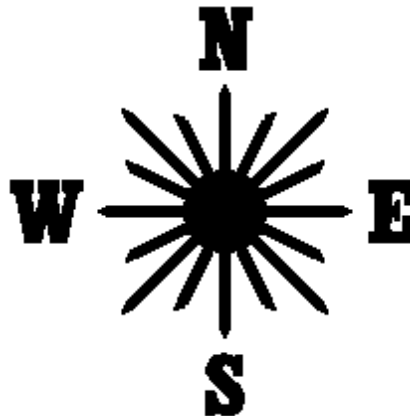


Mission Statement

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 August 2012

at

Ivanhoe

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 RSL, Ivanhoe on Tuesday 21st August 2011 commencing at 9:30am.

Morning Tea is scheduled to be served at 10:30am and lunch at 1:00pm. All refreshments will be served in the RSL.

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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 17th July 2012 and the minutes of the Extraordinary Meeting of the Council held on the 6th August 2012, 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 – JULY 2012**

Status of Council Resolutions - June-July 2012					
Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
13-9-11	Inform Councillors and Staff of the changes and Council's new policy "Public Interest Disclosures Act : Internal Reporting Policy".	GM	EM	18/11/11	
15-9-11	Oversee the flood restoration works behind the Wilcannia Post Office	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12
	Oversee the repainting of the tables and chairs in Wilcannia	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12
	Present designs for the Wilcannia Community Hall mural to Council	MES		18/10/11	Not commenced.
	Present designs and locations of graffiti boards to Council	MES			Not commenced.

Central Darling Shire Council – Ordinary Meeting – 21st August 2012

17-9-11	Seek external support for Murray Darling Foundation fund.	GM			Not commenced.
19-9-11	A proposal for the development of PCYC Clubs for Menindee and Ivanhoe be developed.	GM		18/10/11	Not commenced.
21-9-11	Web Accessible Disclosure Log and Register of Contracts be developed.	GM	IT		Not commenced.
	IPRL Project Plan form part of the GM's performance agreement	Council	GM		
42-11-11	Arrange for quote for removal of asbestos from Knox & Downs site	GM	MES	2/12/11	COMPLETED
4-12-11	Playground proposal in Mallee	GM	MES		Land transfer in progress
49-12-11	Progress the matter of the future ownership of the White Cliffs solar power station and a report be provided to Council	GM			GM has contacted Essential Energy regarding the matter and the process to gift the land to Council will commence shortly.
51-12-11	Report into the review of council housing costs and cost recovery as well as future housing costs.	GM/MES		Jan-12	COMPLETED
14-01-12	Survey to be completed on lots 15 & 16 in DP 2809. Council to seek clarification to disposal of land and the possibility of waiving rates.	GM	RATES		Survey complete, playground constructed, transfer to progress

19-02-12	White Cliffs Water Supply - Glen Hope Agreement, too seek urgent legal advice regarding the original agreement	MTES			In progress - letter has been sent to Austen Brown Boog. Reply received, Council to supply additional requested information.
7-3-12	That the April meeting of Council be transferred from Menindee to Wilcannia and the June meeting of Council from Wilcannia to Menindee	GM			
15-3-12	That Council allocate up to \$150K of 2011/12 Regional Road Blockfunding for surveying and design of Yampoola crossing on the Menindee - Pooncarie Rd	MTES			In progress.
16-3-12	That Council allocate the remaining \$914,345 of the 2011/12 Regional Road Block funding to the Ivanhoe - Balranald Rd	MTES			In progress.
28-3-12	That Council give in principle support to the Wilcannia Central School's proposal of restricting retail sales to children during school hours in an attempt to increase school attendance rates.	GM			
29-3-12	That Council investigate responsibility for nature strip maintenance with a view to developing a policy.	MTES			Draft policy in progress
10-4-12	That the June 2012 Council meeting be deferred from Tuesday 19th June until the Friday 29 June 2012	GM			

	Seek grant funding for the upgrade of its self help television re transmission towers and make representation to State and Feral Governments on this issue.	GM			
	That Council as the Trust Manager of the Menindee Common consider any submissions that are received on the Draft Menindee Common Management Plan in consultation with the Department of Primary Industries and make any changes as necessary; that the final plan be submitted to the Minister for Primary Industries for final approval after the public exhibition period and consideration of any submissions received.	MES			Submission forwarded to DPI for comments
43-4-12	Approval given for the acquisition of three new garbage compactor trucks	MTES			In progress
5-5-12	1. adopt the community strategic plan for the purposes of public consultation for a 28 day period 2. adopt the delivery program 2012/13-2015/16, incorporating the 2012/13 operational plan and budget for the purposes of public consultation for a 28 day period.3. adopt the 3.6% ministerial rate pegging limit increase for the 2012/13 year. 4. adopt the resourcing strategy ,including the transport asset management plan, the stormwater asset management plan the buildings and land	GM			In progress

	improvements asset managemnet plan and the workforce management plan for the purposes of public consultation for a 28 day period				
6-5-12	That council approve the following projects of 2011/12 \$5,000 allocation for tourism-related projects: 1.Menindee Regional Tourist Association 2. Wilcannia Community Tourism Association				
9-5-12	That council approve the following applications for funding under its Financial Assistance Grants program for 2012/13; Wilcannia Community Working Party, Wilcannia Local Aboriginal Land Council, Wilcannia Community Tourist Assoc, Kilfera field day, Ivanhoe Golf Club, Ivanhoe Youth Centre, Menindee Meals on Wheels, Menindee Children's Centre, Menindee Branch CWA, Menindee Uniting Church, Menindee Landcare Group, Menindee Regional Tourist Association, Men-in-dee Shed, Friends of Old Tintinallogy, Sunset Strip Golf Club, White Cliffs Sporting Club, Ivanhoe Revival Group.	GM			

23-5-12	Councils commits \$540,000 per annum from its regional roads block grants, roads to recovery funding and the supplementary component of the regional road block grant over the next 3 years for the reconstruction and sealing of the Ivanhoe-Balranald road (MR67) and seek additional funding of \$200,000 from the State Government, \$200,000 from roads and maritime services and \$ 200,000 from Bemax, per annum for 3 years.	MTES/ GM			Letters sent to Bemax and John Williams MP, advising of Council decision.
28-5-12	Council participate in National Tree Day 2012 Sunday 29th July 2012 and provides trees to all communities and schools in the Shire as per budgetary allocations	MES			COMPLETED
29-5-12	Council adopt the document titled Draft Sale of Council land policy and the draft policy be places on public exhibition for 28 days, and further a report be presented to Council after the 28 day exhibition period regarding any submissions received during the exhibition period.	GM			Procedures drafted, draft policy yet to be placed on public exhibition for 28 days
30-5-12	That the Knox and Downs development and implementation of a proposal for clean up of the site in conjunctions with local employment services and agencies with funding being sought through by these groups and through government agencies.	GM			Asbestos quote obtained, clean-up of asbestos to commence.

