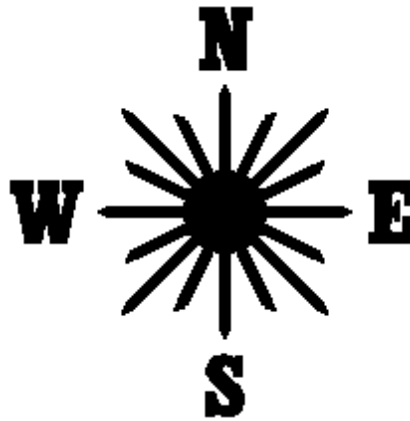


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For the Ordinary Meeting

Tuesday 17th September 2013

In the Council Chambers

Wilcannia

Council dedicated to serving its Communities

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

The Ordinary Meeting of Council was held in the Council Chambers, Wilcannia on Tuesday 17th September 2013 and commenced 9:03am.

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

PRESENT:

Councillors:

Ray Longfellow

Clive Linnett

Lorraine Looney

Ron Page

Dennis Standley

Garry Astill

Honor Liversidge

Eamon Sammon

Peter Sullivan

ALSO PRESENT:

Leeanne Ryan

Acting General Manager

Reece Wilson

Manager Technical and Engineering Services

David Cuming

Acting Manager Corporate and Community Services

Paul Gavin

Acting Finance Manager

Adelaide Elliott

Executive Assistant

MOVED CLR / CLR

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

1-09-13 resolved

MOTION CARRIED

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

Mr Trevor Cutjar from Buses R Us addressed the Council in relation to the Menindee Health Bus. Mr Cutjar raised concerns about Council running the bus service as opposed to Council contracting the service to Buses R Us. He queried whether Council is aware of all the requirements for running a bus service. He also provided a letter to Council, and requested a meeting with Council regarding the matter.

The Mayor advised Mr Cutjar that the letter from Buses R Us would be dealt with under Urgent Business.

Clr Astill thanked Buses R Us for their service to Menindee over the past years.

Mr Paul Brown addressed Council in relation to the current Wilcannia raw water supply. He queried whether the water was still being sourced from the bore; how long the town supply had been sourced from the bore, and how long this will continue? He also queried whether the latest salinity measurements could be provided to the community. He also asked whether the minutes of latest Wilcannia Weir Committee meetings could be circulated.

Mr Bill Elliott addressed Council regarding the cleaning of the public toilets in Wilcannia. He raised concerns that the toilets were not being cleaned on RDO's and weekends and queried whether a roster could be developed. He added that staff education on this matter maybe required. He also requested upgrades to all three public toilet blocks in Wilcannia. Mr Elliott also spoke about Item 8.4 Sale of Land Request and advised that FAHCSIA were not able to hold land and this raised a query on who was buying the land.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOVED CLR SULLIVAN / CLR LINNETT

That the minutes of the Ordinary Meeting of the Council held on the 20th August 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.

2-09-13 resolved

MOTION CARRIED

3.1 BUSINESS ARISING FROM MINUTES

3.2 STATUS OF COUNCIL RESOLUTIONS - SEPTEMBER 2013

MOVED CLR LOONEY / CLR ASTILL

That the Status of Council Resolutions be received and noted.

3-09-13 resolved

MOTION CARRIED

SECTION 4. MAYORAL MINUTES OR REPORT

29th August 2013 - Mayor had an interview with the Wilcannia River Radio.

2nd September 2013 - Mayor, Clr Looney, Clr Astill Acting General Manager, Acting Manager Corporate and Community Services, attended the NSW Cabinet Meeting in Broken Hill. Discussion took place with the following Ministers - Victor Dominello Minister for Aboriginal Affairs, Duncan Gay Minister for Roads and Ports, Don Page Minister for Local Government, and Gabrielle Upton Minister for Sports and Recreation. The Deputy Mayor had to withdraw from attending due to medical appointments in Sydney and Clr Sammon and Clr Liversidge from A Ward were contacted to replace the Deputy Mayor but both were unavailable due to other commitments.

5th September 2013 - Mayor, Clr Astill attended the Menindee CDSC Community Safety Precinct Meeting, one of the issues raised was that there is growing concern regarding use of prohibited drug use.

