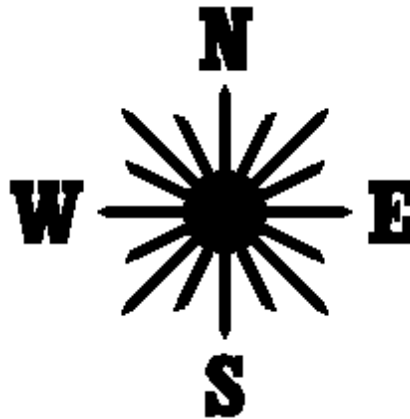


## Mission Statement

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

Thursday 27th June 2013

at

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 above-mentioned Meeting of Council was held in the Council Chambers, Wilcannia on Thursday 27<sup>th</sup> June 2013 commencing at 9:14am.

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

**PRESENT:**

Councillors:

Ray Longfellow

Clive Linnett

Lorraine Looney

Ron Page

Peter Sullivan

Dennis Standley

Garry Astill

Eamon Sammon

Honor Liversidge

**ALSO PRESENT:**

Leeanne Ryan

Acting General Manager

Reece Wilson

Manager Technical and Engineering Services

David Cuming

Acting Manager Corporate and Community Services

Adelaide Elliott

Executive Assistant

Paul Gavin

Acting Finance Manager

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

**MOTION CARRIED**

**MOVED CLR SULLIVAN /CLR ASTILL**

***1-06-13 resolved***

***That Council suspend standing orders***

---

*Standing orders suspended at 9:16am*

---

Mr Paul Brown addressed the meeting requesting that Council consider placing the Draft Minutes out for public viewing before being adopted. He raised a number of reasons why Council should consider this request. He also spoke about the notices of motions forwarded by Clr Page, and queried whether the motion on Knox and Downs had been discussed with Councillors or the staff. He also spoke about the Expression of Interest document for Knox and Downs and asked for clarification on the definition of clean-up. He spoke about the Wilcannia Post Office and suggested if it is utilised on a commercial basis then it should be managed as such.

Mrs Linda Moss from Warrawong Caravan Park addressed Council on a number of matters. She spoke about Warrawong Caravan Park, and the facilities offered. She also raised concerns with Clr Page's notice of motion regarding the Wilcannia Post Office and queried how it would be run, would it be accredited as an information centre, how would it be structured, why wasn't the local tourism association consulted before the motion was drafted. She also queried why she had not been informed of the recent S355 Tourism Committee Meeting as she was a member of the committee.

Mr Bill Elliott addressed Council in relation to Clr Page's notices of motion for Knox and Downs and the Wilcannia Post Office. He stated he was aware the Knox and Downs site was being tendered, so why was the motion drafted, he also stated the Wilcannia Post Office belonged to the Wilcannia community, and the motion was out of order.

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLRASTILL**

***2-06-13 resolved***

***That Council resume standing orders.***

---

*Standing orders resumed at 9:25am*

---

## SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### ***MOTION CARRIED***

***MOVED CLR LINNETT/ CLR SULLIVAN***

***3-06-13 resolved***

***That the minutes of the Ordinary Meeting of the Council held on the 21st May 2013, and the Extraordinary Meeting of the Council held on the 27th May 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

May 2013 Ordinary Meeting - Clr Looney queried why the Menindee Wedge-tailed Eagles request for assistance and the Menindee Common Committee request were not included in the Draft Operational Plan. It was advised that staff would check the plan as required.

May 2013 Extraordinary Meeting - Clr Sullivan queried the waste management charges and the proposal of cross subsidisation. He stated that Council cannot cross subsidise from one service to the other across communities. Acting MCCA advised this matter would be discussed further when Council considered the Draft Operational Plan.

---

*Clr Linnett left the meeting 9:29am returning at 9:32am*

---

### ***MOTION CARRIED***

***MOVED CLR SULLIVAN/ CLR LIVERSIDGE***

***4-06-13 resolved***

***That Business Arising from Minutes be dealt with.***

### 3.2 STATUS OF COUNCIL RESOLUTIONS – JUNE 2013

### ***MOTION CARRIED***

***MOVED CLR SULLIVAN/ CLR LIVERSIDGE***

***5-06-13 resolved***

*That the Status of Council Resolutions be received and noted.*

## SECTION 4. MAYORAL MINUTES OR REPORT

27<sup>th</sup> May 2013 - Mayor and fellow Councillors attended the Extraordinary Meeting of Council in Wilcannia.

