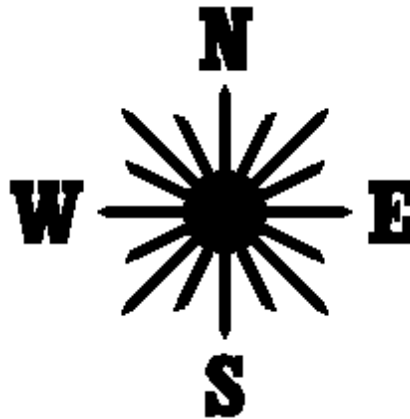


Mission Statement

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 21st May 2013

at

Darnick

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, Darnick on Tuesday 21st May 2013 commencing at 9:30am.

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

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 – APRIL 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 INDEPENDENT REVIEW PANEL ATTACHMENT 1.....	15
8.1.2 LOCAL LAND SERVICES UPDATE ATTACHMENT 2	15
8.1.3 REDISTRIBUTION OF STATE ELECTORAL DISTRICTS ATTACHMENT 3	15
8.1.4 LOCAL GOVERNMENT ACTS TASKFORCES – RELEASE OF DISCUSSION PAPER ATTACHMENT 4.....	15
8.1.5 DRAFT 2013/14 OPERATIONAL PLAN & BUDGET	15
8.2 CODE OF CONDUCT REVIEW PANEL.....	16
8.3 GUIDELINES ON THE CLOSURE OF COUNCIL AND COMMITTEE MEETINGS ATTACHMENT 5.....	16
8.4 FRUIT FLY SIGNAGE ATTACHMENT 6.....	18
8.5 REQUEST FOR ASSISTANCE ATTACHMENT 7	18
8.6 REQUEST OF DONATION – MENINDEE DEBUTANTE BALL	19
8.7 2013/14 FINANCIAL ASSISTANCE GRANTS ATTACHMENT 8.....	20
SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT.....	23

9.1 INFORMATION ITEMS	23
9.1.1 GRADING PROGRAM ATTACHMENT 9	23
9.1.2 RESERVOIR RELINING PROJECT - WILCANNIA.....	23
9.2 ROADS REPORT	23
9.3 SERVICES REPORT.....	26
9.4 PROJECTS REPORT.....	27
SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT	30
10.1 INFORMATION ITEMS.....	30
10.1.1 MENINDEE BMX TRACK.....	30
10.1.2 KNOX AND DOWNS.....	30
10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR APRIL 2013.....	30
10.3 NSW SWIMMING POOL REGISTER ATTACHMENT 10.....	31
10.4 NSW PLANNING WHITE PAPER ATTACHMENT 11	32
SECTION 11. FINANCE MANAGER'S REPORT	35
11.1 INVESTMENTS AND BANK BALANCES.....	35
11.2 RATES REPORT	36
11.3 ROAD NAMING ATTACHMENT 12	37
SECTION 12. CORRESPONDENCE	42
12.1 MEDIA RELEASES	42
12.2 CIRCULARS/NEWSLETTERS	42
SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES.....	44
SECTION 14. DELEGATES' REPORTS.....	47
SECTION 15. QUESTIONS WITH NOTICE	48
SECTION 16. URGENT BUSINESS.....	49
SECTION 17. CONFIDENTIAL MEETING.....	50
17.1 WILCANNIA WATER SUPPLY & SEWERAGE AUGMENTATION – CIVIL WORKS COMPONENT ATTACHMENT 13	52
SECTION 18. DATE AND VENUE FOR NEXT MEETING	53

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 16th April 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 – APRIL 2013

Status of Council Resolutions - April 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	In Progress,awaiting reponse from Essential Energy
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	To be commenced.
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	2013/14 budget
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
23-12-12	That Council adopt the draft Street Tree policy and draft Verge Maintenance Policy including the following amendments, Point 3. Number of trees per allotment – 2 trees per 20m allotment frontage and increased pro-rata for wider allotments. 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. Point 8. Endemic tree species will generally be preferred. That Council consider a Comprehensive Review of the Street Trees, Streetscape and Verge Maintenance Policies following consideration by Manex and quantification of resources required.	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
56-02-13	That Council accepted the procedure and recommendation provided from the sub committee for the appointment of the General Manager	Mayor		In progress
13-03-13	That the Menindee Debutante Ball – Request for Funding report be received and noted, and further; That the request for funding be placed on public exhibition for 28 days with a further report being presented to Council after this timeframe.	AGM	EA	Report to Council May 2013
21-03-13	That Council receive and note the Rail Road Interface Agreement That Council endorses the Interface agreement in the manner required, and authorizes the Acting General Manager to sign and seal the document as required.	AGM	MTES	In progress
43-03-13	That the Mayor and Deputy Mayor work with all Senior Staff to lodge a submission to the Independent Local Government Review Panel and that the submission be forwarded to all councillors before being submitted to the Panel.	AGM	MAYOR	In progress
10-04-13	That the Athenaeum Building, Reid Street, Wilcannia report be received and noted, and further; 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.	AGM	IO	To be progressed

16-04-13	That Council write to the relevant Minister to have Menindee included in the Remote Communities Water Supply and Sewerage Program.	AGM	EA	In Progress
23-04-13	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

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 INDEPENDENT REVIEW PANEL ATTACHMENT 1

Councillors have been provided copies of the latest reports from the LG Independent Review Panel. The reports were discussed at the recent Councillor Workshop held on 6 May 2013, and staff will be preparing a submission to the Panel in the coming weeks. It is also noted the Panel will be meeting with Council on 28 May 2013 to discuss the reports and recommendations, on the same day a Public Hearing will be held in Wilcannia for the local community.

8.1.2 LOCAL LAND SERVICES UPDATE ATTACHMENT 2

The Independent Local Land Services Stakeholder Reference Panel has submitted its recommendation report to the NSW Government. The panel reported back to the Minister for Primary Industries, Katrina Hodgkinson, with recommendations and options on key elements for creating Local Land Services including: regional boundaries, governance and potential functions and services of the new organisation.

The panel's recommendations are available at the Local Land Services Have Your Say website; copies are attached for Councillors information.

8.1.3 REDISTRIBUTION OF STATE ELECTORAL DISTRICTS ATTACHMENT 3

Correspondence has been received from NSW Electoral Commission advising the redistribution of State electoral districts is underway. The proposed districts are being considered, once announced the public will be invited to make further suggestions or objections in relation to a proposed alteration of an electoral district. As per the *Parliamentary Electorates and Elections Act 1912*: *"The Electoral Commissioner must ensure, as far as is reasonably practicable, that maps indicating the proposed boundaries of electoral districts under proposed alterations under subsection (1) are available for inspection... at the offices of the councils of the local government areas within current or proposed boundaries"*.