MOVED CLR LONGFELLOW / CLR LINNETT

That the Mayoral Report be received and noted.

4-09-13 resolved

MOTION CARRIED

SECTION 5. ELECTION OF MAYOR AND DEPUTY MAYOR

5.1 ELECTION OF MAYOR

The Mayor vacated the Chair, the Acting General Manager took the role of Returning Officer and nominations were called. There was one nomination received from Cr Ray Longfellow, who accepted the nomination.

No ballot was necessary as only one nomination was received.

Cr Ray Longfellow was declared Mayor.

5.2 ELECTION OF DEPUTY MAYOR

The General Manager resumed the chair for the election of the Deputy Mayor and called for nominations for the position of Deputy Mayor. There was one nomination from Cr Peter Sullivan, who accepted the nomination.

No ballot was necessary as only one nomination was received.

Cr Peter Sullivan was declared Deputy Mayor

SECTION 6. COMMITTEES

6.1 APPOINTMENT OF STANDING COMMITTEES

Clr Astill left the meeting at 9:36am, returning at 9:40am

Council may at any time, appoint or elect Standing Committees as it may consider necessary.

Council's policy is to appoint the following Standing Committees:

Works Committee

Objectives: To investigate, report and liaise with local communities over matters.

Quorum: Two members of Council.

Meetings: As requested by two or more members of Council, the Mayor or Council.

Delegations: To investigate and report to Council on matters relating to the provision of community works and services.

Clr Sullivan queried the scope of Council's Works Committees and advised that the name and delegations of the committee may need to be reviewed. It was agreed that the Acting GM consult with other Council's regarding this matter and provide a report to the next Council meeting, with any decisions on this committee being deferred until this time.

C.D.S.C. Water Advisory Committee

Spokesperson: vacant

Location: Throughout Shire

Council Representatives: General Manager; Manager Technical and Engineering Services; Mayor; Ward Councillors as relevant

MOVED CLR LINNETT / CLR SULLIVAN

That the CDSC Water Advisory Committee remain and the Council Representatives on this Committee also include Ward Clrs as relevant.

5-09-13 resolved

MOTION CARRIED

6.2 STATUS OF SECTION 355 COMMITTEES OF COUNCIL AS AT 10TH SEPTEMBER 2013 – DELEGATES

Ivanhoe Swimming Pool Committee

Functions and Purpose of Committee

Supporting Council's operational activities and having input into the running of the Ivanhoe Swimming Pool;

Running the kiosk at the Ivanhoe Swimming Pool;

To plan, organise and conduct Carols by Candlelight;

To plan, organise and conduct Family Fun Nights.

Committee Members

Chairperson – Irene Murphy, Ivanhoe

Secretary –

Treasurer –

Council Representative – Clr Clive Linnett

Ivanhoe Hall Committee

Functions and Purpose of Committee

Management and operation of the Ivanhoe Community Hall including the collection of income from users;

To plan, organise and conduct functions and events from time to time at the Ivanhoe Community Hall.

Committee Members

Chairperson – Clr Ray Longfellow, Ivanhoe

Secretary/Treasurer – Fay Linnett, Ivanhoe

Council Representative – Clr Clive Linnett

Ivanhoe Revival Committee

Functions and Purpose of Committee

Submit recommendations and advice, articulated by community opinion, to Council and the Community, in respect of the economic, social, tourism and the development of Ivanhoe and its environs;

To plan, organise and conduct functions and events from time to time within Ivanhoe to promote the town.

Committee Members

Chairperson – Ray Longfellow, Ivanhoe

Secretary – Fay Linnett, Ivanhoe

Treasurer – Fay Linnett, Ivanhoe
Council Representative – Clr Clive Linnett
Committee Member – Lyn Howard, Ivanhoe

Darnick Hall & Sports Committee

Functions and Purpose of Committee

Management and operation of the Darnick Community Hall including the collection of income from users;

To plan, organise and conduct functions and events from time to time at the Darnick Community Hall.

