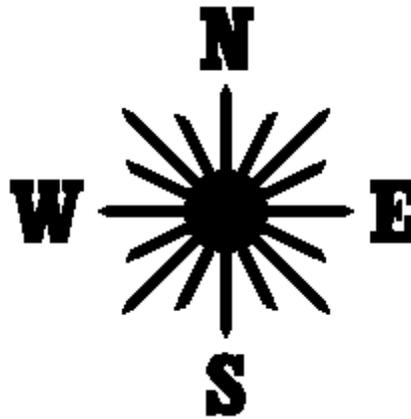


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For the Ordinary Meeting

Tuesday 20th May 2014 at 9:00am

In the Council Chambers

Wilcannia

Council dedicated to serving its Communities

Any public discussion of Council or Committee reports and recommendations is on the basis that such reports or recommendations do not have effect until adopted by a full meeting of Council.

The Ordinary Meeting of Council was held in the Council Chambers, Wilcannia on Tuesday 20th May 2014 commenced at 9:00am.

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SECTION 1. ATTENDANCE

PRESENT:

Greg Wright – Interim Administrator

ALSO PRESENT:

Brian Wilkinson	Acting General Manager
Reece Wilson	Acting Director Shire Services
Jacob Philp	Acting Director Business Services
Jeff Forster	Acting Finance Officer
Adelaide Elliott	Executive Assistant

SECTION 2. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

None

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

Paul Brown – Community Access Bus

Community transport agreement, noted that there is no recommendation proposed for the continuation of the service after the 1st July 2014 and the funding requirement for the service.

The AGM advised that discussion with Transport NSW indicated that aim was to continuity of the service. Council would be assisting to achieve same.

Peter Sullivan – Budget

The figures that he has seen around could do with some more attention and that maybe they are not absolutely totally correct.

The AGM responded in relation to the basis for budget information. (Further review of budget will be undertaken during exhibition period)

SECTION 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

1-05-14

That the minutes of the Ordinary Meeting of the Council held on the 15th April 2014, be taken as read and confirmed as a correct record of the proceedings of the meeting.

Resolved

4.1 BUSINESS ARISING FROM MINUTES

None

SECTION 5. ADMINISTRATOR MINUTE REPORT

Period of Suspension

The suspension period for the Council is coming rapidly to a close. As at the date of this Council meeting there are only four weeks remaining. The two most critical issues for the Council at this time are the development and adoption of the Budget and Operating Plan for 2014/2015; and the recruitment of a permanent General Manager.

2014/2015 Budget and Operating Plan

The draft 2014/2015 Budget and Operating Plan is presented to this Council meeting for public exhibition. The Interim General Manager has lodged a thorough and detailed report that shouldn't require further explanation. Suffice to say that it will not be possible to return the Council to a position of surplus simply by adopting this draft Budget. There will be continuing work during the exhibition period to further trim and refine the cost base of the Council. In addition, there will be medium and long term actions that will need to be implemented after the Administration period concludes. As much guidance as possible will be provided to the returning Councillors in this respect before my term expires on 20 June 2014. In this regard, the June Council meeting is being moved to Friday 20 June to allow the Budget to be adopted prior to their return.

The process of returning the Council to financial sustainability has been, and will continue to be, extremely difficult. It involves difficult decisions and some inevitable reduction or cessation of some services. There is no other way to balance the budget in the absence of new or improved revenue streams.

After today's meeting, the Plan will go on public exhibition for 28 days. Even though it is hoped to make further progress during the exhibition period, I would encourage comments and submissions to the Plan during that time. One of the essential elements in the recovery of the Council over time

will be the active engagement of the Central Darling community in Council matters and the responsible reaction to that engagement. Community submissions are most welcome.

Recruitment of a Permanent General Manager

Applications closed for the position on 5 May and shortlisting has now occurred. Several applicants will be interviewed this week. In order to provide some local input and, hopefully, some continuity into the future, Mr Ray Longfellow has been invited to sit on the interview panel with me.

2-05-14

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

Resolved

SECTION 6. DETERMINATION REPORTS

6.1 MENINDEE DEVELOPMENT COMMITTEE

3-05-14

That Council approve the membership of the Menindee Development Committee as detailed in this report.

Resolved

6.2 JUNE COUNCIL MEETING

4-05-14

That Council endorse the proposal to hold the June Council Meeting on Friday 20 June 2014.

Resolved

6.3 QUARTERLY BUDGET REVIEW 31 MARCH 2014

5-05-14

That Council adopt the revised budget estimates indicated in the attached Budget Review Summary of Income and Expenses for the year ending 30 June 2014.