Mayor attended the public meeting in Cobar with the Local Government Independent Review Panel.

28<sup>th</sup> May 2013 - Mayor and fellow Councillors attended a meeting regarding the Independent Review Panel with panel member Mr Glenn Inglis. The first meeting was with councillors and senior staff and the second meeting was a public forum at the Wilcannia Community Hall that was attended by approximately 30 persons.

6<sup>th</sup> June 2013 – Mayor, Cllr Astill and Cllr Linnett attended Western Division Mid Term Councillors Conference in Hillston.

10<sup>th</sup> June 2013 - Mayor and Acting General Manager met with the Wilcannia Aboriginal Land Council CEO Jack Beetson to discuss ways of working with and strengthening relationships.

16<sup>th</sup> -19<sup>th</sup> June 2013 - Mayor attended the National General Assembly of Local Government in Canberra. The Theme for the Conference was "Foundations for the Future Twenty 13". Major discussion was constitutional recognition and supporting the yes vote. The conference was opened by the Honourable Anthony Albanese MP, other Parliamentarians in attendance included Senator Barnaby Joyce, leader of the Greens, Senator Christine Milne, leader of the Nationals and the Honourable Warren Truss. There were also a number of other keynote speakers in attendance. On the Wednesday morning of the conference Minister Albanese announced funding for Community Infrastructure, amounting to \$15 million.

25<sup>th</sup> June 2013 - Mayor and Acting General Manager attended Wilcannia Working Party meeting. Whilst in Wilcannia, the Mayor and Deputy Mayor had a briefing regarding the proposed submission to the Independent Panel from the Acting General Manager and the Acting Manager Corporate and Community Services.

26<sup>th</sup> June 2013 - Mayor attended briefing in Ivanhoe by Les Lane from Murdi Paaki, concerning their involvement and contract to supply services under the Remote Jobs and Communities program.

Cllr Astill and Cllr Linnett raised concerns with the new proposed electoral boundaries stating the new electorate will be too large for one representative to cover. Cllrs moved a motion that a letter of submission be written regarding the size of the electorate.



***MOTION CARRIED***

***MOVED CLR ASTILL / CLR LINNETT***

***6-06-13 resolved***

***That a letter be written regarding the proposed size of the new electoral boundaries.***

## **SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY**

Clr Sammon declared an interest in the Wilcannia Water and Sewer Project.

***MOTION CARRIED***

***MOVED CLR LOONEY / CLR SAMMON***

***7-06-13 resolved***

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

## **SECTION 6. NOTICE OF MOTIONS**

***MOTION CARRIED***

***MOVED CLR SULLIVAN / CLR PAGE***

***8-06-13 resolved***

***That Notice of Motions be dealt with***

**Motion 1**

***MOTION LOST***

***MOVED CLR PAGE / CLR SULLIVAN***

*That the Central Darling Shire form a partnership with the Wilcannia Land Council, and Murdi Paaki Enterprise, working together to clean the Knox and Downs area as a safe clean area ready for a new building in the future.*

| Clr Page called for a division

For	Against
Clr Sammon	Clr Sullivan
Clr Astill	Clr Linnett
Clr Page	Clr Longfellow
	Clr Looney
	Clr Standley
	Clr Liversidge

**Motion 2**

***MOTION LOST***

***MOVED CLR PAGE / CLR SULLIVAN***

*That the Central Darling Shire help the four junior rugby teams in Wilcannia and Menindee with \$1,000 per town.*

| Clr Page called for a division

For	Against
-----	---------

Clr Sammon	Clr Sullivan
Clr Page	Clr Linnett
	Clr Astill
	Clr Looney
	Clr Standley
	Clr Liversidge

---

*Clr Astill left the Meeting at 9:57am, returning at 10:05am*

---

**Motion 3**

***MOTION LOST***

***MOVED CLR PAGE / CLR SAMMON***

***That the Central Darling Shire form a partnership with the Menindee Land Council, Murdi Paaki Enterprises working together training residents to fill the jobs in the area in the future.***

| Clr Page called for a division

For	Against
Clr Sammon	Clr Sullivan
Clr Page	Clr Linnett
Clr Standley	Clr Looney
	Clr Liversidge