Maps will be provided to each Council in PDF format for Council to print and display; further instructions will be issued to Council at end of May 2013 by the Electoral Commissioner.

8.1.4 LOCAL GOVERNMENT ACTS TASKFORCES – RELEASE OF DISCUSSION PAPER ATTACHMENT 4

Information has been received advising the release of the Local Government Acts Taskforce (LGAT) Discussion Paper "A New Local Government Act for NSW". A copy of the circular and the discussion paper is attached for Councillors information. Submissions to the paper can be lodged up until Friday 28 June 2013. A series of workshops across NSW will be held shortly to for any interested persons.

8.1.5 DRAFT 2013/14 OPERATIONAL PLAN & BUDGET

Staff have almost completed the suite of draft plans and documents required to be adopted by Council at the May Council meeting. These documents will be issued to Councillors shortly in time

for consideration at the May 2013 Council Meeting. The draft plans will be similar to those documents considered at the Councillor Workshop held 6 May 2013. The draft plans will include – Draft Community Strategic Plan, Draft Delivery and Operational Plan, and Draft Budget for 2013/14.

RECOMMENDATION

That the Information Items report be received and noted.

8.2 CODE OF CONDUCT REVIEW PANEL

Summary

This report provides information regarding the formation of a Code of Conduct panel.

Commentary

As previously reported to Council it is necessary for formation of a Code of Conduct Review Panel. In previous years, Council has utilized the same panel members as Broken Hill City Council and this arrangement has worked well. Contact has been made with Broken Hill staff, and they will be advertising for panel members shortly. Central Darling has been invited to join with Broken Hill City Council to share the same panel.

It is recommended that Council resource share with Broken Hill City Council in this regard through sharing a panel for Code of Conduct reviews.

(a) Policy Implications

Council must have a panel in place by September 2013.

(b) Financial Implications

Advertising will be undertaken by Broken Hill at no cost to Central Darling.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Advertising to be undertaken by Broken Hill City Council as required.

RECOMMENDATION

That the Code of Conduct Review Panel report be received and noted, and further;

That Council resolves to share Code of Conduct Review panels with Broken Hill City Council.

8.3 GUIDELINES ON THE CLOSURE OF COUNCIL AND COMMITTEE MEETINGS

ATTACHMENT 5

Summary

The purpose of this report is to provide information on guidelines produced by Division of Local Government on the closure of Council and Committee Meetings.

Commentary

A circular has been released by the Division of Local Government to inform councils on the closure of council and committee meetings. The circular indicates the following;

- Meetings are the key forum in which councils make strategic and policy decisions on behalf of their communities. As elected institutions, councils are ultimately accountable to their communities for their decisions. It is therefore important that council meetings are open and can be attended by members of the community.
- There will, however, be occasions where councils are required to consider information which by its nature is confidential and ought not to be publicly disclosed. The Act recognises that on such occasions, the public interest in protecting confidential information will outweigh the public interest in ensuring accountability through open meetings.
- The Division of Local Government has developed guidelines, including common questions and best practice examples, on how councils can appropriately weigh these competing public interests and ensure that they comply with their obligations under the Act when closing meetings to the public.
- The Division has prepared these guidelines under Section 10B(5) of the *Local Government Act 1993* (the Act) to assist councils and the public in understanding the processes involved in closing meetings.

It is recommended Council should consider these guidelines, which have been prepared in accordance with section 10B(5) of the *Local Government Act 1993*, when closing meetings to the public. Correspondence from the Division, a copy of the circular and the new guidelines are attached for Councillors information.

(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 Guidelines on The Closure of Council and Committee Meetings report be received and noted.

8.4 FRUIT FLY SIGNAGE

ATTACHMENT 6

Summary

This report provides further information on Council's request for installation of fruit fly signage.

Commentary

Correspondence has been received regarding Council's request for fruit fly signage to be constructed on the Barrier Highway east of Broken Hill advising that fruit and vegetables purchased in NSW cannot be transported into South Australia. It is indicated in the correspondence from NSW Department of Primary Industries that the request should be forwarded to the South Australian State Government as the signage relates to their legislation, not NSW. It was also noted the NSW DPI does not have a budget allocation for the signage.

(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 Fruit Fly Signage report be received and noted.

8.5 REQUEST FOR ASSISTANCE

ATTACHMENT 7

Summary

This report seeks assistance for Mid-Western Regional Council through Local Government NSW.

Commentary

Correspondence has been received from Local Government NSW indicating the board had approved an application for legal assistance for Mid-Western Regional Council. The application relates to a matter before the Land and Environment Court dealing with categorisation of land for ratings purposes when Council have determined land which is used for mining purposes be appropriately categorised.

Council has always supported previous requests for assistance from Councils. At the time of writing this report the contribution required had not been stated, however historically these requests are generally less than \$1000.

It is recommended that Council support the request to a value no greater than \$1000.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Up to \$1000 be allocated out of current budget.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the Request for Assistance report be received and noted, and further;

That Council provide financial assistance to Mid-Western Regional Council to the value of \$1000 as per the application lodged with Local Government NSW.

8.6 REQUEST OF DONATION – MENINDEE DEBUTANTE BALL

Summary

This report provides information about a request for funding for a Debutante Ball to be held in Menindee. This item was considered by Council at the March Ordinary Meeting whereby the request was placed on public exhibition for 28 days.

Commentary

Correspondence has been received from the Menindee Deb Ball Committee seeking sponsorship from Council for a Debutante Ball to be held in Menindee. The ball is being held as part of the 150th celebrations of Menindee being gazetted as a township. The committee are seeking \$2,000 from Council to go towards the Deb Ball.

Generally requests for financial assistance are dealt with under Council's Financial Assistance Grant scheme. As resolved in March, the request was placed on public exhibition for 28 days – no submissions were received.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

The request fits under Council's Financial Assistance Grant Policy.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

The request for financial assistance has been placed on public exhibition for 28 days.

RECOMMENDATION

That the Menindee Debutante Ball – Request for Funding report be received and noted, and further;

That Council contribute \$1,000 towards the Menindee Debutante Ball.

8.7 2013/14 FINANCIAL ASSISTANCE GRANTS

ATTACHMENT 8

Summary

This report provides information on applications received under Council's Annual Financial Assistance Grants Program.

Commentary

In accordance with Council's Financial Assistance Grants Policy community organisations, non-profit community groups and individuals are invited to apply for funding under this program. In this round of Council's Financial Assistance Program Grants, Council received 24 applications seeking \$22,956.95 of funding from an available pool of \$17,000. A large number of applications were received - Menindee (10), Ivanhoe (6), Wilcannia (4), Sunset Strip (2) and White Cliffs (2).