33-05-12	That an amended Draft Employee Housing Policy be presented to Council. The amendment became the motion and was put and carried.	MES			Presented, draft adopted, advertised for 28 days, report to Council for adoption August 2012
6-06-12	That the CDSC put \$10,000.00 in the budget for the 2012-13 150 year celebration race meeting held at the Menindee Racecourse and that the expenditure of projects funds in the tourism budget be a Council decision.	FM			
7-06-12	That the CDSC put \$1000 in the budget 2012-13 for the Menindee Fishing Competition in Menindee in the year 2012 and the funding be sourced from the FAGS Program.	GM			
8-06-12	That the CDSC spend the money raised from the fishing comp on a new swing and slippery dip set	MES			Equipment sought and order placed
19-06-12	That Council writes letters to the State and Federal members of Parliament requesting their support for the issues canvassed in the IPEWA communique arising from the 2012 NSW Local Roads Congress.	GM			
28-06-12	That Council approve the concept of establishing new housing in the form of transportable buildings in a set of six detached dwellings in Woore Street, Wilcannia	MES			In Progress
45-06-12	That Council prepare a detailed submission to the	MTES	GM		

	Minister for Roads in relation to the sealing of Pooncarie Rd.				
47-06-12	That Council seek legal advice and advice from the LGSA in relation to the matter of rates being raised on properties where ratepayers have not had a voting entitlement in the CDSC elections and that a report be presented to Council on the matter.	GM	FM & Rates		
9-07-12	That Council Amend the 201/13 Operational Plan for the following items 1. increase the annual fee for public toilet maintenance at sunset strip and copi hollow \$600 2. Provide \$200 to sunset strip for a christmas community celebration in its own right. 3. Amend the interest rate applicable to overdue rates and charges to 10% in accordance with Circular 12-17 from the division of LG on 6 June 2012	GM			
10-07-12	That Council allocate \$25,000 special projects funding in 2012/13 to the sunset strip community for either the viewing platform project or upgrades to the public toilet.	GM			
13-07-12	Update Council meeting schedule and advertise				
20-07-12	1. That Council confirm that the previous commitment of \$540,000 per annum for the Ivanhoe- Balranald rd be sourced from the 201/13 regional road block grant. 2. That the 2012/13 roads to recovery work schedule	GM			

	submission identify the replacement of Papenpapinbilla Creek Bridge and Talyawalka Creek Bridge on the Wilcannia-Tilpa east rd.				
25-07-12	That Council delegate authority to the Mayor and GM to sign and seal land transfer documents for lot 15& 16 in DP28089 as required	GM			
26-06-12	That Council inform the Dept of Planning that Council will provide the names of our JRPP nominees when the need arises	MES			COMPLETED
39-06-12	That the BMX track in the Menindee township be progressed in consultation with local councillors.	GM	MTES		In progress
41-06-12	The GM & Mayor to sign and execute the variation in funding agreements with Director General of Transport.	GM			

SECTION 4. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

RECOMMENDATION

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

SECTION 5. MAYORAL MINUTES OR REPORT

RECOMMENDATION

That the Mayoral Report be received and noted.

SECTION 6. NOTICE OF MOTIONS

Nil

SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

SECTION 8. GENERAL MANAGER’S REPORT

8.1 INFORMATION ITEMS

ATTACHMENT

8.1.1 2012 LOCAL GOVERNMENT ELECTIONS UPDATE

The 2012 election is to be held on 8 September 2012. Nominations and the voter’s roll have both closed for the election and the following candidates have nominated:

William Bates	A Ward
Honor Liversidge	A Ward
William Murray	A Ward
Eamon Sammon	A Ward
Peter Sullivan	A Ward
Fay Johnstone	B Ward
Clive Linnett	B Ward
Ray Longfellow	B Ward
Dennis Standley	B Ward
Gary Astill	C Ward
Lorraine Looney	C Ward
Moya Reid	C Ward
Ron Page	C Ward

Candidate information sessions were held across the Shire from 1-3 August. The sessions were conducted by Wayne Collins, a former General Manager at Manly Council. The sessions were generally well attended and many of the new candidates were in attendance.

Polling booths will be established in Wilcannia, White Cliffs, Menindee and Ivanhoe, as was the case in 2008.

Postal vote applications opened on 2 July and will close at 5pm on Monday 3rd September. Postal vote packs will be sent from 15 August. Postal votes must be received by the Returning Officer by 6pm, Monday 10 September.

Pre-polling will be conducted in Wilcannia at the RTC during the period from 27 August to 7 September. The Electoral Commission is responsible for making arrangements for both postal voting and pre-polling.

Training and induction for the new Councillors will need to be scheduled for the period following the election, but preferably before the first meeting of the new Council on 25 September. Wayne Collins offered to provide one days’ training free of charge due to a scheduling problem with the White Cliffs candidate information session. Alternatively, the Division of Local Government is running its own schedule of councillor workshops, although these are not until November and too late to give

Councillors, particularly new Councillors, timely information regarding meeting procedures and other matters they should be aware of prior to attending their first meeting.

The DLG has scheduled a workshop at Cobar on 15 November, Balranald on 23 October and Broken Hill on an unspecified date. The DLG contact for these workshops is Gabe Hart (gabe.hart@dlg.nsw.gov.au).

8.1.2 LOCAL GOVERNMENT REVIEW PANEL

The Local Government Review Panel held its first public consultation session in Broken Hill on Monday 23rd July.

Council was represented at this important seminar by the Mayor, Cr. Longfellow; Councillors Reid, Sullivan, Brown, Looney and Page and the General Manager, Tim Drew.

Other representatives at the session included the Mayor and General Manager of the Broken Hill City Council and Wentworth Shire Council.

Members of the Review Panel, Professor Graham Sansom, and Glenn Inglis were in attendance, together with project staff supporting the Panel.

