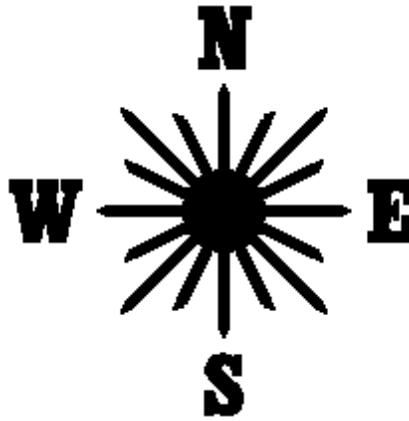


Mission Statement

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

Tuesday 18th November 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 will be held in the Council Chambers, Wilcannia on Tuesday 18 November 2014 commencing at 9:00am.

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SECTION 1. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

RECOMMENDATION

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

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

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

- 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.
- All matters raised by members of the public must be of relevance to an item within this agenda and/or relate to the policy making/strategic functions of Council i.e. operational matters are not matters addressed at Council Meeting.
- 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.

Note: Comments/Statements made at Council Meetings are not subject to Parliamentary Privilege.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Council held on the 21st October 2014, be taken as read and confirmed as a correct record of the proceedings of the meeting.

3.1 BUSINESS ARISING FROM MINUTES

SECTION 4. ADMINISTRATOR'S MINUTE REPORT

NIL

SECTION 5. DETERMINATION REPORTS

5.1 CALENDAR OF COMPLIANCE AND REPORTING REQUIREMENTS 2014/15

Summary

the purpose of this report is for Council to be updated on progress on the Compliance and Reporting Requirements 2014/15 for the month of October 2014.

Commentary

The Calendar of Compliance and Reporting Requirements is a document prepared by the Division of Local Government, NSW Department of Premier and Cabinet, to assist Shires in meeting their legislative reporting requirements under the provisions of various items of impacting legislation.

In the past, various external reports on the Shire's performance have been critical of the Shire's failure to adequately undertake the necessary completion of the legislative Compliance and Reporting Requirements; provision of this report at this and future monthly meetings of Council will evidence that these past failures are not re-occurring.

Date for Compliance	Subject	Comment
31	Second quarterly rates installment notices to be sent (s.362)	Notices sent
31	Lodgement of ALGA's National local road data system return (Grants Commission)	Returns lodged as required
31	Final date for financial Statements to be audited (s.416(1))	Final Statements forwarded to Auditor 31 October following preliminary work by Auditors at Council earlier in October – it is expected they will be available for adoption by Council at the November Council meeting
3	Closing date for pensioner concession subsidies claims	Claim sent 1 October
30	Public Interest Disclosures Act 1994 (s.31) annual report of obligations under this Act to the Minister and the Ombudsman	Submitted 30 July 2014
30	Government Information (Public Access) Act 2009 (s.125) annual report of obligations under this Act	Advice provided to Information and Privacy Commission 24 October

	to the Minister and the Information Commissioner	
Monthly	Responsible Accounting Officer (RAO) to prepare a written report for Council on money invested under S 625	Report provided to November Council meeting as required
Monthly	RAO should report actual material budget variances from the budget at the following Council meeting (LGGR cl. 202b)	Reports provided as required

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Provision of the report on a monthly cycle will evidence that Council is meeting its legislative responsibilities relating to the Calendar of Compliance and Reporting Requirements as prepared by the Division of Local Government, NSW Department of Premier and Cabinet.

(d) Community Consultation

Nil

RECOMMENDATION

That Council note the ongoing progress for October 2014 on the Compliance and Reporting Requirements 2014/15.

5.2 RECOVERY PLAN 2014 – MONTHLY REVIEW OF PROGRESS

Summary

The purpose of this report is for Council to be updated on monthly progress on the Recovery Plan 2014.

Commentary

The purpose of the Recovery Plan is to set out the key issues of concern in relation to the sustainability of the Central Darling Shire Council; to identify measures already undertaken or set in train to deal with those issues; and to provide continuing guidance to the Council in building capacity and sustainability for the future.