Committee Members

Chairperson – Ian Vagg, Ivanhoe
Secretary – Trish Palmer, Ivanhoe
Treasurer – Trish Palmer, Ivanhoe
Council Representative – Clr Clive Linnett

Wilcannia Cemetery Committee

Functions and Purpose of Committee

Support Council's operational activities and having input into the running and future development of the Wilcannia Cemetery;

To seek and lobby for the ongoing maintenance and improvements to the Wilcannia Cemetery.

Committee Members

Chairperson – Dulcie Evans, Wilcannia
Secretary – John Pineo, Wilcannia
Treasurer – John Pineo, Wilcannia
Council Representative - Clr Sammon

White Cliffs Hall Committee

Functions and Purpose of Committee

Management and operation of the White Cliffs Community Hall including the collection of income from users;

To plan, organise and conduct functions and events from time to time at the White Cliffs Community Hall.

Committee Members

Chairperson – Ron Dowton, White Cliffs
Secretary – Clair Innes, White Cliffs
Treasurer – Belinda White, White Cliffs
Council Representative – Clr Liversidge

White Cliffs Community Association

Functions and Purpose of Committee

Management and operation of the Opal Pioneer Tourist Park (White Cliffs Caravan Park) including the collection of income from users;

To plan, organise and conduct the Australia Day activities in White Cliffs;

To plan, organise and conduct the Senior Citizens Week activities in White Cliffs;

To plan, organise and conduct functions and events from time to time in White Cliffs.

Committee Members

Chairperson – Graham Wellings, White Cliffs
Vice Chairperson - Rod Cook, White Cliffs
Secretary /Treasurer – Irma Bacot, White Cliffs

Council Representative – Clr Liversidge

White Cliffs Swimming Pool Committee

Functions and Purpose of Committee

Supporting Council's operational activities and having input into the running of the White Cliffs Swimming Pool;

Running the kiosk at the White Cliffs Swimming Pool;

To plan, organize and conduct small functions and small events at the White Cliffs Swimming Pool from time to time.

Committee Members

Chairperson – Belinda White, White Cliffs

Secretary – Gareth Telfer, White Cliffs

Treasurer – Enid Black, White Cliffs

Council Representative – Clr Liversidge

Menindee Common Committee

Function and Purpose of Committee

Management and operation of the Menindee Common including the collection of income from the users.

Committee Members

Chairperson – Craig Symonds, Menindee

Secretary/Treasurer – Bob Looney, Menindee

Shire Representative – Clr Looney

Herdsperson/Committee Member – Joanne Looney, Menindee

Acting GM raised an issue in relation to members of the same family acting in executive positions on a S355 committee and the requirements under Council's S355 Operational Manual. It was agreed that this matter required further investigation and the Menindee Common Committee would be considered at the October Council meeting.

Menindee Development Committee

Functions and Purpose of Committee

Submit recommendations and advice, articulated by community opinion, to Council and the Community, in respect of the economic, social, tourism and the development of Menindee and its environs;

To plan, organise and conduct the Menindee Fishing Challenge.

To plan, organise and conduct functions and events from time to time within Menindee to promote the town.

Committee Members

Chairperson –

Secretary – Collin Doyle, Menindee

Treasurer –

Council Representative – Clr Ron Page, Clr Lorraine Looney, Clr Garry Astill

Wilcannia Weir Committee

Function and Purpose of Committee

Committee Members

Chairperson – William Bates

Secretary – Zoe Dobson

Treasurer -

Council Representative – Clr Sullivan, Clr Sammon, Clr Page, Mayor, General Manager, Manager
Technical and Engineering Services

CDSC Tourism Committee

Function and Purpose of Committee

To promote and develop tourism throughout the shire.

Committee Members

Chairperson – Clr Astill

Secretary – Colin Clarke

Treasurer -

Council Representative – Clr Looney, Clr Page, Mayor

MOVED CLR ASTILL/ CLR LINNETT

That Council endorse Central Darling Shire Council's S355 Committee delegates as per this report inclusive of changes made to Council representation; with further reports as noted above to be prepared for the October Council Meeting

6-09-13 resolved

MOTION CARRIED

6.3 COUNCIL DELEGATES ON OTHER COMMITTEES AS AT 10TH SEPTEMBER 2013

Barrier District Emergency Management Committee

Secretary: District Emergency Management Officer (Kelvin Wise)

Location: Broken Hill

Council Representatives: Local Emergency Management Officer (Manager Technical and Engineering Services)

Inland NSW Tourism

Chairperson: CEO – Graham Perry

Location: Broken Hill

Council Representatives: General Manager, Clr Astill, Clr Page as an alternate when required.