**Motion 4**

***MOTION***

***MOVED CLR PAGE / CLR SULLIVAN***

***That the Central Darling Shire rent the old Post Office to the Wilcannia Land Council, the Wilcannia Land Council can manage a tourist and art gallery, Training Information Centre.***

***Murdi Paaki Enterprise have recently been awarded the remote Jobs Community Program, this motion will give much needed on the job training and help Wilcannia Tourist Future. The Rent should be a peppercorn rent charge.***

| Clr Astill moved, Clr Page seconded an amendment to the motion.

***MOTION CARRIED***

***MOVED CLR ASTILL / CLR PAGE***

***9-06-13 resolved***

***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.***

| Clr Page called for a division

<b>For</b>	<b>Against</b>
<b>Clr Sammon</b>	<b>Clr Sullivan</b>
<b>Clr Astill</b>	<b>Clr Linnett</b>
<b>Clr Page</b>	

Clr Standley	
Clr Looney	
Clr Liversidge	
Clr Longfellow	

---

*Meeting adjourned for Morning Tea at 10:17am, resuming at 10:50am*

---

**MOTION CARRIED**

**MOVED CLR LINNETT/CLR ASTILL**

***10-06-13 resolved***

***That Council suspend standing orders***

---

*Standing orders suspended at 10:40am*

---

Mr Ray Roberts and Mr Lucas Burns representing Cristal Mining gave an extensive presentation to the Council providing an update on the proposed Atlas - Campaspe Mineral Sands Project.

Mr Geoff Wise gave a presentation on suggestions for Council's submission to the Independent Review Panel relating to the future direction of the Shire.

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR**

***11-06-13 resolved***

***That Council resume standing orders.***

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*Standing orders resumed at 1:37pm*

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*Meeting adjourned for lunch 1:38pm, resuming at 2.24pm*

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## SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

## SECTION 8. ACTING GENERAL MANAGER'S REPORT

***MOTION CARRIED***

***MOVED CLR SULLIVAN / CLR LINNETT***

***12-06-13 resolved***

***That the Acting General Manager's Report be dealt with.***

### 8.1 INFORMATION ITEMS

8.1.1 LOCAL LAND SERVICES

8.1.2 DELEGATION TO VISIT MINISTERS

8.1.3 MISUSE OF COUNCIL RESOURCES – 2013 FEDERAL ELECTION

8.1.4 MENINDEE FISHING COMPETITION

***MOTION CARRIED***

***MOVED CLR ASTILL / CLR LINNETT***

***13-06-13 resolved***

***That the Information Items report be received and noted.***

### 8.2 DRAFT COMPLAINT HANDLING POLICY

***MOTION CARRIED***

***MOVED CLR SULLIVAN / CLR ASTILL***

***14-06-13 resolved***

***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.*

#### 8.3 SENIOR STAFF CONTRACTUAL ARRANGEMENTS

**MOTION CARRIED**

**MOVED CLR LOONEY / CLR SULLIVAN**

*15-06-13 resolved*

*That the senior staff contractual arrangements report be received and noted.*

#### 8.4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR ASTILL**

*16-06-13 resolved*

*That the Local Government Remuneration Tribunal report be received and noted; and further,*

*That Council adopt the maximum amounts be paid to Councillors and Mayor.*

#### 8.5 ESSENTIAL WATER CUSTOMER COUNCIL – REQUEST FOR NOMINATION

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR LOONEY**

*17-06-13 resolved*

*That the Essential Water Customer Council – Request for Nomination report be received and noted, and further;*

*That Council nominate Cr Standley as the Central Darling Representative to sit on the Essential Water Customer Council.*

8.6 LGNSW ANNUAL CONFERENCE

Clrs requested more information on the Council delegates, and asked that the nomination of delegates be deferred until the next Council meeting with the Acting General Manager bringing back a further report on the matter