The Plan, forwarded to the Minister of Local Government by the Administrator, Mr. Greg Wright, is set out with a number of measures and issues into four major groupings and provides a description of the issues themselves, their implications for the Council, work undertaken to date, matters requiring further attention as a high priority, and further recommendations for the Council to consider that may make a contribution to the future security of the Council.

Further, the Recovery Plan sets out a timetable for completion of a number of high priority issues that need addressing by Council.

Additionally, there are further recommendations that may be assessed with some discretion by the Council into the medium term future. This report does not address those other proposed actions but does note them at the end of the listed priority actions so that they are not overlooked.

No.	Action	Responsibility	Timetable	Measure	Comment
1.1	The returning Council resolve at its meeting of 15 July 2014 a policy position that it will not seek, accept or participate in any new service, program or facility unless a thorough viability assessment/business case has been carried out indicating that the new activity will not have an adverse impact on Council's cash flow, expenses or long term viability.	Council	15 July 2014	Policy adopted and adhered to rigorously	Resolved by Council at meeting on 19 August 2014
1.2	Finalise, adopt and implement a pricing model for discretionary or third party works and contracts that ensure such activities are self-sustaining and	General Manager	By 30 September 2014.	Model adopted and in use.	RMS contracts recently re-negotiated ; private works rates adjusted as well

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	return an agreed margin to the Council's core business.				
1.3	Negotiate revised arrangements on any third party contract as the opportunity arises in accordance with the pricing model.	General Manager	As appropriate.	No discretionary or third party activity requires any subsidy from general operations.	Future third party contracts will reflect revised pricing model
1.4	Continue refining the costing system so that reliable 'activity based' budgeting can be accomplished so that all core and non-core activities may be accurately described in terms of revenues, expenses and outcomes.	General Manager	31 December 2014	Accurate budgeting and measurement of results is standard.	Discussions continuing with Manex and BHCC and addressed in conjunction with Action 1.7
1.5	Future budgets should target a cash surplus of a minimum of \$500,000 per year to return, over four years, sufficient working capital to operate the core Council business, provide for cash backing (at appropriate levels) of all restricted funds and reserves and avoid the regular utilisation of overdraft facilities.	Council	Annually beginning from 2015/2016 Plan	Annual Operational Plans provide for realistic surpluses.	To be addressed when the 2015/16 Operational is considered by Council later in 2015
1.6	Future budgets should deliver core services utilizing only untied funds such as rates, untied grants, fees and charges and any grant funding tied specifically to core service delivery, without cross subsidization from other sources other than the profit margin generated in line with the pricing model set out in 1.2 above.	General Manager	31 March 2015 and each successive budget	Balanced budget around core council services.	To be addressed when the 2015/16 Operational is considered by Council later in 2015
1.7	Actively seek and investigate	General Manager	Ongoing (but existing	Appropriate Council functions are managed	Arrangement in place

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	opportunities to collaborate with other councils, agencies or commercial providers for the outsourcing or resource sharing of corporate support and technical functions where cost, recruitment and retention of specialist staff, or access to equipment and systems are impediments to successful delivery.		investigations into financial management functions by 31 December 2014)	by others with CDSC oversight.	with BHCC for management accounting; discussions being held with Civica about data transfer; OLG “Fit for the Future” agenda will shape future short term considerations; current discussions with BHCC to provide assistance with rates
1.8	Fully review the operations of the Rural Transactions Centres including staffing levels, accommodation, service levels, fees and charges with a view to maximizing revenue and minimizing cost.	General Manager	31 December 2014	Decisions made in time for incorporation in 2015/2016 Operational Plan.	Review commenced; report proposed for December meeting
1.9	Fully review the operations of the Westpac Bank agency/franchise including staffing levels, accommodation, service levels (including possible closure), fees and charges with a view to maximizing revenue and minimizing cost.	General Manager	31 December 2014	Decisions made in time for incorporation in 2015/2016 Operational Plan.	Review commenced; report proposed for December meeting
1.10	Fully review the operations of the Wilcannia Post Office franchise including staffing levels, accommodation, service levels, fees and charges with a view to maximizing revenue and minimizing cost.	General Manager	31 December 2014	Decisions made in time for incorporation in 2015/2016 Operational Plan.	Review commenced; report proposed for December meeting
1.11	Conduct a full assessment of the options and viability of co-locating the Westpac agency, transaction service and post office agency in Wilcannia.	General Manager	Dependent upon the outcomes of 1.7, 1.8 & 1.9.	Single, efficient site occupancy for third party services in Wilcannia.	Review commenced; report proposed for December meeting