As per correspondence mailed to elected members, the format of the Panel's discussions with Councils was partly based around the following key questions:

1. What are the best aspects of NSW local government in its current form?
2. What challenges will your community have to meet over the next 25 years?
3. What 'top 5' changes should be made to local government to help meet your community's future challenges?

Councils and individuals are able to make submissions directly to the Panel by 14th September 2012.

Further consultation is expected to be conducted with Central Darling Shire Council and other Councils in the Western Division to take account of their different circumstances.

8.1.3 ONE ASSOCIATION BALLOT

ATTACHMENT 1

Voting for the creation of a single peak local government body in NSW has been completed and the ballot results declared. The official result of the ballot saw a vote of 82% in favour from the Shires Association councils and 75% in favour from the Local Government Association Councils.

As a result of this ballot result, work will now commence on the merger of the two entities. The Associations will commence work with Fair Work Australia and the NSW Industrial Registry to complete all required administrative processes and set a date for the amalgamation, likely to be early 2013.

Following amalgamation, an interim board will be established and take over from the current boards. This board will be in place until the first conference as One Association. The new board and president will be elected at this conference.

RECOMMENDATION

That the Information Items report be received and noted.

8.2 CODE OF MEETING PRACTICE

ATTACHMENT 2

Summary

The draft Code of Meeting Practice was prepared in 2011 and considered by Council at its August 2011 meeting. The Code of Meeting Practice was put on public exhibition for a 28 day period, with submissions able to be made to Council within a 42 day period.

Until now, the Code of Meeting Practice had not subsequently been presented to Council for adoption. It is appropriate that Council now adopt the Code of Meeting Practice. No submissions were made during the public exhibition and submission period.

Commentary

Chapter 12 of the LGA 1993 describes the ways in which Council carries out its functions and makes decisions. The chapter enables council to adopt a Code of Meeting Practice after giving public notice of a draft Code.

Further, as part of its Charter as provided in Section 8 LGA 1993, Council is obliged to involve Councillors, Council staff, members of the public and others in the development, improvement and co-ordination of local governance and delivery of services. How Council meetings are managed and conducted is an important part of achieving this goal.

Relevant and comprehensive meeting procedures contribute to good public decision-making and increase the Council's transparency and accountability to the community. Councillors are accountable for the decisions that they make. Those decisions should be based on sound and adequate information. The conduct of effective meetings is a strong indicator of good governance. Well run meetings reflect an effective partnership and relationship between the governing body of council and council administration.

The rules, procedures and best practice notes on holding council meetings are described in the LGA 1993; the Local Government (General) Regulation 2005 (the Regulation); the (former) Department of Local Government's 2008 "Model Code of Conduct for Local Councils in NSW" (the Model Code); the "Guidelines for the Model Code of Conduct for Local Councils in NSW" (the Model Code Guidelines); and council's adopted Code of Meeting Practice.

Council's meeting procedures must follow the LGA 1993, the Regulation, Model Code and Council's Code of Meeting Practice. Where there are any differences in what is said or required, the LGA 1993, Regulation and Model Code must be followed.

The Code of Meeting Practice can only be made by the Council after public consultation. The Code cannot be inconsistent with the LGA 1993, the Regulation or the Model Code, but it can 'fill in the gaps'. Under section 440 of the LGA 1993, all Councils must adopt a Code of Conduct that includes the provisions of the Model Code. The Model Code sets out minimum standards of behaviour (set down in the Regulations) for Council officials in carrying out their duties.

All Councillors, staff and community members participating in Council meetings must act with good intentions and behave to the standard of conduct expected by the community. The principles upon which the Model Code is based include integrity; leadership; selflessness; impartiality, accountability; openness; honesty and respect. Meetings must be run fairly and the procedures used should improve decision-making, not personal or political advantage.

The draft Central Darling Shire Council Code of Meeting Practice was prepared in accordance with the guidelines. The Code also includes specific matters pertaining to Council including community consultations, frequency of meetings, notice of meetings, recording of minutes, accredited media representatives and order of business.

(a) Policy Implications

This matter has policy implications for Council. The Code of Meeting Practice will form part of Council's Policy Register and must be kept under review to ensure that it at all times meets the requirements of the LGA 1993 and associated regulations.

(b) Financial Implications

This matter has no financial implications to report at this time.

(c) Legal Implications

This matter has a number of legal implications which were generally described in the original report presented to Council in August 2011. Chapter 12 of the LGA 1993, the Local Government (General) Regulation 2005 and the Model Code describe the requirements.

In the event of any inconsistency between the Code and the LGA 1993 or the Regulation, the LGA 1993 or the Regulation (as the case may be) shall prevail to the extent of the inconsistency. Amendment by council of the Code can only be made by means of another Code.

(d) Community Consultation

The draft Code of Meeting Practice was placed on public exhibition for 28 days and there was a 42 day period during which submissions were able to be made to Council.

It is noted that when council adopts the final Code it must be made available for public inspection free of charge at Council's offices during ordinary business hours. The Council may make copies available either free of charge or, if Council determines, on payment of an approved fee. The Code will be made available on Council's website.

RECOMMENDATION

That Council adopt the Code of Meeting Practice as presented.

8.3 SENIOR STAFF CONTRACTUAL ARRANGEMENTS

Summary

This report advises Council on the senior staff arrangements that were in place during 2011/12 financial year.

Commentary

Section 339 of the Local Government Act 1993 states that the General Manager must, at least annually, report to the Council on the contractual conditions of senior staff.

At the current point in time, Council currently has determined that it has only one senior staff position, the General Manager. The General Manager was appointed on a 3 year performance-based contract, which is due to expire in September 2014.

(a) Policy Implications

Nil.

(b) Financial Implications

Nil.

(c) Legal Implications

Nil.

(d) Community Consultation

Nil required.

RECOMMENDATION

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

8.4 NSW STATE EMERGENCY SERVICE FUNDING ARRANGEMENTS

ATTACHMENT 3

Summary

The NSW State Emergency Service has received additional funding from the NSW Government over the next 5 years, which is part of the Strategic Disaster Readiness package delivered to the SES following the Commission of Inquiry into the Queensland Floods.

The funding will enable the SES to take full control of their fleet management requirements and increase funding for the support of SES units across the State, and in the process, reduce the contribution required by local government.