**MOTION CARRIED**

**MOVED CLR LOONEY / CLR LINNETT**

***18-06-13 resolved***

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

***That Council submits 3 – 5 items to the Association for consideration as discussion points by 19 July 2013.***

8.7 DISPLAYING DRAFT MINUTES

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR LOONEY**

***19-06-13 resolved***

***That the Displaying Council Minutes report be received and noted, and further;***

***That Council displays the draft Council Minutes before adoption.***

8.8 INQUIRY INTO TOURISM IN LOCAL COMMUNITIES

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR PAGE**

***20-06-13 resolved***

***That the Inquiry into Tourism in Local Communities report be received and noted, and further;***



*That Council lodges a submission to the inquiry.*

#### 8.9 SUBMISSION – INDEPENDENT REVIEW PANEL

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR SULLIVAN**

**21-06-13 resolved**

*That council endorse the draft model as presented, and lodge it with the Independent Review Panel and Division of Local Government.*

| Clr Looney records against the motion

## SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR SULLIVAN**

**22-06-13 resolved**

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

#### 9.1 INFORMATION ITEMS

##### 9.1.1 GRADING PROGRAM

##### 9.1.2 RESERVOIR RELINING PROJECT- WILCANNIA

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR SULLIVAN**

**23-06-13 resolved**

*That the Information Items report be received and noted.*

9.2 ROADS REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR ASTILL**

**24-06-13 resolved**

*That the Roads Report be received and noted.*

9.3 SERVICES REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR LOONEY**

**25-06-13 resolved**

*That the Services Report be received and noted.*

9.4 PROJECTS REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR LIVERSIDGE**

**26-06-13 resolved**

*That the Projects Report be received and noted.*

9.5 WILCANNIA WS & SGE - ABORIGINAL COMMUNITIES WATER AND SEWER PROGRAM  
- AUGMENTATION - COUNCIL TO RESUME DUTIES AS PRIMARY SERVICE PROVIDER

Clr Sammon declared the interest and left the Meeting at 2:48pm, returning at 2:53pm.

---

*Clr Looney left the Meeting at 2:51pm returning at 2:52pm*

---

**MOTION CARRIED**

**MOVED CLR PAGE / CLR ASTILL**

**27-06-13 resolved**

*That Council endorses the actions of Acting General Manager for CDSC to be the primary service provider of water and sewer services to*

*the Mallee and Warrali Aboriginal Precincts pursuant to the Aboriginal Communities Water and Sewer Program.*

9.6 POONCARIE ROAD REPORT

***MOTION CARRIED***

***MOVED CLR LINNETT / CLR ASTILL***

***28-06-13 resolved***

***That Council writes to State and Federal Government requesting funding for the sealing of the Pooncarie Road.***

**SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT**

***MOTION CARRIED***

***MOVED CLR LINNETT /CLR LIVERSIDGE***

***29-06-13 resolved***

***That the Manager Environmental Services Report be dealt with***

10.1 INFORMATION ITEMS

10.1.1 MENINDEE MULTIPURPOSE CENTRE

10.1.2 WILCANNIA POST OFFICE

10.1.3 SUNSET STRIP WASTE DEPOT

10.1.4 CRISTAL MINE –BALRANALD/IVANHOE

10.1.5 WILCANNIA CEMETERY

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR LIVERSIDGE**

***30-06-13 resolved***

***That the Information Items report be received and noted***

#### 10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR MAY 2013

**MOTION CARRIED**

**MOVED CLR ASTILL/ CLR LIVERSIDGE**

***31-06-13 resolved***

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

#### 10.3 MODEL ASBESTOS POLICY

**MOTION CARRIED**

**MOVED CLR ASTILL / CLR LINNETT**

***32-06-13 resolved***

***That the Model Asbestos Policy report be received and noted.***

### SECTION 11. FINANCE MANAGER'S REPORT

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR SULLIVAN**

***33-06-13 resolved***

***That the Finance Managers Report be dealt with***

#### 11.1 INVESTMENTS AND BANK BALANCES

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR LIVERSIDGE**

***34-06-13 resolved***

***That the Schedule of Investments Report for the 31st May 2013 be received and adopted.***

#### 11.2 RATES REPORT

**MOTION CARRIED**

**MOVED CLR SAMMON / CLR LINNETT**

***35-06-13 resolved***

***That the Rates Collection Report for May 2013 be received and adopted.***

#### 11.3 AFFIXING OF SEAL TO WESTPAC OVERDRAFT AGREEMENT JUNE 2013

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR LINNETT**

***36-06-13 resolved***

***That Council authorise the Mayor and Acting General Manger to sign the agreement .***

***That Council authorises the affixing of the Council Seal to the Acknowledgements and Acceptance of Variation to Business Finance Terms and Conditions document as requested by Westpac Banking Corporation.***

#### 11.4 REPORT ON COSTS OF OPERATING WESTPAC AGENCY IN WILCANNIA

Clr Astill stated the costs could not be compared to Menindee and Ivanhoe as these towns did not have a bank. He also queried the figures provided as different to those provided some months before.