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1.12	Fully review the operations of the Ivanhoe Community Bus service including staffing levels, accommodation, service levels, fees and charges with a view to maximizing revenue and minimizing cost.	General Manager	31 December 2014	Decisions made in time for incorporation in 2015/2016 Operational Plan.	Not yet actioned; report proposed for December meeting
1.13	Fully review the operation of the swimming pools in order to stay within the budget provided within the 2014/2015 Operational Plan.	General Manager	Prior to the season opening.	Swimming pools program is operating within budget.	Review commenced; additional funding requirements for operational budget will be sought at November meeting during consideration of 1 st quarter QPR
1.14	Consider longer term options for the pool operations including options for third party operation and alternate funding models.	General Manager	30 June 2015	Swimming pools program is projected to achieve self-sustainability.	Review commenced; discussions concluded with Menindee Central School regarding Menindee Pool; other discussions commencing soon
1.15	Work constructively with LGNSW, the Grants Commission and other appropriate stakeholders to have the Financial Assistance Grants formula revised to better meet the needs of rural and remote Councils.	Council	As appropriate	Not applicable.	No action taken as yet
1.16	Conduct a detailed assessment of water, sewer and waste charges to ensure that these are being levied at a rate sufficient to cover all costs.	General Manager	Annually in conjunction with Operational Plan development	Self sufficient water, sewer and domestic waste management funds.	No action taken as yet; Actions 1.4, 1.7 and 2.1 will impact on this assessment being undertaken; review will be undertaken in time for 2015/16 Operational Plan
1.17	Review tip operations to reduce expenditure and include all tip expenditure within the domestic waste charge.	General Manager	2015/2016 Operational Plan	All waste expenditure is offset by the domestic waste charge.	No action taken as yet; review to be concluded in time for incorporation in 2015/2016 Operational Plan.

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1.18	Ensure that all tender, contract and service agreement decisions (including RMS funded works) are made only after a comprehensive viability review/business case has been undertaken and that such decisions are made by the General Manager/Council depending upon the circumstances.	General Manager / Council	Immediately	Only fully funded or profitable proposals are approved.	In the short term, this has been addressed in re-negotiation with RMS contracts; any additional work will only be undertaken if it can be determined that it will have no adverse effect on existing cashflow and consultation between DSS, DBS and GM
1.19	Tied grant funding for specific works or projects is to be treated as restricted funds and held as cash for the delivery of the works or projects and is not utilized for other operational purposes.	General Manager	Immediately	Restricted funds are cash backed as required.	Instructions provided to Manex; current financial position will determine that application will be difficult to achieve in 2014/15
2.1	Continue the investigation into the outsourcing of the Council's financial management functions.	General Manager	31 March 2015	Decision made in time for new financial year (if best option)	Refer Actions 1.7; Arrangement in place with BHCC for management accounting; OLG "Fit for the Future" agenda will shape future short term considerations
2.2	Implement a formal month end processing and reporting format.	General Manager	30 June 2014	Regular reporting in place	Discussions held with Manex about format – reports to be provided as soon as EOY priorities are resolved
2.3	Comply with the provisions of the Local Government Act by providing a quarterly review and comparison of budget –v- actual financial results, including cash flow forecasts.	General Manager	By statutory deadlines	Quarterly reviews meet statutory requirements	1 st quarter QPR to be provided to November meeting; updated cashflow forecasts in place and provided as required
2.4	Continue the review of the contracts register to ensure that all relevant contracts are in	General Manager	30 September 2014	Register is current and all obligations are being met	Enquiries made about required format: review commenced