A summary table is provided below:

FINANCIAL ASSISTANCE GRANT 2013/14				
Organisation Name/Details	Amount Requested	Description / Purpose of Grant	Comments	Recommended Grant Amount
Wilcannia News Committee Inc	\$750	Purchase 20 Cartons of A3 Paper, this is approximately 6 months' supply.	Run by volunteers and is Wilcannia's only local newspaper. Recommend funding be provided to assist.	\$500
Menindee Catholic Church	\$1,000	The Funds would be used to undertake a electrical survey and repair to the church's power points, light switches, many of switches and lights do not work.	Holds regular services that are attended by Menindee residents and visitors. Recommend funding be provided.	\$500
Kilfera Field Day	\$1,000	The Kilfera Field Day is an Annual event and funds will be spent on marques, seating and catering facilities.	Annual, long standing event that is a get together for local residents. Raises funds for RFDS and local health service. Recommend funding be provided.	\$1,000
Ivanhoe Golf Club	\$1,000	The funds will be spent repairing the septic system and cisterns in the amenities block at the golf club	Sporting facility in Ivanhoe. Requires funds for toilets to be functional. Recommend funding be provided.	\$750
Menindee CWA Branch	\$306.95	To purchase a Bain Marie for catering purposes	CWA assist the local Menindee community in many ways. The request is for catering equipment. Recommend funding be provided.	\$300.00

Central Darling Shire Council – Ordinary Meeting – 21st May 2013

Menindee Common	\$1,000	To help in purchasing fencing materials for boundary fence on Menindee common. A section needs replacing since last floods.	Menindee Common is used by Menindee community on a regular, consistent basis. It is the only common still utilised for its original purpose within the Shire. Recommend funding be provided	\$750
Barbara Frances Ministries	\$1,000	To tutor young people in piano/keyboard/music theory, to purchase music and resources, to establish a choir/singing group.	Provides a musical opportunity for residents of Ivanhoe, and will assist to set up a local choir. Recommend funding be provided	\$500
Gone Bush	\$1,000	To establish a library in Ivanhoe.	The establishment of a library at Ivanhoe would be beneficial for Ivanhoe residents. Recommend funding be provided.	\$750
Menindee Children's Centre	\$1,000	The funds would be used to purchase new resources for the children's dramatic play area.	This is the only early childhood/preschool in Menindee. The new resources will assist child development. Recommend funding be provided.	\$1,000
Ivanhoe Quilters & Needlework Group	\$1,000	Purchase quilt display boards, chairs, cutting table, quilt patterns, hire of a specialized instructor for a quilting and needlework workshop.	Not for profit group run by volunteers, money raised is donated. Provides an opportunity for Ivanhoe residents to join in with this interest group. Recommend funding be provided.	\$750
Parents and Citizens - White Cliffs Public School	\$1,000	The funding would be used to assist the P&C cover the cost of travel and accommodation costs for children to go on a school excursion outside of White Cliffs.	The P&C need assistance to cover cost of travel and accommodation. Beneficial for child development. Recommend funding be provided.	\$1,000
Fantastic Wedgies, NSW State Health Challenge	\$1,000	The funds will be put towards paying for the use of either the CWA hall or the Civic hall for a fitness group class.	The new football team at Menindee is encouraging better health within their community. This is seen as beneficial for residents seeking to be involved. Recommend funding be provided.	\$500
Wilcannia Community Tourism Assoc Inc	\$1,000	To go towards the costs of running Queens Birthday Field Day in Bourke Park and the re-starting of the Wilcannia Gift.	Receives funding from Council of \$5,000 per year for tourism purposes. Recommend no funding be allocated under this program	Nil
Wilcannia River Radio	\$1,000	Travel, accommodation and incidentals for a person to travel from Sydney to teach radio announcing skills.	Means of communicating with Wilcannia community, local radio station is able to advertise events and inform the community. Recommend funding be provided.	\$750
Menindee Friends of the Cenotaph	\$1,000	Erection of a new colour bond fence on eastern side of the cenotaph. This will replace the old fence which is in a state of disrepair	Cenotaph is a well maintained facility cared for by volunteers. It is utilised for Anzac Day, and is a credit to the Menindee community. Recommend funding be provided	\$1,000

Central Darling Shire Council – Ordinary Meeting – 21st May 2013

Joining in the Dreaming	\$1,000	To purchase a gazebo and two lounge settings	Will assist with providing a place to sit for volunteers and clients. Recommend funding be provided.	\$500
Menindee Shed	\$1,000	To purchase an air filter for getting dust out of the shed and 5 sheets of waterproof plywood for making two sailing yachts for the community.	The Mens Shed is a well-supported facility within Menindee, and is beneficial to the local community. Recommend funding be provided.	\$500
Menindee Regional Tourist Association Inc	\$1,000	Purchase of table and chairs for placement within the designated historical area of the Visitor Information Centre in Menindee.	Receives funding from Council of \$5,000 per year for tourism purposes. Recommend no funding be allocated under this program	Nil
White Cliffs Sporting Club for the White Cliffs Music Festival	\$1,000	To assist with the general running costs of the White Cliffs Music Festival.	Annual event that is a get together for local residents, and encourages music. Recommend funding be provided.	\$1,000
Institute of Sisters of Mercy - Wilcannia	\$1,000	For training of personnel for an Aboriginal grief programme	Will assist community to deal with grief and loss. Recommend funding be provided.	\$500
Menindee Charities Inc	\$1,000	To carry out urgent repairs to the Charity shop.	Shop is run by volunteers, with profits being donated to the local community. The facility is a valuable networking link for residents in Menindee.	\$1,000
Sunset Strip Progress Assoc Inc	\$900	Looking to purchase a 5000ltr rainwater to be placed alongside the landcare shed to collect rainwater	Receives funding from Council of \$5,000 per year for tourism purposes. Recommend no funding be allocated under this program.	Nil
Sunset Strip Golf Club	\$1,000	To buy a 5000 litre rain water tank and fit a flushing toilet on the 4th Tee.	The golf club is a sporting facility utilised by local residents of Sunset Strip.	\$1,000
Ivanhoe Revival Group	\$1,000	Seating and beautification eg. Tree planting, gardens, main street, playground area, entrances to town.	Receives funding from Council of \$5,000 per year for tourism purposes. Recommend no funding be allocated under this program.	Nil
			TOTAL	\$14,550

RECOMMENDATION

That \$14,550 of Financial Assistance Grants be included with the 2013-2014 Draft Operational Plan which is to be submitted for public exhibition.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

9.1.1 GRADING PROGRAM

ATTACHMENT 9

The May 2013 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 RESERVOIR RELINING PROJECT - WILCANNIA

Internal sandblasting and primer coating works completed. Polyurea application works commenced Wed 8th May. All works expected to be completed by Wed 22nd May 2013 at which time Wilcannia water services will return to normal.