Clr Sullivan queried the Community Transport figures provided as to why it was running at a loss as it needs to be full cost recovery.

Cr Looney raised a query about scripts being brought out to Menindee from Broken Hill on the health bus.

**MOTION CARRIED**

**MOVED CLR LINNETT/ CLR LIVERSIDGE**

***37-06-13 resolved***

***That the costs of operating Westpac Agency in Wilcannia Report be received and noted***

---

*Clr Page left the meeting 3:03pm returning at 3:08pm*

---

**11.5 OPERATIONAL PLAN AND BUDGET 2013-2014, DELIVERY PLAN AND COMMUNITY STRATEGIC PLAN**

Considerable discussion was held on the Draft Operational Plan and Budget particularly in regards to waste management charges. Clr Astill queried the amount to be charged for the rubbish collection particularly in Menindee and Ivanhoe stating their charges should increase by \$30 and Wilcannia by \$75 as this was discussed at the Extraordinary Meeting of Council.

Clr Page requested the number of bins collected. A report on this matter is to be prepared and brought back to Council.

Clr Looney raised the matter of the Menindee Waste Depot and stated it was a mess for months and everyone complained. She stated the amount charged cannot be justified and no service was received.

***MOTION CARRIED***

***MOVED CLR LINNETT/ CLR ASTILL***

***38-06-13 resolved***

***That in relation to the Draft Operational Plan and Budget and Delivery and Community Strategic Plans, the following determinations be made :***

***In accordance with section 406 of the Local Government Act 1993, Council adopt the 2013-2014 Draft Operational Plan and budget as described and amended in the body of this report.***

***In accordance with part 9, division 5, clause 211(2) of the Local Government (General) Regulation 2005, Council approve expenditure and vote funds as detailed in the 2013-2014 Draft Operational Plan and Budget subject to the amendments as outlined in the body of this report.***

***Submissions received in relation to the 2013-2014 Draft Operational Plan and Budget be received and noted and that replies be made in relation to the submissions.***

*In accordance with sections 494, 518 and 515 of the Local Government Act 1993, Council make and levy the following ordinary rates for the 2013-2014 year as follows :*

- Residential Rate 0.077029000 cents in the dollar*
- Business Rate 0.077029000 cents in the dollar*
- Farmland Rate 0.002814432 cents in the dollar*
- Minimum Rate \$119.75*

*5. In accordance with the Local Government Act 1993 Council make and levy the following special rates:*

- Wilcannia 0.043250000 cents in the dollar*
- Menindee 0.013320000 cents in the dollar*
- White Cliffs 0.022250000 cents in the dollar*
- Ivanhoe 0.077910000 cents in the dollar*
- Minimum Rate \$2.00*

*6. In accordance with sections 501 and 502 of the Local Government Act 1993, Council make and impose charges for water supply services in 2013-2014 as described in the Draft Operational Plan and Budget 2013-2014*

*7. In accordance with sections 501 and 502 of the Local Government Act 1993, Council make and impose charges for sewerage services in 2013-2014 as described in the Draft Operational Plan and Budget 2013-2014*

*8. In accordance with sections 496, 501 and 502 of the Local Government Act 1993, Council make and impose charges for waste management services in 2013-2014 as described in the Draft Operational Plan and Budget subject to the amendments as outlined in the body of this report*

*9. Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, in accordance with section 566(3) of the Local Government Act 1993*

*10. Fees and Charges for the use of services provided by the Council as detailed in the Draft Operational Plan and Budget 2013-2014 (and as amended in this report ) be adopted in accordance with section 502 of the Local Government Act 1993*

*11. Adopt the Community Strategic Plan 2013/14-2022/23*

*12. Adopt the Delivery Program 2013/14-2017/18 incorporated in the 2013/14 Draft Operational Plan and Budget*