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	place and that all obligations are being met.				
2.5	Maintain the contracts register on a current basis and review the register each six months.	General Manager	Six monthly	Register is current	Enquiries made with OLG and recommended Councils about format and content: review ongoing
3.1	Council report on progress on this Recovery Plan on a quarterly basis to the Office of Local Government and by publicly tabling an information report in its Council business paper in the months of September, December, March and June until such time as the OLG no longer requires such reporting.	Council	September December March June	Satisfaction of the OLG.	Report provided monthly to Council; Administrator to provide to OLG on a monthly basis
3.2	That a quarterly report be submitted to public Council meetings outlining the Council's adherence to those items contained within the OLG's monthly compliance calendar.	General Manager	October January April July	No significant failures or delays in compliance with statutory requirements.	Report provided monthly to Council
3.3	Continue the development of the organisational structure to deliver the key objectives of responsibility and focus; ensuring that necessary skills and capacities are available (either in-house or outsourced) to meet contemporary standards of governance.	General Manager	Ongoing	The Council's staff establishment reflects operational and strategic objectives and remains affordable.	Review commenced; positions of DSS and DBS appointed, Manex will commencing review in the short term
3.4	Development of a Governance Plan that addresses actions necessary to meet all relevant health & safety, EEO, workplace, GIPA and other compliance obligations.	General Manager	31 December 2014	No examples of non-compliance by 30 June 2015	Enquiries made about required format: review commenced

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3.5	Review all of the items contained in the Interim General Manager's operational notes and suggestions list for action and improvements.	General Manager	31 December 2014	Operational improvements are evident.	Items reviewed
4.1	Prepare and execute a compliant and appropriate Performance Agreement with the new General Manager.	Council	Within three months of GM's commencement.	Agreement executed on time.	Performance Agreement agreed and executed by Administrator and GM
4.2	Utilise the services of LGNSW to independently facilitate the review of the performance of the General Manager every six months.	Council	Every six months.	Clear understanding, by all parties, of the expectations and standards of performance required as well as delivery against agreed objectives.	Review of performance of GM to be coordinated by Administrator
4.3	The Mayor to provide regular updates to the Office of Local Government on the performance of the General Manager and the relationship between the GM and the Council.	Council	Every three months.	Reporting to the satisfaction of the Chief Executive Officer of the Office of Local Government.	Administrator to provide report to OLG
4.4	The Mayor to consult with the Office of Local Government before any significant action is taken in relation to the employment arrangements of the General Manager.	Council	As required.	No significant action is undertaken without consultation with the OLG.	Administrator to provide advice to OLG
4.5	Council and senior management undertake a workshop to establish the levels and types of operational and strategic information required to be reported in Council business papers.	General Manager	By 31 July 2014.	Agreement on content of Council reports.	General discussions held with Administrator and Manex
4.6	Councillors to secure and participate in accredited professional development activities related to the respective roles	Council	31 December 2014	Training undertaken and measurable compliance with the Act is occurring.	Not applicable

	of councillors and staff, the effective conduct of their duties and financial management skills.				
Recommendation:		Commentary:		Management Comment:	
<p>Introduction of Developer Contributions That Council give consideration to the introduction of a Section 94A contributions levy on all development above a particular value in order to fund, over time, additional community infrastructure to cater for any increase in demand on existing Council facilities as a result of further development.</p>		<p>Councils have the ability pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979 (the Act) to levy developers for contributions to construct and maintain certain infrastructure that benefits the community.</p> <p>Previously contributions were only capable of being collected where there was a demonstrated direct link between a development and the increased need for new, additional and/or improved infrastructure, known as a nexus. The amendments introduced a new Section in 94, known as 94A.</p> <p>Section 94A permits Councils to collect contributions from a variety of developments without needing to demonstrate a direct nexus. There are however limitations on what can be funded and the amount of money that can be collected from each development. The maximum amount of money that can be collected from a single development pursuant to this section of the Act is up to 0.5% of the cost of developments between \$100,000 and \$200,000 and up to 1% of the cost of developments over \$200,000, therefore minor developments under this amount pay nothing.</p> <p>It would, however, be my recommendation that a levy of 1% be considered on all non-residential development above \$200,000 in value and all residential development above \$350,000 in value. In this way, the levy should not act as an impediment to normal development but would capture significant development only.</p> <p>It is recognized that there is little development in the Shire that would generate the levy at this time however it does represent any opportunity to fund improvement works.</p>		<p>Data being collected - general enquiries being made with other Councils</p>	
<p>a) That the Council undertake a constitutional referendum pursuant to section 210 with a view to abolishing</p>		<p>The cost of maintaining the current nine (9) councillors during 2014/2015 will be in the order of \$200,000 which</p>		<p>No action taken</p>	