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 2012/2013 Roads section of the Engineering Department for the previous month.

Council currently has five grading crews operating with priorities being on the completion of flood damage works, reconstruction works and RMS Ordered Works

Commentary

State Roads:

- 2012/2013 RMCC works estimated cost for Routine Maintenance Works on both highways is \$514,000. Expenditure detailed below is from the 3rd quarter report 30th March 2013.
- 7 Works Orders received this financial year to date.
- 2 Works Orders remaining from 2011/12 financial year.
- White Elephant Tank Construction works order received \$1,064,953 and construction has started.

	Original Budget	Remaining Budget	% Expended
RMCC (ROUTINE WORKS)	\$514,000	\$24,814	96%
Flood Damage 2012	\$217,142	\$0	100%
SH21 Capital Works	\$1,064,953	\$865,000	19%

Regional Roads:

- Balranald Rd Reconstruction complete.
- 2012 Flood Damage Restoration complete.
- 2012/13 Regional Road Block Grant total \$2,459,000 including traffic and supplementary components.
- Regional Roads Repair Program is 50/50 funded. Councils \$396,000 share is funded from the 2012/13 Regional Roads Block Grant

	Original Budget	Remaining Budget	% Expended
MR67 Balranald Rd (2011/12)	\$2,015,000	\$0	100%
Regional Road Block Grant	\$2,459,000	\$0	100%
Flood Damage 2012	\$936,157	\$0	100%
Regional Road Repair Program MR416	\$792,000	\$164,792	80%

Local Roads:

- 2012 Flood Restoration Works are in progress..
- FAG total was \$1,374,991 and \$280,000 has been allocated to Town Improvement Funds
- Roads to Recovery (R2R) allocation of \$703,770 for SR1 Tipa East Rd works are in progress

	Original Budget	Remaining Budget	% Expended
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Local Roads Component (FAG)	\$1,374,991	\$335,126	75%
R2R SR1 Bridges	\$703,770	\$677,535	4%
Flood Damage 2012	\$1,644,003	\$0	100%

(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:

- \$70k per town to be funded from Untied Local Road (FAG) Funds
- **Wilcannia** - \$25,000 allocated to playground installation, \$5,000 allocated to tree planting/ town beautification, \$10,000 sporting oval reserve seating, scoreboard, \$5,000 bollard purchase and installation at Warrali Estate footpath, \$25,000 Post Office kitchen and toilet refurbishment.
- **White Cliffs** - \$35,000 allocated to new playground (unsuccessful under funding application), \$35,000 for 200m street reconstruction and sealing.
- **Menindee** - \$70,000 allocated to new Multi Sporting Complex
- **Ivanhoe** - \$45,000 allocated to Main Street paving works, \$25,000 allocated to Sporting Oval amenities upgrade (unsuccessful under funding application).

Note: Those funds allocated to projects that include grant submissions will be advised ASAP of the outcome of that grant application. Alternate projects should be considered in the event that the grant submission is unsuccessful.

	Original Budget	Remaining Budget	% Expended
Wilcannia	\$70,000	\$28,472	60%
White Cliffs	\$70,000	\$36,634	48%
Menindee	\$70,000	\$70,000	0%

Ivanhoe	\$70,000	\$70,000	0%
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(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 current status of the Services provided by the Engineering Department for the previous month.

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
Parks & Gardens	\$137,500	-\$49,957	100%
Ancillary Works	\$150,000	\$51,696	65%
Street Cleaning/ Bins	\$113,500	\$2,751	98%
Aerodromes	\$68,000	-\$25,931	100%

Public Conveniences	\$37,250	\$4,159	89%
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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 = 5.0 m, Tank 2 =3.0m, Tank 3 (Wakefield) 5.80m
- Ivanhoe town water supply is currently being sourced from the Morrisons Lake reservoir.
Morrison’s Lake storage is currently 380 megalitres, town storage dam 35 megalitres.

	Original Budget	Remaining Budget	% Expended
Wilcannia Water	\$308,250	\$19,046	94%
Wilcannia Sewer	\$81,000	\$17,878	78%
White Cliffs Water	\$113,500	-\$5,516	100%
Ivanhoe Water	\$151,500	\$4,841	97%

(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	Civil Works component aborted and redesign being undertaken. Water Treatment Upgrade Works and Reservoir relining works tenders have been awarded and are in progress.	\$3,030,000	\$2,890,000	5%
Wilcannia Weir	S355 Committee held 13-11-12	N/A	N/A	N/A
Aboriginal Communities Water	Ongoing. Interim arrangements have been extended to 30 June 2013. An additional \$59k has been approved for filtered water pipeline over the Old Wilcannia Bridge. Further extension to BHC Plumbing engagement beyond current arrangements to be subject to review of scope of works and competitive quotations being called.	\$243,000	\$28,000	89%
Integrated Water Management Plan	Draft Strategy due for completion 15 th May 2013. A report to Council will be presented following receipt of this	\$167,000	\$8,354	95%

	report.			
Warrali Mission Footpath Upgrade	Complete.	\$121,000	-\$1,183	100%
Old Wilcannia Bridge	Timber received. 90% complete	\$90,000	\$0	100%
MR67 Ivanhoe-Balranald Rd Reconstruction	Complete	\$2,015,000	-\$119,248	100%
SR1 Bridge Replacements	Tenders Closed. Report to Feb Meeting	\$703,770	\$677,970	4%
MR416 Ivanhoe-Cobar Rd Repair Program	In Progress	\$792,000	\$164,792	80%

(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 ITEMS

10.1.1 MENINDEE BMX TRACK

Correspondence has been received from the Premier of New South Wales advising a small grant has been provided for the Menindee BMX track under the Community Building Partnership Program. The grant valued at \$3,000 will assist with planning of the track. Further information will be provided for Councillors when available.

10.1.2 KNOX AND DOWNS

The Expression of Interest for purchase and development of Knox and Downs has been advertised. The advertisements have been widely circulated, with submissions closing on 14 June 2013.

RECOMMENDATION

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR APRIL 2013

Summary

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

Commentary

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

<u>Statistics for April 2013</u>	
Number DA'S Approved for April 2013	Nil – broken down into the following categories; Commercial = \$0 Residential = \$0
Total Value of DA's approved for April 2013	\$0
Food Premises Inspected in April 2013	1
Animal Control Activities for April 2013	Impounded = 12, Rehomed = 4, Returned to Owner = 4, Euthanized = 8, Registered = 3, Microchipping = 1
Water Sampling for April 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 April 2013 report be received and noted.