C.D.S.C. Bushfire Management Committee

Chairperson: Person Elected (Clr Linnett current)

Location: Wilcannia

Council Representatives: General Manager, Mayor, Manager Environmental Services, Clr Sullivan as an alternate when required.

C.D.S.C. Local Emergency Management Committee

Chairperson: General Manager or delegate

Location: Wilcannia

Council Representatives: Mayor; General Manager; Manager Technical and Engineering Services; Manager of Environmental Services

C.D.S.C Rural Fire District

Chairperson: Chris Favelle

Location: Wilcannia

Council Representatives: General Manager, Mayor, Clr Sullivan , Clr Linnett as an alternate when required.

C.D.S.C. Traffic Management Committee

Secretary: Manager Technical and Engineering Services

Location: Throughout Shire

Council Representatives: As per Works Committee (only one Council voting representative)

Cobb Highway Action Group

Secretary: Mrs Fay Linnett

Location: Ivanhoe

Council Representatives: Clr Linnett

Western Division of the Shires Association of NSW

President: Clr Peter Laird

Location: Throughout Western Division

Council Representatives: Mayor; General Manager; Clr Linnett

Ivanhoe Corrective Services Consultative Committee

President: Clr Linnett

Location: Corrective Services Centre

Council Representatives: Clr Longfellow

Menindee Health Advisory Council

Secretary: Patricia Pascoe

Location: Menindee

Council Representatives: Clr Astill

Menindee Tourist Association

President: Mrs Karen Page

Location: Menindee

Council Representatives: Clr Page

Murray Darling Association

Secretary: Ray Najar

Location: Alternate Locations

Council Representatives: Mayor, Clr Linnett, Clr Page, Clr Standley, Clr Astill

Clr Astill the meeting at 10:02am, returning at 10:05am

Mutawinji National Park Management Committee

Chairman: Mr William Bates

Location: Broken Hill

Council Representatives: Clr Sammon

Outback NSW Tourism Organisation

Chairperson: Mrs Julianne Wutke

Location: Various locations

Council Representatives: General Manager ,Clr Astill, Clr Page

West Darling Arts Board

Chairman Mr James Giddy

Location Various

Council Representatives: General Manager; Clr Standley

Wilcannia Community Working Party

Chairperson: Mr William Bates
Location: Wilcannia
Council Representatives: Mayor; General Manager

It was queried by Clrs whether a Clr representative could be delegated to the Wilcannia Community Working Party. Acting GM advised she thought the delegates were by invitation only hence the reason the Mayor and General Manager were listed. A further report on the matter will be prepared by the Acting GM for the October Council Meeting.

MOVED CLR SULLIVAN / CLR ASTILL

That Council endorse Committee delegates as per this report inclusive of changes made to Council representation; with further reports as noted above to be prepared for the October Council Meeting.

7-09-13 resolved

MOTION CARRIED

SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

MOVED CLR ASTILL / CLR SULLIVAN

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

8-09-13 resolved

MOTION CARRIED

SECTION 6. NOTICE OF MOTIONS

Nil

SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

SECTION 8. ACTING GENERAL MANAGER'S REPORT

MOVED CLR SULLIVAN/ CLR PAGE

That the Acting General Managers report be dealt with.

9-09-13 resolved

MOTION CARRIED

8.1 INFORMATIONS ITEMS

8.1.1 LOCAL GOVERNMENT REFERENDUM

8.1.2 KEEP IT LOCAL

8.1.3 NSW COMMUNITY CABINET VISIT – WESTERN NSW

MOVED CLR ASTILL / CLR LOONEY

That the Information Items report be received and noted.

10-09-13 resolved

MOTION CARRIED

8.2 DRAFT WORK HEALTH & SAFETY POLICY

MOVED CLR ASTILL / CLR SULLIVAN

That Council adopt the document titled Draft Work Health & Safety Policy as the Council's Work Health & Safety Policy.