<p>the wards within the Shire; as a precursor to:</p> <p>b) That the Council utilise the provisions of either of sections 224 or 224A of the Local Government Act to reduce the number of councillors to five (5).</p>	<p>represents around 4% of the recurrent annual budget of the core Council business. Another way of looking at this expense is to point out that it costs every man, woman and child of the Shire's 1,800 residents more than \$110 per year to maintain the nine councillors.</p> <p>At the 2012 general election only 807 votes were cast across the Shire and the quota (the number of votes necessary for election) ranged from 62 to 74 across the three wards. In other words, a candidate could ensure election by securing the support of just 65 residents.</p> <p>A reduction from nine councillors to five councillors would generate a financial saving of in the order of \$100,000 annually. This outcome would not only render an improved financial outcome but would deliver more a realistic resident/councillor ratio.</p> <p>This is not a reflection on the effectiveness or the intentions of the current nine councillors. It is merely a commentary on the relative cost and representation rates in the Shire.</p>	
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(a) Policy Implications

Nil

(b) Financial Implications

Various actions may require commitment of funds, within budgetary constraints. Any additional expenditure required outside of the approved Operational Plan 2014/15 will be reported to, and approved by Council in accordance with Action1.1, before implementation.

(c) Legal Implications

Nil

Provision of the report on a monthly cycle will evidence that Council is meeting it's responsibilities and reporting requirements relating to the Recovery Plan 2014 as prepared by the Administrator Mr. Greg Wright for the Minister of Local Government.

(d) Community Consultation

Nil

RECOMMENDATION

That Council note the ongoing progress on the Recovery Plan 2014.

5.3 JANUARY 2015 COUNCIL MEETING

Summary

The purpose of this report is to enable Council to consider whether a Council meeting will be held in January 2015.

Commentary

Traditionally, Council has elected in the past not to hold Council Meetings in January. The reason for not holding a meeting in January is to enable senior staff to be provided with time to take leave, and not have to be working to timeframes to ensure reports are completed on time for inclusion in the Council Agenda for a Council meeting. It also gives an opportunity for leave to be taken in alignment with school holidays. Historically, January is a relatively quiet time of the year, with other government departments functioning at low levels, and placing limited demands on local government.

There is opportunity for Extraordinary Meetings to be held if necessary to address any urgent matters or items that may arise between the December and February Council Meetings.

(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 Council does not hold a Council Meeting in January 2015

5.4 CHRISTMAS FUNCTION

Summary

The purpose of this report is to allow Council to give consideration to holding a Christmas function for the Council and staff.

Commentary

In previous years, Council has held a Christmas function that enabled staff and Councillors to get together prior to the end of year break-up. These functions were generally held of an evening after the December Council Meeting and at either the Engineering Depot, or the Customer Service Centre in Wilcannia. This year, it is suggested that Council hold a Christmas function as a lunch BBQ on the day of the December Council Meeting. It is proposed that the venue would be the Customer Service Centre at Wilcannia.

Consideration has been given to the distribution of beverages, and the following steps are advised;

1. Being a 'work function' Council's duty of care will still remain.
2. As per 1, responsible service of alcohol will need to be followed. This can be done with Council employees or some other person that holds a RSA Certificate, provided they are meeting all the appropriate standards including not consuming alcohol themselves. This may require the hiring of an outside casual for the purpose of the function.
3. As per 1, appropriate behaviour standards must still be met, and inappropriate behaviour dealt with in line with Council's Code of Conduct to the same level expected during normal work hours
4. Getting to, and going home from, the Christmas party. This can be accomplished by reminding staff that alcohol and driving does not mix and encouraging staff to make appropriate arrangements for travel, etc.