10.3 NSW SWIMMING POOL REGISTER

ATTACHMENT 10

Summary

This report provides information on the commencement of the NSW Swimming Pool Register under the *Swimming Pools Amendment Act 2012*.

Commentary

Under the *Swimming Pools Amendment Act 2012*, all pool owners are required to register their pool on the State-wide on-line Swimming Pool Register from 29 April 2013. The register is on the following website www.swimmingpoolregister.nsw.gov.au

Council has been delegated the following tasks under the legislation including;

- Promoting pool safety and the responsibility of pool owners to register their pool, for example through council communications and rate notices.
- Assisting pool owners who do not have internet access by registering pools on the owners behalf, for a fee of up to \$10.00 per registration
- Dealing with enquiries on the pool register and pool safety.
- Developing and adopting an appropriate and affordable risk-based inspection program by 29 October 2013.

The Division of Local Government indicate support for Councils will be available in the following forms;

- A public awareness campaign, delivered by Royal Life Saving Australia (NSW), commencing on 26 April 2013.
- Factsheets on pool safety and the register and an information manual – these will be sent to Council by Royal Life Saving NSW.
- Information on DLG website, along with other materials that can be utilised by Council. A series of regional road shows will be undertaken shortly to assist Councils.

It will be necessary for Council staff to be aware of the new requirements of the legislation, as well having a dedicated officer to use the register once it is live.

Inspection Program

By 29 October 2013, Council will need to have developed and implemented a mandatory inspection program. Advice received is that NSW DLG want this program to meet 3 criteria:

Keep it simple, in order that it may be an accessible document,

The program is to be affordable for the local community, and

The program must be developed in consultation with the local community.

The presenters advised that the public consultation should be similar to that of an LEP.

It has been noted that there are limited private pools within townships across Central Darling, however it is unknown how many are scattered across the Shire on various stations. The requirements of inspections of swimming pools will place further pressure on Council staff and Councils resources.

(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 NSW Swimming Pool Register report be received and noted.

10.4 NSW PLANNING WHITE PAPER

ATTACHMENT 11

Summary

This report provides information on the NSW Government Planning White Paper that suggests proposed alterations to the Planning system in NSW.

Commentary

Recent media releases from the NSW government have brought to Council's and the General public's attention a number of proposed changes to the Environmental Planning & Assessment Act and associated legislation. In particular, the reference to reduced approval times for development. It should be understood that this is currently a document for discussion and input into the proposed changes; no legislative changes have been made to date. It is proposed that as part of the proposal a time line be adopted that looks at implementation of all or part of the proposals in the 2014/2015 period.

The NSW government is looking at a number of major changes to the method used for assessment of development in NSW. The greatest change is to move from a reactive (development based) planning system to a strategic planning system. This will require all NSW Council's to adapt their planning controls to a new system by a given date yet to be determined.

There has been considerable press coverage of the new system and how it will speed up approvals and cut red tape. The question is however - what will be the impacts for Central Darling Shire Council?

- No likely impacts are expected in the first 6 months other than possible need to consider the future impacts and prepare submissions. Time for senior staff to prepare documents to support submissions.
- After the introduction of legislation – proposed at this stage for early 2014, Council will be required to commence a number of planning changes. At this stage, and assuming no major variations arise from submissions, this will require Council to prepare or be involved in the preparation of the following documents:-
 - Regional Growth Plans will be developed by the NSW Government in partnership with councils, and in consultation with the community and other stakeholders; be aimed at managing jobs and housing & cut red tape and the need for subsequent government approvals, which cause delays.
 - Subregional Delivery Plans will - set the direction for growth; be accompanied by Growth Infrastructure Plans that identify the necessary infrastructure; be prepared by Subregional Planning Boards, comprising members from local councils and expert advisers.
 - A new strategic plan – (Council’s existing plan will not suffice as it will need to be prepared to new guidelines and be consistent with the Regional Strategic Plans to be prepared);
 - A new infrastructure plan – consistent with the Strategic Plan and the Regional Strategic Plan. This plan will outline what new infrastructure will be required throughout the Council’s area as well as maintenance and upgrading of existing infrastructure. This plan may need to be devised for a period of 20 years;
 - A new Local Environmental Plan based on the strategic and infrastructure plans. (Again, Council’s recently completed Local Environmental Plan will not be sufficient and will at best require considerable alterations).

Council will also have increased workloads from the need to comply with proposed changes to building approvals:-

- Increased numbers of mandatory inspections on some buildings will increase Council workloads without further remuneration;
- Reduced community involvement at Development Application & Construction Certificate stages may upset ratepayers. This is supposedly offset by increased community consultation at regional planning stage, however this is unlikely to appease most people;
- Greater need for advisory documents to guide applicants through Development Application & Construction Certificate stages;
- Reduced approval times and abilities to “stop the clock” when information has not been provided;
- Reduced role of Councillors in Development Application approval process;
- Standardised conditions of consent across state may cause problems coping with local conditions. EG. Flooding conditions related to coast as opposed to Far Western region where floods are known about weeks before they arrive;
- Increased role of Council to check that essential fire services are working – currently owners responsibility;

- Making the roles of all practitioners more accountable and increasing requirements for further training. Whilst on the surface this sounds like a good idea, the implications on Council are increased training budgets; possible need for more staff as roles become more specialised – reduction in number of dual qualified persons;
- The State Government has set targets for all Councils of 50% of all approvals being dealt with under the new “speedier” pathways within 3 years, and 80% within 5 years. How Councils will achieve this is not clear;
- It is envisioned that Council will have to provide full electronic access to their policies and mapping and that applicants will be able to lodge applications over the internet. This will require a considerable expenditure on Council’s GIS (mapping) programs as well as its internet and general IT capability. No time frames have been set for this as yet but it would be reasonable to assume that these would need to be set up at the same time as Council new planning systems.

These are the known implications at this stage; however the White Paper is a policy document not the legislation. The level of detail available is minimal at best and the degree of impacts is at best an educated guess. Further refinement of the impacts will need to be considered as details become known.

Whilst some of the proposals appear to have merit, there will be a significant cost to Council’s as a result of these changes. It is still unclear how these changes are proposed to be funded, a vague reference to the Plan 1st levy only, and little or no details have as yet been provided as to the full gamut of the proposed changes. As usual the devil is in the detail and the detail has yet to be provided.

Council only has the option to consider the broad policy changes and comment accordingly at this time. A précis of the proposed changes is attached for consideration by Council.

