	Local Government NSW Welcomes Federal Government Funding for Community Infrastructure.
21/06/2013	Minister for Local Government	Councils given more time to decide whether to run their own elections.
24/06/2013	Local Government NSW	Local Government referendum campaign starts now.
25/06/2013	Western Divison Councils NSW	Western NSW needs more Politicians
26/06/2013	Local Government NSW	Planning for an ageing population made easier for Councils.
27/06/2013	Member for Murray Darling	Murray-Darling receives sport and recreation grants.
08/07/2013	Member for Murray Darling	Better boating program opens

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
NSW Premier and Cabinet	26/06/2013	Circular: determination of the Local Government remuneration tribunal.
NSW Premier and Cabinet	27/06/2013	Circular: Amendments to Section 296 of the Local Government Act 1993, relating to the Conduct of Elections
NSW Premier and Cabinet	28/06/2013	Circular: Updated requirements for account practice and financial reporting.
NSW Premier and Cabinet	01/07/2013	Circular: Local Government Amendment (Early Intervention) Act 2013
NSW Premier and Cabinet	08/07/2013	Circular: Analysis of Council Data Collection for Seizures of Cats and Dogs 2011/12

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

RECOMMENDATION

That the MANEX Meeting Minutes dated Wednesday 26th June 2013 be received and noted.

RECOMMENDATION

That the Wilcannia Cemetery Committee Meeting Minutes dated Saturday 29th June 2013 be received and noted.

Minutes for MANEX Meeting held Wednesday 26th June 2013

Meeting Commencing at 2:36pm

Present:

Leeanne Ryan - AGM

David Cuming - AMCC

Paul Gavin –AFM

Adelaide Elliott - EA

Apologies:

Reece Wilson -MTES

Minutes from Previous Meeting:

Governance:

Independent Review Panel - draft submission has been prepared.

Operational Plan & Budget – three submissions have been received and a report is being prepared for the June Council Meeting.

Financial Management:

Cashflow and Finance update

Risk Management:

There is a possibility that Council will have access to a shared resource between five Councils for the purpose of Risk Management, with it partly being funded by State cover.

Incident/Accident Reports

Nil

Work Health & Safety:

Discussion on the Work Health & Safety documents will take place at the next meeting.

Human Resource Management:

Discussion on a number of issues including improvement to customer service.

Other Business:

Water Meters - MCCA to follow with MTES

Renewal of Insurance for Council Fleet - despite higher than usual level of claims in the past year our premium has not increased.

Tree Pruning - Staff are in need of some training to prune the trees properly.

Wilcannia River Radio Council are seeking Council support for with advertising.

Wilcannia Field & Fun Day - Certificate of Appreciate was received from the Tourism Association.

Council FAGS - letters to be sent out for the successful & unsuccessful recipients.

Meeting Closed at 4:05pm

Sunday, June 30, 2013

Minutes of the Wilcannia cemetery committee meeting held on Saturday the 29th of June 2013.

Meeting opened at 11.00am

Present. J.Pineo, D.Evans, S.Evans, P.Brown, P.Gavin, E.Fotopulos, C.Elliott

Apologies. Germaine Bates, Bill Elliott

Minutes of the previous meeting were read.

Matters arising from these minutes.

Paul Brown asked as to whether there had been any feedback from Liz Vines re the restoration of the old headstones. Secretary advised that there had been no feedback at this stage.

Paul Gavin that the setting up of a bank account that had been raised at the previous meeting had not progressed. The matter has pretty much lapsed.

Suggestion from Chris Elliott about a clean up day some time in September.

Correspondence.

Secretary read out the letter received from Leanne Ryan re the toilet and shelter shed issue. Letter also included the guidelines for which we are bound re any restoration of headstones.

General business.

A lot of discussion which revolved around the shelter shed, its suitability and its location. Committee decided that in the first instance we should seek clarification from the shire as to what it has in mind for the cemetery's future layout before making any recommendations on the shed and its preferred location.

Moved Chris Elliott

Seconded Shirley Evans

That the secretary write to council seeking clarification on the future layout of the cemetery and perhaps arrange for council staff to do a site visit with members of the committee so the committee is able to make an informed decision on the shelter sheds location and its suitability for its intended purpose. The committee would also suggest as to whether a building inspection had been done on the shed as there are some noticeable defects in the structure. This letter is also to request an update on Liz Vines report in to the headstone restoration project.

There was general discussion re the ongoing weed problem. Suggested that if the working bee goes ahead in September that we target some of the older areas within the cemetery that don't get the attention of some of the newer parts.

A inspection of the shelter shed took place where the meeting closed at 11.55am.

Bines

SECTION 14. DELEGATES' REPORTS

RECOMMENDATION

That the Delegates' reports be received and noted.

SECTION 15. QUESTIONS WITH NOTICE

SECTION 16. URGENT BUSINESS

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 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.

Reports to be Considered in Closed Council

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.

17.1 STAFF ISSUE

Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A (2) (a) personnel matters concerning particular individuals other than Councillors.

Summary

This report provides information on staff issues following on from discussions last month and as directed by Council.

17.2 COMMUNITY HEALTH BUS SERVICES CONTRACT 2013-2015

Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A (2) (c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Summary

This report addresses a proposed renewal of the contract between Central Darling Shire Council (CDSC) and Transport for NSW (TfNSW) for the provision of Monday-Friday Health Bus services from Wilcannia to Broken Hill, Menindee to Broken Hill and Community Transport Services for Ivanhoe.

As a separate issue but directly related to provision of the services for Wilcannia and Menindee, Council has received a draft offer involving financial assistance for a change in the service delivery model from TfNSW.

17.3 ATLAS CAMPASPE MINERAL SANDS PROJECT

Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A (2) (c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Summary

The purpose of this report is to advise Council in relation to the Atlas-Campaspe Mineral Sands project in particular the current positions regarding the basis of determining reasonable monetary contribution towards road maintenance of the Ivanhoe – Balranald.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 20th August 2013 in Ivanhoe commencing at 9:30am.