(a) Policy Implications

Nil

(b) Financial Implications

There will be some cost associated with the function but this has not been estimated at this stage. Due to the current financial position of the Council, these costs will be met from existing budget allocations.

(c) Legal Implications

Nil

(d) Community Consultations

Nil

RECOMMENDATION

That the Council hold a Christmas lunch function at Wilcannia on 16 December 2014 and that all staff be required to attend.

5.5 REGIONAL ROADS REPAIR PROGRAM

The purpose of this report is to provide Council with information with respect to making an informed decision concerning the allocation of Regional Roads Repair Program funding.

Summary

The REPAIR Program is one of two programs under which the State Government assists Councils in the management of their Regional Road infrastructure. The other program is the Regional Road Block Grant Program.

The objective of the REPAIR Program is to provide additional assistance to councils to undertake larger works of rehabilitation, and development on Regional Roads to minimise the long term maintenance costs of these roads commensurate with their function and usage.

The program is aimed at works that contribute primarily to:

- Minimise future and ongoing expenditure needed to keep the road at a satisfactory standard, and
- Provide overall benefits to the community that exceed the cost of the work

In addition the works should contribute to at least one of the following:

- Economic development
- Integrity of communities
- Road network efficiency
- Regional tourism
- Road safety.

Commentary

Works funded under this program must be selected on a merit basis across the Region. Historically Central Darling Shire cannot accrue the minimum number of merit points to be successful in the first year. Additional points are awarded to those Councils who have been unsuccessful in the first year and resubmit the same project in the second / third years. Hence CDSC programs these works every 2 to 3 years depending on the outcome of Council's application and the points determined by the subcommittee.

This year, 2014/15, Council were granted the maximum grant funding (\$400,000) to replace all single grids with new double grids and seal approaches on MR433 Darnick Rd. The project will enable Council to complete these works from Ivanhoe towards Menindee for 100km. There will be 15 single grids remaining from 100km to 200km (Menindee).

It is proposed to submit an application to complete all grids on MR433 Darnick Rd and reseal the existing sealed sections to maintain the existing road pavement. Total project estimate \$800,000, funding amount applied for being 50% of the total costs = \$400,000.

(a) Policy Implications

Nil

(b) Financial Implications

The RRRP funding is provided on a 50% basis. Council would need to source \$400,000 to match the funding amount. It is proposed to source this from the Regional Road Block allocation in 2016/17. A further report to Council following receipt of application in 2015/16 will be provided for Council.

(c) Legal Implications

Nil

(d) Community Consultation

Consultation has been undertaken with property owners adjacent to the road and those likely to be affected by proposed works. Further consultation will be scheduled once further details are known.

RECOMMENDATION

That Council:

- 1. Endorses the recommendations of the Director Shire Services and that staff submit an application for Regional Roads Repair Program funding in the amount of \$400,000 for grid replacement and resealing works on the Darnick Rd.***
- 2. Considers allocating \$400,000 of the Regional Road Block Grant in the 2016/17 budget to match the funding amount and enable works to be completed.***

5.6 2014/15 ROADS TO RECOVERY PROJECTS

Summary

The purpose of this report is to provide Council with information relating to the federally funded Roads to Recovery program to enable Council to make an informed decision on the allocation of the funding for this financial year.

Background

Further to the 2014/15 Roads to Recovery Projects report provided to Council at the ordinary meeting of Council, 21st October 2014, further information has been received regarding the outcome of Council's submission under the "Fixing Country Roads" initiative. Council were not successful in this round and it is proposed to include the elements of highest priority works on the Pooncarie Rd in the 2014/15 Roads to Recovery allocation.

The resolution from the October meeting is as follows:

That Council endorses the decision of the Director Shire Services and allocates 2014/15 Roads to Recovery funding to

- 1. Morrison St Reconstruction, White Cliffs \$215,000**
- 2. SR1 Bridge approaches, Tilpa East Rd \$135,000**

The remaining allocation under R2R 2014/15 is \$352,409. The recommendation below proposes to utilize this funding on improvements to the Pooncarie Rd surface, in particular; low lying flood prone sections and sand inundation areas at the southern end. The works are intended to improve road safety and provide an improved surface for community and tourist access.