Further that Council:

- approves the budget variances outlined in the attached summary***
- notes that the financial position of council is unsatisfactory***
- notes that actions have commenced on improving the council financial position and addressing issues relating to financial issues/ management***

Resolved

6.4 DRAFT OPERATIONAL PLAN 2014/15

6-05-14

That Council:

1. Adopt the Draft 2014/15 Operational Plan and endorse it for public exhibition for a period of 28 days.

2. Adopt the 2.3% rate pegging limit increase for the 2014-2015 financial year.

3. Adopt an interest rate of 8.5% per annum for overdue rates and charges for the 2014-15 financial year.

4. At the conclusion of the public exhibition period a meeting of Council be held on 20 June to consider any submissions made concerning the Draft Plan and adopt the final Operational Plan.

5. The Acting General Manager be authorised to make any minor changes to the draft Plan for exhibition purposes, if required.

Resolved

6.5 COMMUNITY TRANSPORT SERVICE ARRANGEMENTS / CONTRACT

In conjunction with this item the AGM advised of discussions with Transport NSW 19/5/14, they had suggested that Council relinquish the Ivanhoe Service as well. The AGM advised that such an approach was not supported.

7-05-14

That Council resolve to advise Transport NSW that it wishes to terminate the existing Community Health Bus Services Contract as at 30 June 2014 for Menindee and Wilcannia. In that regard Council urges Transport NSW to have strong local content in the future operation of those services.

Further that Council advise Transport NSW that it proposes to continue with the operation of the Ivanhoe service, and that it would like to negotiate arrangements to repay the capital funds received for the purchase of new buses at Menindee and Wilcannia.

Further that council arrange termination of the existing Menindee and Wilcannia sub contract services.

Resolved

SECTION 7. INFORMATION REPORTS

7.1 INFORMATION ITEMS

7.1.1 ORGANISATION STRUCTURE

7.1.2 LOAN BORROWINGS

7.1.3 RECRUITMENT OF A GENERAL MANAGER

7.1.4 ENVIRONMENTAL SERVICES STATISTICS

7.1.5 ROAD GRADING PROGRAM

Acting Director of Shire Services advised the meeting of the Approval from RMS for the Cobb Highway grading in an amount of \$54,000 to be completed 30th June 2014.

7.1.6 TREATMENT PLANT AUDITS

7.1.7 WOOL TRACK – CRISTAL MINING

7.1.8 ROADS REPORT

7.1.11 INVESTMENTS AND BANK BALANCES

7.1.12 RATES REPORT

8-05-14

That the Information Items report be received and noted

Resolved

8.0 MEDIA RELEASES

Date	Sender	Contents
22/04/2014	Member for Murray-Darling	Anzac Day 2014.
2/05/2014	Kevin Humphries MP	Funding to upgrade one of NSW's most iconic roads.
6/05/2014	Member for Murray-Darling	NSW regional tourism funding now open.
8/05/2014	Member for Murray-Darling	Writing on the wall for graffiti vandals.
9/05/2014	Member for Murray-Darling	Behind the scenes tours of Broken Hill.
12/05/2014	Member for Murray-Darling	NSW Government secures community transport funding boost.

8.1 CIRCULARS/NEWSLETTERS

Date	Sender	Contents
22/04/2014	NSW Rural Fire Service	Email: Local emergency management planning.
22/04/2014	Ministry for Police and Emergency Services	Email: 2014 Resilient Australia Awards Now Open.
5/05/2014	AARCM	Email: AARCM submission to RSM Bird Cameron report.

9-05-14

That the Correspondence for Council be received and noted

Resolved

SECTION 8.2 THE RECEIPT OF REPORTS FROM COMMITTEES

SECTION 9. URGENT BUSINESS

SECTION 10. CONFIDENTIAL MEETING

CLOSED COUNCIL

Confidential Reports

(Section 10A (2) of the Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public. The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would , if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Section 10A(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in a open meeting would, on balance, be contrary to the public interest.

For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest section 10B(4) of the Act states it is irrelevant that:

- (a) a person may interpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the

meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

10-05-14

That Council formally close the meeting to the public to discuss matters in accordance with Section 10A (2) of the Local Government Act, 1993.

resolved

Council went into Closed Session of Council at 9:31am

10.1 SALE OF COUNCIL LAND

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.

11-05-14

That Council resolve to sell 103 Hood Street, Wilcannia (Lot 1 DP 923976) to Maari Ma Health Aboriginal Corporation for the amount outlined in this report. Further that Council authorise the completion of necessary sale documents under the Common Seal of Council.

Resolved

12-05-14

That Council move back into Open Council.

Resolved

Council resumed in open session at 9:27am

13-05-14

That all decisions passed in Closed Council be made public.

Resolved

| The resolution from Closed Council was read to the meeting.

Council returned to open meeting of Council at 9:33am

SECTION 11. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 20th June 2014 in Wilcannia at 9:00am.

There being no further business, Council meeting concluded at 9:34am