(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:

- 1. That the NSW Planning White Paper report be received and noted; and further,***
- 2. That Council prepare a response to the proposed white paper outlining its concerns about the financial and workload impacts upon Council;***
- 3. That Council supports the response being prepared by the LGSA in response to the White Paper.***

SECTION 11. FINANCE MANAGER'S REPORT

11.1 INVESTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 30th April 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 April 2013				\$1,492,470
		Total Investments as at 30th April 2013				\$1,492,470
Bank Balances as at 30th April 2013						
		General Fund (Overdraft limit: \$3,000,000)				\$1,918,613 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 April 2013 be received and adopted.

11.2 RATES REPORT

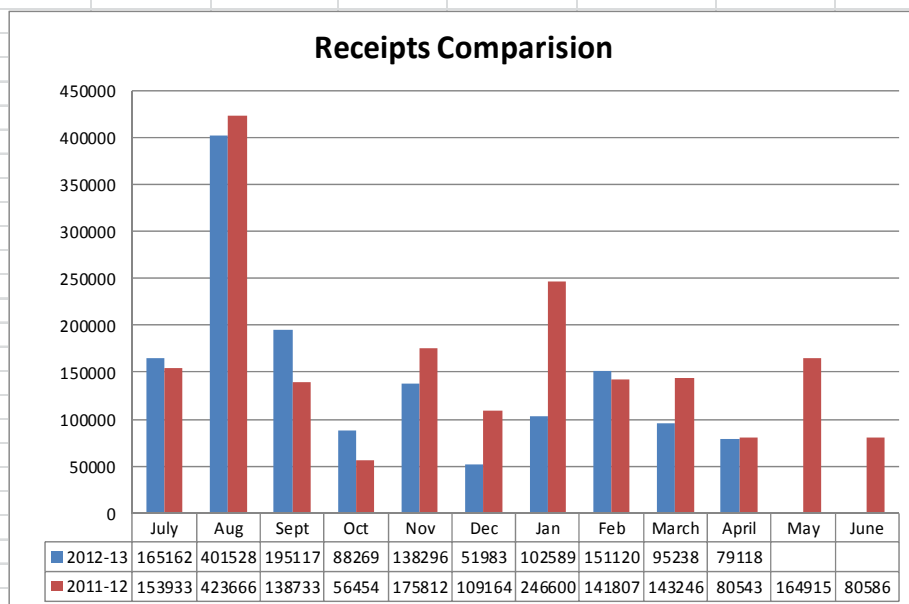
STATEMENT OF RATES and CHARGES as at 2nd April, 2013

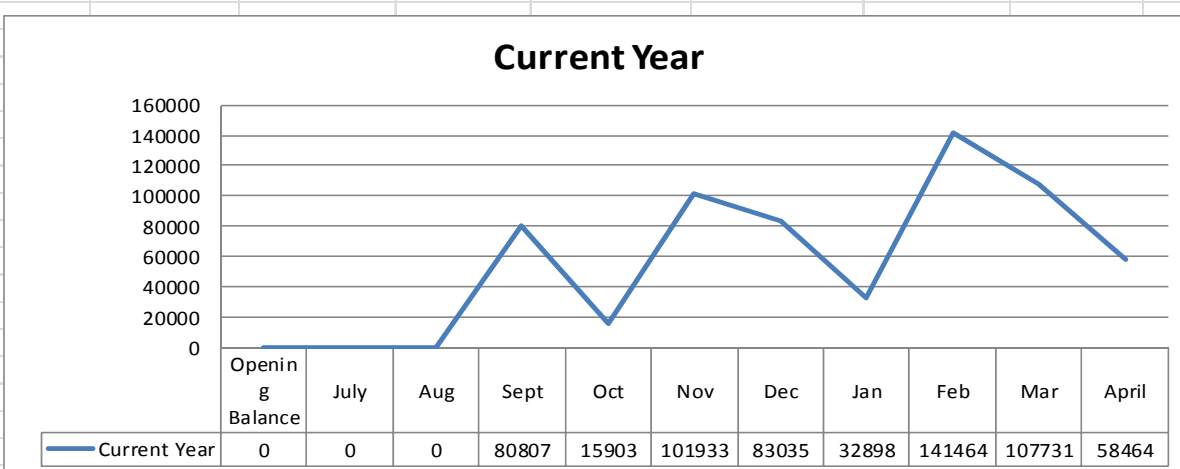
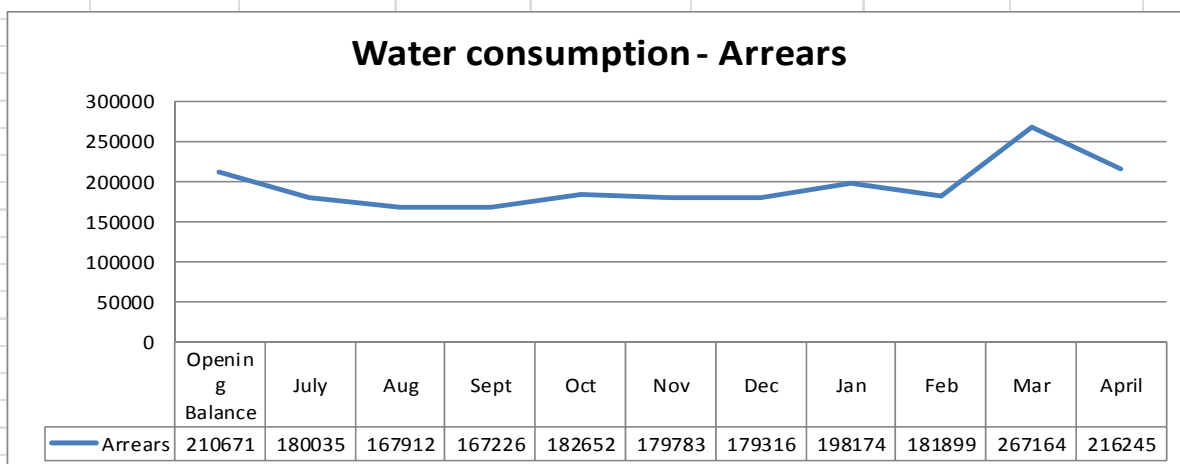
Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/off's & Credits	Pensioner Subsidy	Rates in Credit	BALANCE
General	\$ 675,308	\$ 17,673	\$ 272,810	\$ 965,790	\$ 553,521	\$ 7,410	\$ 15,360		\$ 389,499
Special	\$ 32,549	\$ 1,586	\$ 24,640	\$ 58,775	\$ 26,976	\$ 462	\$ -		\$ 31,337
Water	\$ 293,979	\$ 12,622	\$ 197,112	\$ 503,713	\$ 243,320	\$ 5,556	\$ 4,796		\$ 250,041
Sewer	\$ 103,625	\$ 3,228	\$ 50,621	\$ 157,474	\$ 88,589	\$ 1,194	\$ 788		\$ 66,904
Garbage	\$ 336,011	\$ 15,378	\$ 238,051	\$ 589,440	\$ 270,930	\$ 7,204	\$ 13,044		\$ 298,262
Excess Water	\$ 336,557	\$ 11,210	\$ 210,671	\$ 558,438	\$ 281,949	\$ 60,007	\$ -		\$ 216,482
Charge on Land	\$ -	\$ -	\$ 27,365	\$ 27,365	\$ 3,044	\$ -	\$ -		\$ 24,322
Rates in Credit								\$ 53,380	\$ 53,380
TOTALS	\$1,778,029	\$ 61,697	\$ 1,021,269	\$2,860,995	\$ 1,468,329	\$ 81,832	\$ 33,987	\$ 53,380	\$ 1,223,467