11-09-13 resolved

MOTION CARRIED

8.3 REQUEST FOR FUNDING

MOVED CLR ASTILL / CLR LINNETT

*That the Request for Funding report be received; and further,
That Council provide \$2,497 for the Ivanhoe Bushride to assist meeting costs of the event.*

12-09-13 resolved

MOTION CARRIED

8.4 SALE OF LAND REQUEST

Clr Astill left the meeting at 10:31am

Clr Sullivan queried the number of blocks of land within Wilcannia that are exempt from paying rates. Acting GM advised this information would be made available.

MOVED CLR SULLIVAN / CLR SAMMON

*That the Sale of Land Request report be received; and further,
That Council notify the Wilcannia community that it is proposing to consider selling 103 Hood Street, Wilcannia being Lot 1 DP 923976 and invites submissions on the proposal.*

That the proposal be advertised for 21 days.

That a further report be presented to Council after the closing of the submission period.

13-09-13 resolved

MOTION CARRIED

Meeting adjourned for Morning Tea at 10:32am, resuming at 11:00am

MOVED CLR SULLIVAN/ CLR LIVERSIDGE

That the Local Decision Making Model report be received and noted

14-09-13 resolved

MOTION CARRIED

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

MOVED CLR LINNETT / CLR LIVERSIDGE

That the Manager Technical and Engineering Services report be dealt with.

15-09-13 resolved

MOTION CARRIED

9.1 INFORMATION ITEMS

9.1.1 GRADING PROGRAM

9.1.2 INTEGRATED WATER CYCLE MANAGEMENT PLAN

9.1.3 REMOTE COMMUNITIES WATER AND SEWER PROJECT

9.1.4 MENINDEE BOAT RAMP

9.1.5 SR1 BRIDGES

9.1.6 YAMPOOLA CROSSING UPGRADE WORKS, MR68C POONCARIE RD

9.1.7 MR67 BALRANALD RD PAVEMENT IMPACT STUDY, CRISTAL MINING

MOVED CLR LINNETT / CLR SULLIVAN

That the Information Items report be received and noted.

16-09-13 resolved

MOTION CARRIED

Clr Sullivan queried whether roads would be closed due to road conditions over the coming summer months because of the restricted grading budget this year. MTES advised that emergency works may need to be undertaken as needed.

9.2 ROADS REPORT

MOVED CLR LINNETT/ CLR SULLIVAN

That the Roads Report be received and noted.

17-09-13 resolved

MOTION CARRIED

9.3 SERVICES REPORT

MOVED CLR LOONEY / CLR SULLIVAN

That the Services Report be received and noted.

18-09-13 resolved

MOTION CARRIED

Clr Astill returned to the meeting at 11:12am

MTES advised the meeting that the Wilcannia raw water supply was changed from bore water to river water on Friday 13 September 2013.

Clr Sullivan queried whether MTES could check with NSW Office of Water if Warrawong holds an irrigation licence and if this could create any effects on the Wilcannia Weir Pool. MTES will investigate.

9.4 PROJECTS REPORT

MOVED CLR STANDLEY / CLR LIVERSIDGE

That the Projects Report be received and noted.

19-09-13 resolved

MOTION CARRIED

9.5 REGIONAL ROADS REPAIR PROGRAM 2013/14

MOVED CLR LINNETT / CLR ASTILL

That the report be received and noted and further;

1. That Council submits the same project for 2014/2015 Regional Roads Repair Program.

2. If successful, that Council sources the dollar for dollar funding, \$400k, from the Regional Roads Block Grant

20-09-13 resolved

MOTION CARRIED

Clr Astill asked the MTES how closely the budget was followed when doing maintenance on roads as he had received reports from local residents on alleged wastage of funds. MTES advised this was incorrect and would check.

Clr Looney and Clr Page advised the MTES that a number of potholes were evident along McGuinness Road at Menindee. MTES took on notice.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

MOVED CLR STANDLEY / CLR LINNETT

That the Manager Environmental Services report be dealt with.