Commentary

Recommendations arising from the Commission of Inquiry into the Queensland Flood have resulted in the NSW Government allocating additional funding to support the SES in this state. As a result of this, there will be additional funding of \$96m over 5 years available to the SES in NSW for fleet management and unit support.

These two components of the funding package are expected to be of benefit to local government, as it will not be required to outlay existing level of funding or provide as high a level of support to the SES as it has in the past.

In changing these funding arrangements, the State Government is seeking to maintain the partnership between local government and the local SES units so that local communities are able to continue to have access to well-resourced and support SES units.

Local councils will no longer be responsible for the procurement, running costs or maintenance of SES vehicles, but will continue with the current ownership arrangements of SES buildings and headquarters. Under this arrangement, Council will continue to be responsible for normal landlord expenses such as rates and major building maintenance, but will not have to pay for building running costs, such as power, water and heating.

The Mayor, General Manager and acting Manager Finance met with Mark Coulter from the SES on 19 July to discuss the new funding arrangements. During that meeting, it was explained that \$48m of the new package would be directed to the SES taking over the fleet of vehicles from local government in NSW and \$6.7m per annum would be allocated to unit support across the state.

Unit support funding will be allocated to individual units based on their location, the number of people in each unit and the unit's level of activity. It is expected that service delivery agreements will be developed over the next 6 – 9 months, which will further detail the arrangements for the individual SES units.

The changed arrangements for the funding commenced on 1 July 2012.

Further correspondence on the changes to the vehicle fleet was received by Council on 13 August. In that letter, the SES outlines the 3 options available for Councils to transition vehicles to SES ownership. The 3 options are:

- 1 Gift the assets to the SES.
- 2 Hand the assets to the SES for a nominal fee.
- 3 Transfer the vehicles at market value.

Given that Council has made a significant contribution to the SES over many years, which has included allocating funds for the acquisition of vehicles, it is recommended that Council transfer the vehicles to the SES at market value.

The transfer of vehicles based on market value will only take place once the vehicles have been assessed by State Fleet and the transfer price negotiated.

(a) Policy Implications

Nil.

(b) Financial Implications

Council can expect to save a considerable amount of money on an annual basis, as well as receive a windfall gain from the transfer of vehicles to the SES for market value.

(c) Legal Implications

Nil.

(d) Community Consultation

Nil required.

RECOMMENDATIONS

That Council:

- 1** *Receive and note the report NSW State Emergency Service Funding Arrangements.*
- 2** *Advise the NSW State Emergency Services Commissioner that it will transfer SES vehicles from Council to the SES for market value.*

8.5 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION
ATTACHMENT 4

Summary

The purpose of this report is to advise that the annual fee for Councillors and Mayors has been reviewed and is effective from 1st July 2012.

Commentary

The Local Government Remuneration Tribunal has undertaken a review of the remuneration paid to Councillors and Mayors. The report and determination of the Tribunal findings and recommendations was completed in late April 2012, a copy of the report is attached to this agenda.

The feeds payable are dependent upon the categorisation of the Council, with Central Darling Shire Council designated a Rural Council. Pursuant to section 241 of the LGA 1993 the annual fees to be paid to a Councillor and Mayor in a Rural Council are as follows:

Councillor Annual Fee		Mayor’s Additional Fee*	
Minimum	Maximum	Minimum	Maximum
\$7,740	\$10,220	\$8,220	\$22,310

* Section 249(2) of the LGA states that the Mayor’s additional fee must be paid in addition to the fee paid to the Mayor as a Councillor.

The annual fees paid to the Mayor and Councillors is a matter for Council’s determination. The fee is not to be less than the minimum and not to exceed the maximum as set by the Tribunal. Council needs to review and set the annual fees each year once the determination from the Tribunal has been released.

(a) Policy Implications

Council has a policy titled Payment of Expenses and Facilities to Councillors. This policy broadly refers to the Payment of Councillor and Mayoral fees. It does not stipulate whether the minimum or maximum rate is preferred.

(b) Financial Implications

The current fees payable to councillors is the maximum allowable, \$9,970, whilst the Mayor also receives the maximum allowable additional payment of \$21,770, as per Council's decision from August 2011. If Council adopts the new maximum fee for councillors, this will increase by \$250 per Councillor. An increase to new maximum limit for the Mayor will see this fee increase by \$540.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the Local Government Remuneration Tribunal report be received and noted, and That further, the Council determine the annual fee payable to the Councillors and Mayor.

8.6 IVANHOE COMMUNITY BUS CONTRACT

ATTACHMENT 5

Summary

The funding agreement for the Ivanhoe community bus expired on 30 June 2012. Transport for NSW is seeking a contract extension until 31 January 2013.

The proposed extension will provide Transport for NSW the opportunity to consider changes resulting from COAG arrangements and to develop a new contract aimed at reducing the administrative burden on service providers.

Commentary

The Ivanhoe Community Transport service is provided by Council under the Home and Community Care Program (HACC). The funding agreement for this service expired on 30 June 2012 and until late July, Council had not received any correspondence from the State Government in relation to this agreement.

Council has received the attached requests for extension to the current agreement, which would appear to be a reasonable request. Council is continuing to provide the usual level of community transport services in Ivanhoe, despite the expiry of the existing agreement.

It would be expected that Council would continue to provide community transport services in Ivanhoe in the future, as there is a demonstrated need for some form of community transport in the town.

It is therefore recommended that Council agree to extend the existing agreement until such time as a new agreement is developed. There will be no additional financial burden imposed on Council as a result of agreeing to this request.

(a) Policy Implications

Nil.

(b) Financial Implications

The community transport service will continue to be funded at existing levels for the duration of the extension to the agreement.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil.

RECOMMENDATION

1 That Council delegate authority to the General Manager and Mayor to sign and execute the variation to Funding Agreement between Council and Director General of Transport for NSW for the Ivanhoe Community Transport service from 1 July 2012 until 31 January 2013.

8.7 HACC SERVICES FUNDING AGREEMENT

ATTACHMENT 6

Summary

The Commonwealth Government Department of Health and Ageing has written to Council, offering a funding agreement for the provision of HACC services to older people.

The agreement replaces agreements that Council had with the NSW Government and is part of the transition of HACC programs from State Governments to a mixture of State/Commonwealth Governments.

Commentary

The Commonwealth Government Department of Health and Ageing has written to Council, offering a funding agreement for the provision of HACC services to older people.

The agreement replaces agreements that Council had with the NSW Government and is part of the transition of HACC programs from State Governments to a mixture of State/Commonwealth Governments.