Receipts in April were on a par with last year (\$79,118 vs \$80,543). Adjustments included 2 credits totalling \$963 due to amalgamations and 1 large interest write-off (\$690) due to compliance with an arrangement to pay off a large outstanding debt. Rates in credit continue to be uncomfortably high at \$53,380 although this will be largely corrected after the 2014 levies are raised. The overall position improved by \$79,455.

Previous Balance	\$ 1,302,922
This Period	
Interest raised	\$ 7,151
Water Levies Raised	\$ -
Supplementary Levies	\$ -
Receipts	\$ 79,118
W/Offs & Adjustments	\$ 2,716
Pensioner Rebates	\$ 116
Rates in Credit	\$ 4,656
Current Balance	1,223,467
Net Movement	-\$ 79,455

Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit	
2/04/2013	\$492,616	\$156,046	\$109,904	\$95,207	\$66,189	\$161,980	\$269,703	-\$48,724	\$1,302,922
1/05/2013	\$424,007	\$148,044	\$108,847	\$95,034	\$65,801	\$161,123	\$273,990	-\$53,380	\$1,223,467
Net Movement	-\$68,609	-\$8,002	-\$1,057	-\$173	-\$388	-\$857	\$4,287	-\$4,656	-\$79,455





RECOMMENDATION

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

11.3 ROAD NAMING ATTACHMENT 12

Council has received three (3) submissions regarding the proposed road name changes previously minuted. The submissions relate to Reola Road, Tilpa – Tongo Road, and Ivanhoe – Menindee Road.

Reola Road

The main point raised in this submission – that the road in question is locally known as Monolon Road – has been backed up by further investigation and consultation with locals. The submission also correctly states that Council records and Roads and Maritime Services (RMS) currently refer to Monolon Road.

The considerable and prolonged concern on this issue has brought about renewed discussions between Council and the Western Lands Commissioner. These discussions have confirmed the desire of the Commissioner and the Council to work together to resolve the matter, taking particular note of Section 4.4.6 of Australia/New Zealand Standard 4819:2011, which states: ‘An unbroken section of road crossing an administrative boundary shall keep the same name. Such boundaries shall

include reservation boundaries (eg forests or parks), locality or local government boundaries and state and territory borders. In such cases the name and extent of the road should be determined through liaison with the neighbouring naming authorities.'

The road in Question crosses the Shire boundary into the Unincorporated Area just south of Monolon Station. Central Darling Shire Council and Western Lands are the relevant road Naming Authorities and have agreed to accept the submission to change the name to Monolon Road, subject to a further period of public consultation to be undertaken by both the Commission and Council.

Tilpa – Tongo Road / Ivanhoe – Menindee Road

Two submissions were received; the main point raised in both these submissions is historical: ie the roads have been known as Tilpa -Tongo Road and Ivanhoe – Menindee for as long as most people can remember. Whilst true, it is also true, for example, that the Ivanhoe – Menindee Road is known as the Ivanhoe Road by Menindee locals heading to Ivanhoe, and the Menindee Road by Ivanhoe locals heading to Menindee, representations that allow for possible confusion – particularly where emergency services are involved. To enable road names (and therefore addresses) that can be readily and unambiguously identified and located Section 4.4.9 of AS/NZS 4819:2011 (Origin-Destination road names) states: 'a road name shall not consist of the conjoined names of places or localities found along or at the ends of the road'.

RECOMMENDATION

That Council publish notice of its intention to seek to Gazette the name Monolon Road as the name for the road running north from White Cliffs towards the Cut Line, such notice to be published no later than Tuesday 21st May 2013 and placed on Public Exhibition for a period of not less than twenty eight days; and further, that Council notify Australia Post, the Registrar General and Surveyor General and others, and that Council accept submissions on the proposed name until 5pm on Friday 28th June 2013 and a report and any submissions received be presented to Council at the July 2013 meeting.

That Council reply to the submissions regarding Tilpa-Tongo and Ivanhoe-Menindee Road, clearly setting out the reasons the submissions have been declined.

11.4 DRAFT OPERATIONAL PLAN AND BUDGET 2013-2014, DRAFT DELIVERY PLAN AND DRAFT COMMUNITY STRATEGIC PLAN

Summary

The purpose of this report is to present to Council the Draft Operational Plan and Budget for the 2013-2014 financial year and request they be adopted and approved for public exhibition for a period of 28 days.

Commentary

In accordance with the Local Government Act 1993 and the NSW Division of Local Government Integrated Planning and Reporting requirements, Council must review and exhibit for at least 28 days and adopt by June 30 its :

- Annual Operating Plan 2013-2014
- Four Year Delivery Program 2013-2017, and,
- Ten Year Resourcing Strategy 2013-2023.

The draft Annual Operating Plan 2013-2014 incorporating the 4 year Delivery Plan, as attached, meets the general requirements of the Local Government Act in that it is a 1-year plan that outlines the activities Council will undertake in the upcoming year, as part of its delivery program. The Plan includes :

- Financial Summary and commentary of actions to be undertaken in the next 12 months.
- Council's Revenue and Charging policies.
- Council's Draft Fees and Charges
- Council's Annual Budget and,
- Details of the Annual Capital Works Program

The draft Annual Operating Plan 2013-2014 incorporating the 4 year Delivery Plan meets the essential elements of the Integrated Planning and Reporting Manual for Local Government in NSW In that it :

- Includes a detailed budget and Statement of Council's Revenue Policy.
- Is a sub plan of the Delivery Program and,
- Addresses and assigns responsibility for the actions described in the Delivery program and the activities that Council will undertake in the next 12 months.

In accordance with the requirements of the Integrated Planning and Reporting timetable, as a Group 3 Council, there is no requirement for Council to review its Resourcing Strategy until the 2014-2015 financial year and accordingly no documents have been prepared for exhibition.