21-09-13 resolved

MOTION CARRIED

10.1 INFORMATION ITEM

10.1.1 WILCANNIA POST OFFICE

10.1.2 MENS SHED – WHITE CLIFFS

10.1.3 NETWASTE FORUM

10.1.4 WILCANNIA POOL SHADE SAIL

10.1.5 DOG CONTROL INFORMATION

Clr Linnett advised he had received some complaints about dogs barking at night in Ivanhoe. Acting GM advised that no complaints had been lodged with Council, but she would pass this information onto the Ranger/Animal Control Officer.

10.1.6 MENINDEE MULTIPURPOSE CENTRE

MOVED CLR SULLIVAN / CLR ASTILL

That the Information Items report be received and noted.

22-09-13 resolved

MOTION CARRIED

10.2 ENVIRONMENTAL SERVICES STATISTICS

MOVED CLR SULLIVAN / CLR ASTILL

That the Environmental Services Statistics report be received and noted.

23-09-13 resolved

MOTION CARRIED

10.3 TEMPORARY LICENCE – MENINDEE RACECOURSE

Clr Astill declared an non pecuniary interest in this item and left the meeting at 11:25am returning at 11:27am

MOVED CLR SAMMON/ CLR SULLIVAN

That the Temporary Licence – Menindee Racecourse report be received; and further,

That the temporary licence between Mr W. Marsden and the Menindee Racecourse Reserve Trust be renewed for a period of 12 months for the use of the Menindee Racecourse under the current licence arrangements as noted in the above report.

24-09-13 resolved

MOTION CARRIED

10.4 DANGEROUS DOG MANAGEMENT

MOVED CLR SULLIVAN / CLR LINNETT

That the Dangerous Dog Management Report be received and noted..

25-09-13 resolved

MOTION CARRIED

SECTION 11. FINANCE MANAGER'S REPORT

MOVED CLR SULLIVAN/CLRPAGE

That the Finance Managers report be dealt with.

26-09-13 resolved

MOTION CARRIED

11.1 INVESTMENTS AND BANK BALANCES

MOVED CLR SULLIVAN/CLR ASTILL

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

27-09-13 resolved

MOTION CARRIED

11.2 RATES REPORT

MOVED CLRASTILL / CLR LIVERSIDGE

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

28-09-13 resolved

MOTION CARRIED

SECTION 12. CORRESPONDENCE

MOVED CLR ASTILL / CLR LIVERSIDGE

That the Correspondence for Council be received and noted.

29-09-13 resolved

MOTION CARRIED

12.1 MEDIA RELEASES

12.2 CIRCULARS/NEWSLETTERS

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

MOVED CLR SULLIVAN/ CLR LINNETT

That the receipts of reports from committee be dealt with.

30-09-13 resolved

MOTION CARRIED

MOVED CLR LINNETT / CLR ASTILL

That the Ivanhoe Works Committee Meeting Minutes dated Wednesday 7th August 2013 be received and noted.

31-09-13 resolved

MOTION CARRIED

Clr Astill queried whether the improvements to Ivanhoe Oval had occurred? The Mayor responded and advised that no works had been completed on the oval including watering, weed control or grass seed being spread. The MTES advised that a new travelling irrigator, seed and fertiliser had been ordered.

Clr Linnett queried whether any further action had been taken with the ants coming up through the pavers at Ivanhoe? MTES advised not at this stage.

MOVED CLR LINNETT / CLR ASTILL

That the Ivanhoe Works Committee Meeting Minutes dated Wednesday 7th August 2013 be received and noted.

32-09-13 resolved

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

That the Menindee Works Committee Meeting Minutes dated Thursday 8th August 2013 be received and noted.

33-09-13 resolved

MOTION CARRIED

Clr Astill queried why the Menindee Cemetery had not been cleaned up before Father's Day. He had received a number of complaints from members of the public regarding the poor state of the cemetery. It was noted that future clean-ups should occur before family related days such as Mothers Day and Fathers Day.

MOVED CLR LINNETT / CLR ASTILL

That the Wilcannia Works Committee Meeting Minutes dated Wednesday 14th August 2013 be received and noted.

34-09-13 resolved

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

That the White Cliffs Works Committee Meeting Minutes dated Thursday 15th August 2013 be received and noted.