The agreement is for a 3 year period from 2012/13 to 2014/15 and is for the provision of HACC services for older people in Ivanhoe. Agreements for the provision of HACC services to younger people in Ivanhoe will be provided to Council by the NSW Aged Disability and Home Care agency, once required funding variation and compliance documents have been completed and returned by Council.

These documents have not yet been completed due to lack of information and documentation that is required to be provided to the agency.

Under the new agreement with the Commonwealth Government, Council will be required to provide the following range of services:

- Social Support
- Home Maintenance
- Meals

The outputs required to be delivered each year under the agreement and the associated funding are as follows:

Service Type	Output	Funding (GST excl.)
Social Support	728 (hours)	\$14,142
Home Maintenance	216 (hours)	\$2,929
Meals	1,404 (meals)	\$8,788

Based on the above funding levels, and the current staffing and other arrangements in Ivanhoe, the maximum cost that Council would incur to provide these services is as per the table below:

Service Type	Output	Funding (GST excl.)	Maximum Council cost to provide service
Social Support	728 (hours)	\$14,142	\$22,246
Home Maintenance	216 (hours)	\$2,929	\$6,600
Meals	1,404 (meals)	\$8,788	\$7,722

As a result of this, the total maximum amount to which Council would have to subsidise these services per annum is \$10,709. The amount of Council's contribution to the delivery of these services depends on the staff member involved in those services.

As the hourly rate for each and every member of Council staff member involved in service delivery under the HACC program is greater than that allowed for under the agreement, it is inevitable that Council will subsidise these programs to some degree.

The maximum cost to Council of providing those services as calculated in the table above is based on simple labour costs. If oncosts and overheads were to be included in the calculations, Council's contribution to the cost of service provision would be significantly increased.

Despite the new funding agreement not having been agreed to by Council, service provision has continued on the normal operating basis since the expiry of the former agreements. There is a demonstrated need for the provision of some HACC services in Ivanhoe and should Council decide that it does not want to continue to provide the services, it should consider how those services will be provided into the future.

(a) Policy Implications

Nil.

(b) Financial Implications

The community transport service will continue to be funded at existing levels for the duration of the extension to the agreement.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil.

RECOMMENDATION

For Council's consideration.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

ATTACHMENT 7

9.1.1 GRADING PROGRAM – ATTACHMENT 7

The August 2012 Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes, updates will be presented on a monthly basis.

9.1.2 2012 FLOOD DAMAGE ASSESSMENTS

Council staff has completed 100% of flood damage assessments on the Shire road network. Council is now awaiting formal funding amounts for flood restoration works from the Roads and Maritime Services.

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 RTA Ordered Works

Commentary

State Roads:

- 2012/2013 RMCC works estimated cost for Routine Maintenance Works on both highways is \$514,000
- No Works Orders received this financial year to date.
- 2 Works Orders remaining from 2011/12 financial year.
- Proposed \$1M works order for 3km sealing section on Cobb Highway to be issued by RMS.

	Original Budget	Remaining Budget	% Expended
RMCC	\$514,000	\$484,000	6%

Flood Damage 2012	\$217,142	\$8,903	96%
SH21 Capital Works	\$1,000,000	\$1,000,000	0%

Regional Roads:

- 2010/2011 Pooncarie Rd Bridge replacement and approach roads Reconstruction complete
- 2011/2012 Balranald Rd Reconstruction in Progress.
- 2012 Flood Damage Assessments complete.
- 2012/13 Regional Road Block Grant total \$2,459,000 including traffic and supplementary components.

	Original Budget	Remaining Budget	% Expended
MR67 Balranald Rd (2011/12)	\$2,015,000	\$1,247,609	38%
Regional Road Block Grant	\$2,459,000	\$2,314,260	6%
Flood Damage 2012	\$TBC	\$0	0%
Regional Road Repair Program	\$396,000	\$396,000	0%

Local Roads:

- 2012 Flood Damage Assessments complete.
- FAG total was \$1,374,991 and \$280,000 has been allocated to Town Improvement Funds

	Original Budget	Remaining Budget	% Expended
Local Roads Component (FAG)	\$1,374,991	\$1,317,800	4%
Flood Damage 2012	\$TBC	\$0	0%

(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

	Original Budget	Remaining Budget	% Expended
Wilcannia	\$70,000	\$70,000	0%
White Cliffs	\$70,000	\$70,000	0%
Menindee	\$70,000	\$70,000	0%
Ivanhoe	\$70,000	\$70,000	0%

- **(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.

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	\$94,000	\$79,115	15%
Ancillary Works	\$102,000	\$96,060	6%
Street Cleaning/ Bins	\$113,500	\$100,057	12%
Aerodromes	\$53,000	\$48,491	9%
Public Conveniences	\$37,250	\$33,156	11%

Water & Sewerage Maintenance:

- Wilcannia town water supply is currently being sourced from the Darling River Weir Pool.
- White Cliffs town water supply is sourced from ground tanks current levels detailed below:
Tank 1 = 4.8 m, Tank 2 =2.7m, Tank 3 (Wakefield) 8.70m
- Ivanhoe town water supply is currently being sourced from the underground bore fields. Morrison's Lake storage is currently 450 megalitres, town storage dam 35 megalitres.
- Ivanhoe Filtration Plant has undergone necessary repairs and maintenance prior to the utilization of the storage water from Morrison's Lake. 3 representatives from the NSW Office of Water have done an extensive audit of the Treatment plant and will be returning late August for initial raw water treatment.

	Original Budget	Remaining Budget	% Expended
Wilcannia Water	\$308,250	\$288,000	7%
Wilcannia Sewer	\$93,500	\$89,112	5%
White Cliffs Water	\$108,500	\$100,610	7%
Ivanhoe Water	\$145,500	\$131,352	10%

(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	Tenders in progress.	\$3.03 Mil	\$3.03 Mil	0%
Wilcannia Weir	S355 Committee held 31-7-12	N/A	N/A	N/A

Aboriginal Communities Water	Ongoing. Interim arrangements have been extended for a further 12 months.	\$184k/annum	\$184k	0%
Talyawalka Bridge	Structure complete. Roadworks Complete Lining outstanding	\$2,040,000	\$10,275	99%
Integrated Water Management Plan	GPS equipment purchased. Dept Public Works Engagement in progress. Community consultations completed in July	\$167,000	\$8,354	95%
Warrali Mission Footpath Upgrade	Formation complete, lighting in progress	\$121,000	\$18,000	85%
Old Wilcannia Bridge	Timber Ordered	\$90,000	\$36,089	60%
MR67 Ivanhoe-Balranald Rd Reconstruction	In progress	\$2,015,000	\$1,247,609	38%
MR416 Ivanhoe-Cobar Rd Repair Program	Not started	\$792,000	\$792,000	0%

(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.