Draft Community Strategic Plan

A review of Council's Community Strategic Plan has been undertaken. Satisfaction surveys were made available for each community to complete and return to Council, with minimal responses received. Comments made by community members were cross-referenced with the Draft Community Strategic Plan and in all cases identified as already included under the goals. On this

basis, minimal changes have been made to the Draft Community Strategic Plan apart from changes in formatting to link the plan to the Draft Delivery and Operational Plan.

Draft Budget 2013-2014

The overall financial outcomes of the budget include :

- Operating Surplus of \$590,000
- Operating Deficit, excluding Capital Income, of \$3,493,000
- Net cash outflow of \$850,000
- Net funding Result of \$ 0.
- Capital Works program of \$4,083,000 wholly funded by grants.
- No new loan borrowings.

In relation to income and expenses the following comments are made.

Income

- Rates increase of 3.4% (maximum allowed under rate peg)
- Domestic Waste Charges increase of \$50 per service
- Annual water charge increase of 6.8%
- Water usage charges increased by 15%
- Total operating income of \$15.1m a reduction of \$2.5m due to finalisation of flood works.

Expenses

- Employee costs increase of 7.8% (2012/13, 9.7%) due to award increases and increase in superannuation contribution rate.
- Energy cost increased by 5%
- Reduction in contractor costs of \$680,000
- Reduction in raw materials and consumables of \$250,000
- Total operating expenses of \$14.5m held at 2012/13 level.

Generally existing service levels are projected to be maintained but this may need to be reviewed after determination of the actual result for the current financial year.

In accordance with sound and financially responsible principles, and in the absence of any reasonable certainty as to how to fund a deficit budget, significant cuts have had to be made in capital works and a number of new initiatives deferred.

At the Councillor workshop held earlier this month, a number of necessary projects spread throughout the Shire were proposed for inclusion in the draft budget. These items, along with scheduled plant replacements and other capital works were originally included in the draft budget but due to the inability to provide \$1.7 m in funding from operations or other sources, they have been eliminated from the final draft budget.

Whilst asset management plans are currently being reviewed and an updated 10 year strategic financial plan prepared, based on the existing plans, there is a significant and growing gap between what should be spent on infrastructure maintenance and what Council can currently afford to spend.

Recent reviews of Council particularly by the Independent Local Government Review Panel and TCorp, have highlighted a number of structural issues which are impacting not only on community perceptions of Council's performance and its medium to long term financial sustainability, but more importantly on its immediate to short term financial viability.

The Operating Plan and Budget for the 2013-2014 year has been prepared on the basis of living within the means currently available to Council but cannot be regarded as a budget that delivers outcomes for the satisfactory maintenance of infrastructure and the future economic, social and community development, well- being and sustainability of the Shire.

Councillors should be aware that discussions have been held with the NSW Division of Local Government regarding Council's budgetary position and although unable to offer any direct financial assistance, have given an undertaking to work with Council over the coming months to see what options can be developed to assist resolve the current position.

RECOMMENDATION

That Council:

- 1. Adopt the 2013-2014 draft Operational Plan and Draft Community Strategic Plan and endorse it for public exhibition for a period of 28 days.***
- 2. Adopt the 3.4% rate pegging limit increase for the 2013-2014 financial year.***
- 3. At the conclusion of the public exhibition period a meeting of Council is held to consider any submissions made concerning the Draft Plans and adopt the final Operational Plan and Community Strategic Plan.***
- 4. The General Manager be authorised to make any minor changes if required.***

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
18/04/2013	Member for Murray Darling	Anzac legend strong in Murray-Darling electorate
22/05/2013	Local Government NSW	Forum to manage War Memorials inlead up to World War 1 centenary.
23/04/2013	Member for Murray-Darling	Improving oral health services in the Murray-Darling electorate
24/04/2013	Independent Local Government Review Panel	Future directions for NSW Local Government: Twenty Essential steps-released for consultation
26/04/2013	Local Land Services stakeholder Reference Panel	Independent Panels Local Land Services recommendations delivered to NSW Government

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
NSW Premier and Cabinet	16/04/2013	Local Government Acts Taskforce - Public Workshops - May 2013
Local Government NSW	19/04/2013	Local Government Weekly Issue:16
NSW Premier and Cabinet	24/04/2013	Circular: NSW Swimming Pool

NSW Government	24/04/2013	Release of the Independent Local Government Review Panel Future Directions Report.
NSW Premier and Cabinet	24/04/2013	Draft code of accounting practice and financial reporting for financial year 2012-13
Local Government NSW	26/04/2013	Local Government Weekly Issue:17
NSW Governemnt Land and Property Information	30/04/2013	Proposed fees for land title related products and services from 1 July 2013
NSW Premier and Cabinet	2/05/2013	Implementation workshop-swimming pools amendment act 2012 and boarding houses act 2012
Local Government NSW	3/05/2013	Local Government Weekly Issue: 18
Local Government NSW	10/05/2013	Local Government Weekly Issue: 19

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

RECOMMENDATION

That the MANEX Meeting Minutes dated Monday 15th April 2013 be received and noted.

Minutes for MANEX Meeting held Monday 15th April 2013

Meeting Commencing at 10:00am

Present:

Leeanne Ryan -Acting GM

Reece Wilson -MTES

David Cuming -AMCC

Paul Gavin -AFM

Adelaide Elliott – EA (arrived late at 10:38am)

Apologies:

Nil

Minutes from Previous Meeting:

Nil

Questions with Notice from Councillors:

Nil

Governance:

Operational Plan and Budget Workshop 6th May 2013

IP&R Action Plan

CSP

Asset Management Plans

Financial Management:

Cashflow

Workshop

TCorp Report

Risk Management:

Incident/Accident Reports:

Work Health & Safety:

NWHS Policies

Human Resource Management:

Admin Officer-Env Ser

Engineering Positions

Use of Council Resources

Other Business:

Council Agenda- Mobility Access Policy, TCorp report

Garbage trucks- Media story/release

Update on Water situation – Filtration plant upgrade, complaints were received about when the water was turned off.

Independent Review Panel, submission

Glenn Inglis is planning on being here on the 28th May 2013.

Filtration plant inspection at 3pm

First Aid Allowance

Auditors are booked for the 6th, 7th & 8th May 2013

AFZ stencils for the roads

13th May Practical staff training

Practical Visit

Athenaeum Building

Post Office

Knox and Downs- AGM has done the technical document's for the tender process.

Meeting Closed at 11:20am

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 WILCANNIA WATER SUPPLY & SEWERAGE AUGMENTATION – CIVIL WORKS COMPONENT ATTACHMENT 13

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 for Council to consider matters related to the civil works component of the Wilcannia Water Supply and Sewerage Augmentation (2012) including amended scope of works, tendering arrangements, tenders and Council's potential role as principal of the contract.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 25th June 2013 in Wilcannia commencing at 9:00am.