35-09-13 resolved

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

That the MANEX Meeting Minutes dated Monday 19th August 2013 be received and noted.

36-09-13 resolved

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

That the MANEX Meeting Minutes dated Monday 26th August 2013 be received and noted.

37-09-13 resolved

MOTION CARRIED

Clr Astill queried when the trial of the Menindee garbage run in one day would take place. MTES advised this would occur in 2 weeks' time, and public notices were yet to be sent out to the public.

SECTION 14. DELEGATES' REPORTS

Clr Linnett attended the AGM of the Murray Darling Association Region 4 in Mildura on 28 August 2013. He advised that all Council's across the region were represented apart from Broken Hill City Council.

Clr Sammon left the meeting 11:47am returning 11:54am

Clr Standley attended an Essential Water Focus Group meeting in Broken Hill on 28 August 2013. This was the first meeting of the group and was to meet other members.

Clr Astill spoke about the Menindee Fishing Competition that was recently held. It was a huge success with over 300 entries. There will be a meeting of the subcommittee at the end of this month to discuss the event. It was requested that a letter of congratulations be sent to Colleen King for organising such a great event.

MOVED CLR STANDLEY / CLR LINNETT

That the Delegates' reports be received and noted.

38-09-13 resolved

MOTION CARRIED

SECTION 15. QUESTIONS WITH NOTICE

Nil

MOVED CLR STANDLEY / CLR LINNETT

That the Councillors' Questions with Notice be received and noted.

39-09-13 resolved

MOTION CARRIED

SECTION 16. URGENT BUSINESS

MOVED CLR ASTILL/ CLR PAGE

That Urgent Business be dealt with.

40-09-13 resolved

MOTION CARRIED

The Mayor tabled the letter from Buses R Us regarding the Menindee Health Access Bus.

Clr Astill noted that he was not in favour of this project and had noted this at a previous Council Meeting.

Clr Sullivan advised he was not in attendance at the Council meeting when this matter was discussed. He queried whether Council could have put the contracts out into the market.

Mayor advised that the decisions on this matter had been made at an earlier Council meeting, and that the contract with Buses R Us had expired at the end of June 2013. At this point in time, a letter of reply will be written to Buses R Us in response to their letter that was tabled today.

Clr Astill advised the meeting that the Menindee Tourism Association was seeking support from Council for the painting of a mural to celebrate 150 years since Menindee was gazetted as a town. It was advised that in the vicinity of \$12,000 was required and whether Council could contribute towards the project. The Acting GM noted that there was \$10,000 allocated last year for the 150 year celebration. It was advised by Acting MCCD that the further \$2,000 could be sourced from the Menindee Town Improvement Fund.

MOVED CLR ASTILL/ CLR PAGE

That Council contribute at least \$10,000 towards the 150th gazettal mural project and the remaining funding from the Menindee Town Improvement fund.

41-09-13 resolved

MOTION CARRIED

Clr Astill left the meeting 11:57am returning 12:02pm

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

MOVED CLR PAGE / CLR LINNETT

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

42-09-13 resolved

MOTION CARRIED

Council went into Closed Session of Council at 12:13pm

17.1 STAFF ISSUE

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

MOVED CLR PAGE / CLR ASTILL

That the Staff Issues report be received and noted.

43-09-13 resolved

MOTION CARRIED

17.2 DARLING BASIN DRILLING PROGRAM – SITE PREPARATION WORKS

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.

MOVED CLR ASTILL / CLR SULLIVAN

That the Darling Basin Drilling Report be received and noted and further that Council endorse actions taken by the Manager Technical and Engineering Services.

44-09-13 resolved

MOTION CARRIED

Clr Page left the meeting 12:18pm returning 12:20pm

MOVED CLR PAGE /CLR LOONEY

45-09-13 resolved

That Council move back into Open Council.

MOTION CARRIED

Council resumed in open session at 12:26pm

MOVED CLR SULLIVAN /CLR ASTILL

46-09-13 resolved

That all decisions passed in Closed Council be made public.

MOTION CARRIED

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 15th October 2013 in Tilpa commencing at 9:30am.

There being no further business, Council meeting concluded at 12:27pm