9.5 REGIONAL ROADS REPAIR PROGRAM

Summary

The purpose of this report is to inform Council of the status of the Regional Roads Repair Program (RRRP) 2012/13 and provide detail so Council can make an informed decision as per the recommendation.

Background

The REPAIR Program provides additional funds for high merit projects to supplement block grants. Funds are available on a dollar for dollar basis for councils to undertake larger works of rehabilitation, and some development work on Regional Roads in order to minimise the long term maintenance costs commensurate with road function and usage, and where benefits of such projects exceed the cost. Councils nominate specific projects which are then prioritised on a merit basis up to the available funding allocation through a regionally based council consultative committee in a transparent, peer review process.

The Program is highly decentralised and provides significant flexibility for Local Government to set the prioritisation process and the allocation of funds to different types of work commensurate with each Region's needs.

Commentary

Contrary to previous advice, Council has been accepted in the 2012/13 RRRP. The late inclusion was granted to Council because of previous years unsuccessful submissions and the larger capital works proposal for this year's road construction project. Council accumulated 22 points and the cut off level for funding was 23 points.

Council's submissions are historically programmed to combine other Regional Road funding to enable Council to carry out works in excess of \$1M. The last RRRP funding, \$400k, was spent on MR428 Kayrunnera Rd in White Cliffs.

Due to Councils low traffic volumes and other contributing factors Central Darling require 2 to 3 years to acquire the merit points needed for each submission.

The project for 2012/13 RRRP is MR416 Ivanhoe-Cobar Rd, replacement of all single grids with double grids and seal approaches, reseal existing pavement 3km. The approved allocation for the project is \$396,000. Council is required to fund at least this amount on a dollar for dollar basis as per the program guidelines. If it becomes likely that Council will not complete any funded project by 30 June 2013, then the Council must notify the technical subcommittee through the RMS as soon as possible so that the funds can be reallocated to other Councils.

A major component of the works includes replacement of stock grids. It states in Council's Public Gates, Grids, Ramps and Stock Races Policy "Where roads are to be sealed or gravel sheeted every effort will be made to eliminate grids and stock races. Landowners may be offered fencing materials to fence the road boundary from the removed grid to an existing road boundary fence or grid. The amount will be to the dollar value per kilometre of fencing materials required up to the value that Central Darling Shire can purchase and install a double grid or a stock race, as an inducement to fence frontages rather than reinstate grids and stock races.

It will be up to the Landowners to erect the fence at their own cost within an agreed time set by Central Darling Shires Councils Director of Engineering Services.

New or replacement grids on all Regional Roads and sealed Shire Roads shall be double grids or a minimum width 7.4 metres, a stock race, grid and fencing will be as RTA Specification R161.”

It is estimated that Council can replace an existing grid with new at a cost of \$20,000.

(a)Policy Implications

Councils Public Gates, Grids, Ramps and Stock Races Policy is referenced and included in the resolution below

(b)Financial Implications

RRRP is dollar for dollar funding. Council needs to consider where \$396k can be funded from, this is included in the resolution below.

(c)Legal Implications

Any agreement between Council and the property owners will be checked and endorsed by Councils legal representative prior to distribution.

(d)Community Consultation

Consultation with all property owners on MR416 Ivanhoe – Cobar Rd will occur after the August meeting if warranted.

RECOMMENDATION

That Council source \$396,000 from the allocated \$2,459,000 Regional Roads Block grant 2012/13 to fund Councils share of the 50/50 funding for the Regional Roads Repair Program 2012/13.

That all landholders on MR416 Ivanhoe-Cobar Rd be offered fencing materials up to the maximum value of \$20,000 for the elimination of existing grids as per Council’s Public Gates, Grids, Ramps and Stock Races Policy.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

10.1 INFORMATION ITEMS

ATTACHMENT 8

10.1.1 MOBILE PHONE MUSTER

Mobile Muster is a recycling program designed to keep old mobile phones out of land fill. Since the mobile telecommunications industry introduced this recycling service in 1999 they have collected 886 tonnes of mobile waste. This includes the phones, charges and batteries. The program operates by having bins in which the used or old phones and accessories are put into to be collected. Bins are allocated to Council by Mobile Muster for the collection of the material. Once the bins are filled Mobile Muster arranges for the collection and replaces the old bins with new ones at no cost to Council. The program will be trialled within Wilcannia in the near future and if successful will be introduced to other communities across the Shire.

10.1.2 VICTORY PARK CARAVAN PARK, WILCANNIA

Summit Employment and the Wilcannia CDEP have commenced clean-up works of the Victory Park Caravan Park. Finalisation of electrical repairs will be undertaken during the 3rd week August. Summit Employment is proposing the caravan park will reopen on the 1st September 2012.

10.1.3 SUNSET STRIP WATER

ATTACHMENT 8

Correspondence has been received from Essential Water regarding the Sunset Strip water supply. The water supply has been determined to be non-potable due to the presence of blue green algae in the raw water supply. Essential Energy is shortly undertaking a review of the existing Sunset Strip Water Treatment Plant to identify necessary actions to upgrade the treatment processes to a potable standard. A copy of the correspondence is attached.

10.1.4 MENINDEE BMX TRACK

At the July Council meeting Council discussed the proposal for a BMX track in Menindee. Advice on risk and insurance matters is still being pursued through Council's insurer.

10.1.5 RANGER/ ANIMAL CONTROL OFFICER – RYDE TRAINING

As part of Council's partnership with Ryde City Council, our Ranger/Animal Control Officer will be attending Ryde City Council to work with their local rangers to gain knowledge and experience. This visit will occur 3 September to 7 September.

RECOMMENDATION

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JULY 2012

Summary

This report provides a statistical summary of legislative activities undertaken by Environmental Services within July 2012.

Commentary

The statistics will be provided to Council on a monthly basis. The below table demonstrates results for July 2012.