(a) Policy Implications

Nil

(b) Financial Implications

\$702,409 is this year's R2R allocation, 100% funded.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

RECOMMENDATION

That Council endorses the recommendation of the Director Shire Services and allocates 2014/15 Roads to Recovery funding to MR68C Pooncarie Rd surface improvements \$352,409.

5.7 ANNUAL REPORT - JULY 2013 TO JUNE 2014

Summary

The purpose of this report is to provide Council with an Annual Report in accordance with the provisions of Section 428 of the Local Government Act 1993.

Commentary

Section 428 of the Local Government Act 1993 provides a requirement that:

- (1) Within 5 months after the end of each year, a council must prepare an annual report for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.
- (2) The annual report in the year in which an ordinary election of councillors is to be held must also report as to the council's achievements in implementing the community strategic plan over the previous 4 years.
- (3) An annual report must be prepared in accordance with the guidelines under section 406.
- (4) An annual report must contain the following:
 - (a) a copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,
 - (b) such other information as the regulations or the guidelines under section 406 may require.
- (5) A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.

This report is to advise that the annual report will be provided under separate cover prior to the Council meeting as the document is still being prepared at the time of the distribution of the agenda due to the delay in the provision of the financial statements. It is noted that the report is legislatively required to be presented to Council by the end of November and will give the Council and other interested parties further confidence that the Council is meeting its responsibilities and reporting requirements relating to the Recovery Plan 2014 as prepared by the Administrator Mr. Greg Wright for the Minister of Local Government.

(a) Policy Implications

Provision of the report will evidence that Council continues to meet its legislative responsibilities relating to the Calendar of Compliance and Reporting Requirements as prepared by the Division of Local Government, NSW Department of Premier and Cabinet.

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

RECOMMENDATION

That Council receive and note the Annual Report in accordance with Section 428 of the Local Government Act 1993

SECTION 6. INFORMATION REPORTS

6.1 INFORMATION ITEMS

6.1.1 ENVIRONMENTAL SERVICES STATISTICS

Following is a statistical summary of legislative activities undertaken by Environmental Services during October 2014:

<u>Statistics for October 2014</u>	
Number DA'S Approved	0
Total Value of DA's approved	Nil
Food Premises Inspected	Nil
Animal Control Activities	Impounded = 16, Rehomed = 12, Returned to Owner = 2 , Euthanized = 2 Registrations = 1 , Microchipped = 3 , Penalty Notices Issued = 8
Water Sampling	Microbiology Samples Collected = 10 Chemistry Samples Collected = Nil Disinfection By Products = Program Completed Non-compliant Samples = Nil

6.1.2 ROAD GRADING PROGRAM

ATTACHMENT 1

The Yearly Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes will be presented on a monthly basis.

6.1.3 ROADS REPORT

The purpose of this report is to update Council on the roads expenditure to date

State Roads:

- 2014/2015 RMCC works estimated cost for Routine Maintenance Works on both highways is \$700,000.
- 7 Works Orders have been received to date.
- SH21 Capital Works 2014/15 will be undertaken by Road Services, Broken Hill

	Original Budget	Expended	% Expended
RMCC (Routine Works)	\$700,000	\$178,448	25%
RMCC (Ordered Works)	\$1,115,097	\$265,328	24%

Regional Roads:

- 2014/15 Regional Road Block Grant including traffic and supplementary components is \$2,545,000.
- \$540,000 has been allocated to the Balranald Rd Reconstruction Works
- \$400,000 has been allocated to the Regional Roads Repair Program, Darnick Rd

	Original Budget	Expended	% Expended
Regional Road Block Grant	\$1,605,000	\$670,596	42%

Local Roads:

- 2014/15 Local Roads Component (FAG) is \$1,480,000. Councils allocated budget amount is \$828,000

	Original Budget	Expended	% Expended
Local Roads Component (FAG)	\$828,000	\$335,020	40%

6.1.4 SERVICES

The purpose of this report is to update Council on the services expenditure to date.