## SECTION 12. CORRESPONDENCE

**MOTION CARRIED**

**MOVED CLR LINNETT / CLR STANDLEY**

*39-06-13 resolved*

*That the Correspondence for Council be received and noted.*

---

*Clr Astill left the meeting at 3:20pm returning at 3:36pm*

---

12.1 MEDIA RELEASES

12.2 CIRCULARS/NEWSLETTERS

## SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LIVERSIDGE**

*40-06-13 resolved*

*That the White Cliffs Swimming Pool Committee AGM & General Meeting Minutes dated Tuesday 22nd January 2013 be received and noted.*



**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LIVERSIDGE**

***41-06-13 resolved***

***That the Wilcannia Cemetery Committee Meeting Minutes dated Saturday 2nd March 2013 be received and noted.***

**MOTION CARRIED**

**MOVED CLR SULLIVAN / CLR LIVERSIDGE**

***42-06-13 resolved***

***That the MANEX Meeting Minutes dated Wednesday 1st May 2013 be received and noted.***

## SECTION 14. DELEGATES' REPORTS

Clr Linnett advised he had attended the Western Lands Advisory Board meeting recently, and would provide a report shortly.

Clr Standley advised he attended a West Darling Arts Association meeting on 13 June 2013 in Broken Hill. He stated problems within the association had recently been settled.

Clr Looney queried the recent Menindee Fishing Competition meeting held in Menindee, and who was in attendance? Clr Standley advised he was present and the meeting discussed who was handling the funds, and he also noted that Clr Astill was in attendance. No report had been provided at this stage.

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR LINNETT**

***43-06-13 resolved***

***That the Delegates' reports be received and noted.***

## SECTION 15. QUESTIONS WITH NOTICE

Nil

## SECTION 16. URGENT BUSINESS

### *MOTION CARRIED*

### *MOVED CLR SULLIVAN/ CLR SAMMON*

### *44-06-13 resolved*

### *That the urgent business be dealt with.*

Clr Sammon requested that a report on the Knox and Downs EOI be prepared for the August Meeting. Acting General Manager stated she would action this request

Clr Looney advised Council she had received a letter from residents living in Menindee that were having trouble with garbage collection. A copy of the letter was passed to MTES for follow up.

Clr Liversidge requested if the Honor Board located in the Council Chambers could be updated with the new OAM recipients? Executive Assistant advised she would follow up.

## 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 STANDLEY***

***45-06-13 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.***

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Council went into Closed Session of Council at 3:31pm

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### **17.1 NETWASTE TENDER 145/534/984/1 FOR THE COLLECTION AND RECYCLING OF SCRAP METAL FOR COUNCILS IN THE NETWASTE REGION**

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.

***MOTION CARRIED***

***MOVED CLR ASTILL / CLR LINNETT***

***46-06-13 resolved***

***That in relation to the report NetWaste Tender 145/534/984/1 – Tender for Collection and Recycling of Scrap Metal for Councils in the NetWaste Region:***

***The Contract be awarded to Sims Metal Management***

***That Council confirm its involvement in the Contract to the NetWaste Projects Coordinator and execute and seal the Contract documents as appropriate.***

### **17.2 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.

***MOTION CARRIED***

**MOVED CLR SULLIVAN / CLR ASTILL**

***47-06-13 resolved***

***That the staff issue report be received and noted.***

**17.3 GRANT FUNDING - WATER SUPPLY AND SEWERAGE PROJECT**

Clr Sammon declared an interest and left the meeting 3:41pm

**MOTION CARRIED**

**MOVED CLR SULLIVAN/ CLR ASTILL**

***48-06-13 resolved***

***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.***

Clr Page recorded against the motion

**MOTION CARRIED**

**MOVED CLR LOONEY /CLR LIVERSIDGE**

***49-06-13 resolved***

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

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Council resumed in open session at 3:54 pm

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**MOTION CARRIED**

**MOVED CLR SULLIVAN /CLR STANDLEY**

***50-06-13 resolved***

***That all decisions passed in Closed Council be made public.***

**SECTION 18. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on the 16<sup>th</sup> July 2013 in Sunset Strip commencing at 9:30am.*

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*There being no further business, Council meeting concluded at 3:55pm*

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