<u>Statistics for July 2012</u>	
Number DA'S Approved for July 2012	4 – broken down into the following categories; Commercial = 1 Residential = 3
Total Value of DA's approved for July 2012	\$52,195
Food Premises Inspected in July 2012	Nil
Animal Control Activities for July 2012	Impounded = 1 and rehomed
Water Sampling for July 2012	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 July 2012 report be received and noted.

10.3 PLANNING SYSTEM GREEN PAPER

ATTACHMENT 9

Summary

This report outlines proposed changes to the planning system in NSW, and introduces the document titled Green Paper – A New Planning System for NSW.

Commentary

During late July 2012, Council received information detailing the release of the NSW Government's proposal for a new planning system for NSW. The Green Paper proposes a number of changes to the planning system to move from a heavily regulated and prescriptive system to a simpler, strategic and transparent system which will include a Public Participation Charter. The Green Paper (copy attached for Councillors information) is the government's response to the report of the independent panel

which was established in 2011 to review the NSW planning system. The NSW Government is proposing transformative changes to the planning system in NSW with a significant shift to a more strategic and streamlined system that facilitates economic growth and upfront community participation. The changes are based around four reforms:

- Community Participation – The major shift in the new planning system is to engage communities as an integral part of making key planning decisions that will affect the growth of their communities.
- Strategic Focus – A major shift to evidence based strategic planning in terms of planning effort, community and stakeholder engagement and decision making.
- Streamlined Approval – A shift to a performance based system in which duplicate layers of assessment have been removed, decision are fast and transparent, and code complying development is maximised.
- Provision of Infrastructure – A genuine integration of planning for infrastructure with the strategic planning of land use so that infrastructure supports growth is funded and delivered.

A new Planning Act

The new legislation will be an ‘enabling Act’ which will establish the broad framework for the planning system. The Act will not include detailed prescriptive controls, instead these details will be covered by guidance and good practice advisory notes.

Community Participation is at the centre of the new planning system

All parts of the community – individuals, organisations and businesses will be able to participate to ensure the best possible local planning outcomes. The communities will be engaged in the strategic planning stages in the setting of the overall planning outcomes for an area. The NSW Government proposes a Public Participation Charter to require appropriate community participation to occur in plan making and development assessment.

Strategic planning will become the cornerstone of all planning decisions.

There will be major structural change at all levels of the planning system. NSW Planning Policies will articulate the NSW Government’s policy direction and position on major planning issues and will inform strategic plans at all levels. The NSW Planning Policies will replace the myriad of State Environmental Planning Policies and 117 Directions currently in place, modernising and simplifying the current system. Regional growth plans will link with NSW Long-Term Transport Master Plan and State Infrastructure Strategy. Subregional delivery Plans will be prepared in growth areas. Local Land Use Plans will directly deliver zoning outcomes. Local Land Use Plans will include – a strategic context, spatial land use zones, an infrastructure growth and service delivery component and development guidelines and standards.

Strategic planning will deliver better environmental and conservation outcomes.

Strategic planning at the regional and subregional planning level will deliver improved biodiversity and environmental outcomes.

Development assessment will be streamlined

Development that is consistent with the strategic plan will be able to proceed in a timely and straight-forward manner. Code complying development will be maximised and where more detailed assessment is needed, the level of assessment will match the level of impact. It is intended that decision making will be depoliticised, proposing that development applications be streamed to appropriate independent and expert decision makers.

Infrastructure delivery will be integrated with strategic planning

Major infrastructure projects will be delivered through a new process for Public Priority Infrastructure via Growth Infrastructure Plans.

Delivering the new planning system

The new planning system will be delivered as per the following – Chief Executive Officer’s group to integrate and drive implementation, Regional Planning Boards to advise on regional and subregional strategic plan making, infrastructure and planning issues, Mandatory performance monitoring against clear indicators, Major organisational reform program to address structure and culture of planning at all levels and within both public and private sectors.

Developing the detail for the White Paper and Exposure Bill

The next phase of the reform is development of a White paper firming the scope of the legislative scheme as well as an Exposure Bill for public consultation.

Council is invited to lodge a submission on the Green Paper, by 14 September 2012. It is noted that detailed consultation is proposed with local councils and other stakeholders prior to this date.

(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 Planning System Green Paper report be received and noted.

10.4 LITTER CAMPAIGN

Summary

This report provides Council with information on a litter project being undertaken by the Department of Environment & Heritage.

Commentary

The project seeks to revitalise previous litter campaigns and intends to develop and identify gaps in the design of a NSW Litter Prevention Initiative Kit. Council was invited by Netwaste to be involved in the project, mainly due to the successful Aboriginal Land Clean-Up Project that was undertaken as a joint project between the Wilcannia Local Aboriginal Land Council and Central Darling Shire Council earlier in 2012. A workshop on the litter campaign project was held on the 31 July & 1 August and was attended by Council’s Environmental Health Officer. The cost of travel and accommodation was funded by the Department of Environment & Heritage. The workshop covered issues such as current litter research, current thinking on how to best tackle litter, the elements of an effective anti-litter

project, details about grant opportunities and processes, and training in and testing of simple new pre-project data collection tools and instruction, which will form a mandatory basis for grant applications, to ensure clarity and effectiveness. An on-site training trial of the tools will be conducted in our local area to test how well they work. Once refined these bench marking tools will be required to be used by everyone applying for a litter grant and will be included as part of the Litter Prevention Kit. It is possible that a representative from Community Change will be visiting Wilcannia to conduct a local field test to see how the tools are working and to give assistance. The Litter Prevention Kit will have tools to assist in collecting and using information to help prevent littering.

As a council representative attended the workshop Council will be eligible to apply for grant funding up to \$25,000 sometime next year to assist with a litter campaign in our local area. It is proposed this can be done in partnership with a community group as they will also be eligible for a \$6,000 grant. This is the first of a five year program.

(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 Litter Campaign report be received and noted.

10.5 PRACTICE NOTE NO. 15 WATER SAFETY UPDATE

ATTACHMENT 10

Summary

This report provides Council with information on a recent review of Practice Note 15 relating to water safety.

Commentary

During July 2012, Practice Note No. 15 Water Safety was updated by the Department of Local Government. The document has been produced to assist councils in NSW to carry out their water safety functions and responsibilities in public places. The purpose of the update is to align with current relevant national Vocational and Education training Packages, Australian Standards and NSW legislation; and to include updated details for organisations referenced in the practice Note. The issues in particular include;

- Currently applicable Training Packages do not generally include references to specific training organisations but, rather, generic competencies for qualifications required by water safety personnel.
- The Australian Standard applying to water safety signage has been revised.