	Original Budget	Expended	% Expended
Parks & Gardens/ Sporting Facilities	\$188,350	\$44,067	23%
Ancillary Works	\$158,000	\$33,133	21%
Street Cleaning/ Bins	\$137,000	\$35,903	25%
Aerodromes	\$50,000	\$35,518	71%
Public Conveniences	\$47,500	\$12,551	26%

Water & Sewerage Maintenance:

- Wilcannia town water supply is currently being sourced from the Union Bend Bore Field.
- White Cliffs town water supply is sourced from ground tanks current levels: Tank 1 =3.5 m, Tank 2 =3.0m, Tank 3 (Wakefield 4.00m).
- Ivanhoe town water supply is currently being sourced from the Morrisons Lake reservoir. Morrison’s Lake storage is currently 410 megalitres, town storage dam 45 megalitres.

	Original Budget	Expended	% Expended
Wilcannia Water	\$352,500	\$102,248	29%
Wilcannia Sewer	\$75,000	\$38,332	51%
White Cliffs Water	\$166,500	\$37,257	22%
Ivanhoe Water	\$231,000	\$51,949	22%

6.1.5 CAPITAL WORKS

The purpose of this report is to update Council on the capital works and projects expenditure to date

Project	Comments	Original Budget	Expended	% Expended
Remote Communities Water & Sewer Project	Civil works contract awarded. Start April and completion expected December 2014	\$3,161,000	\$2,126,091	67%
	Council Supervision	\$77,232	\$53,090	69%
Aboriginal Communities Water and Sewer	5 year service agreement completed.	\$121,000	\$32,992	27%
	Filtered Pipeline over Old Wilcannia Bridge completed July 2014	\$54,000	\$54,000	100% Complete
Sunset Strip Drainage	Low lying areas adjacent to road and properties to be investigated, surveyed and design drafted.	\$10,000	\$0	0%
Boat Ramps	Wilcannia Boat Ramp	\$85,000	\$0	0%
	Tilpa Boat Ramp	\$72,000	\$0	0%
Menindee BMX Bike Track	Completed July 2014	\$6,000	\$6,000	100%

Menindee Multi Sporting Complex	Concrete Base Slab programmed for completion early Sep 2014	\$86,000	\$86,000	100%
Plant and Equipment	1 single cab Isuzu 4WD purchased to date	\$150,000	\$25,839	17%
MR67 Balranald Rd Reconstruction	Works commenced 28 th July. Expected completion October 2014	\$540,000	\$562,160	104%
Tilpa Airstrip Fence	Works programmed for completion by end November 2014	\$60,000	\$50,534	84%
MR433 Darnick Rd RRRP	Works programmed for early 2015	\$800,000	\$0	0%

6.1.6 WILCANNIA WEIR

ATTACHMENT 2

A recent media release from the Minister for Natural Resources, Land and Water Kevin Humphries MP announces the provision of \$189,000 for a weir feasibility study to be undertaken. Funding for the study is being made available under the “Water Securities for Regions Program”.

Stephen Palmer, Acting Director, Urban Water Program Director, Water Security for Regions, NSW Office of Water advised that his office will be administering the project which is estimated to take 9 months to complete. Stephen further advised that all relevant stakeholders including Council will be updated as the project progresses.

The news has been welcomed by the Community, Tourism Committee and the Weir Committee and everyone is looking forward to initial progress on the long standing improvement works for Wilcannia.

6.1.7 INVESTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 31st October, 2014							
			Term	Interest Rate	Maturity		Amount
Deposits at Call							
	Westpac	11am Call Account					\$0
Total Investments as at 31st October, 2014							\$0
Bank Balances as at 31st October, 2014							
	General Fund						\$401,825 OD
	<i>(Overdraft limit: \$3,000,000)</i>						
	Trust Account						\$0 In Funds
At Call refers to funds held at a financial institution that can be recalled within 24 hours.							
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 Information Items report be received and noted

SECTION 7. THE RECEIPT OF REPORTS FROM COMMITTEES

NIL

SECTION 8. URGENT BUSINESS

SECTION 9. 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.

SECTION 10. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 16th December 2014 in Wilcannia at 9:00am.