- The NSW Occupational Health and Safety Act 2000 has been replaced by the NSW Work Health & Safety Act 2011.

All Councils are encouraged to make use of the Practice Note to assist in the management of aquatic recreation facilities and services in their areas.

(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 Practice Note No. 15 Water Safety Update report be received and noted.

10.6 WHITE CLIFFS SWIMMING POOL

Summary

This report provides Council with an update on recent developments with the White Cliffs swimming Pool.

Commentary

As previously reported to Council through the White Cliffs Works Committee meeting, cracking in the wall of the White Cliffs Swimming Pool had become evident during late February/early March 2012. At the time some bulging in isolated areas of the pool wall was also evident. At the time, the swimming pool was still in use with the 2011/2012 swimming season nearing completion and the pool closing for the season on the 31st March 2012. During late February 2012 a large rain event occurred whereby approximately 10 inches of rain fell in white Cliffs within a span of 2-3 days. This event occurred whilst the pool was still full and in use for the season.

Budget allocations in the vicinity of \$10,000 were set aside in the 2012/13 budget to provide funds for the crack to be repaired and for the wall bulging to be investigated. Prior to Council maintenance staff carrying out the intended repairs one whole side of the pool developed major cracking in the fibreglass. At this time it was identified that more serious issues were occurring and that perhaps it was related to the large rain event that had occurred earlier in the year. On this basis, Council's insurer was notified. On 8 August 2012, council's insurer and the insurer's loss adjuster assessed the damage to the pool. The loss adjuster indicated similar pool damage has occurred across the region with a number of claims in Broken Hill last year. Further discussions between the insurer and loss adjuster are in progress.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Not yet known.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That White Cliffs Swimming Pool report be received and noted

10.7 MENINDEE PLAYGROUND IMPROVEMENTS

Summary

This report provides information on a recent proposal from Murdi Paaki Regional Enterprise Corporation to undertake works at Menindee Playground

Commentary

Contact has been received from Ms Megan Callinan regarding an allocation of funding for \$50,000 held by Murdi Paaki Regional Enterprise Corporation for improvements to the Menindee Playground area. Megan has reported that the elements of the project were identified and agreed to by the Menindee Community Working Party, including;

- a 10m x 10m shade shelter over the existing playground
- a 6m x 6m shade shelter installed on the existing concrete slab adjacent to the tennis courts
- BBQ and seating installed under the new 6m x 6m shade.

The proposal should be considered by the Council as Council is Trust Manager of Burke & Wills Park before proceeding. It is also likely that the proposal should be advertised around the local Menindee community for comments prior to any works being undertaken.

(a) Policy Implications.

Development application will be required.

(b) Financial Implications

No contribution from Council has been requested at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Community should be consulted regarding the proposal for comments

RECOMMENDATION

***That the Menindee Playground Improvements report be received and noted, and further;
That Council provide in principle support for the proposed improvements.***

10.8 BAKER PARK PLAYGROUND

Summary

This report provides Council with an update on the proposal for a new playground in Baker Park, Wilcannia.

Commentary

Council may or may not be aware of a funding application lodged by the Remote Service Delivery Coordinator – Ms Zoe Dobson in 2011 for the proposed construction of a new playground in Baker Park, Wilcannia. Advice received advises the funding proposal for \$95,000 has been approved, with Council nominated as the project manager. It is also noted that Council had set aside additional funding of \$25,000 as a contribution towards the project; these funds were allocated out of the \$70,000 per town allowance. The total amount available for the playground is expected to be in the vicinity of \$120,000.

The project should commence as soon as possible. The exact site within Baker Park is yet to be decided however initial inspections suggest the preferred site to be within close proximity to the previous playground. It would also be appropriate that the local community and school students be involved in the decision making process for the type of playground equipment to be installed, and also the preferred location of the playground. It is expected that consultations with Wilcannia schools will commence shortly.

(a) Policy Implications.

Development application for the structure will be required. Play equipment and softfall to comply with relevant Australian Standards.

(b) Financial Implications

Council previously allocated \$25,000 from Town Works Committee funding. Remaining \$95,000 provided through Remote Service Delivery Program.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

To be undertaken after local school children have considered the type of play equipment preferred to be installed. Local community will be provided the opportunity to comment on the proposal.

RECOMMENDATION

That the Baker Park playground report be received and noted, and further;

That Council undertake consultation with local school children on the design of the playground, and

That the Wilcannia community be invited to comment on the proposal for a 28 day period with any submissions being reported back to Council.

10.9 DRAFT EMPLOYEE HOUSING POLICY

Summary

Council's Draft Employee Housing Policy has been placed on public exhibition, it is necessary for Council to adopt the policy.

Commentary

At its June Ordinary Meeting, Council adopted a draft Employee Housing Policy. The policy was prepared after a request from Councillors that the existing Rental Council Properties policy required review. As a result, the draft Employee Housing Policy was formed. At the June Ordinary meeting of Council it was resolved that the draft Employee Housing Policy be placed on public exhibition for a period of 28 days, with any submissions received being presented to Council at the next available meeting. The exhibition period closed on the 7 August 2012 with no submissions being lodged. It is appropriate that the policy now be adopted by Council.

(a) Policy Implications.

The existing policy titled Rental Council Properties requires rescinding upon adoption of the draft Employee Housing Policy

(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 adopt the Employee Housing Policy; and further
That the existing policy titled Rental Council Properties be rescinded.***

10.10 DEVELOPMENT APPLICATION – LOT 2 JOHNSTON STREET, WHITE CLIFFS ATTACHMENT 11

Summary

This report advises Council of a Development Application that has been received for demolition of a derelict building at White Cliffs. It is recommended that Council approve the proposed development and adopt the draft conditions attached.

Commentary

Lot 2 Johnston Street, White Cliffs – LOCAL DEVELOPMENT APPLICATION FOR DEMOLITION DA 07/12

1. Report Summary

Applicant: Annette & Barry Turner

Owner: Annette & Barry Turner

Date lodged: 09/05/12

This report considers a proposal to demolish a derelict building at Lot 2 Johnson Street, White Cliffs. The proposed demolition will see a derelict building with major structural and safety issues removed to prevent

injury to the general public and adjacent landholders. The building has a cellar that is in a state of collapse and the structure has been eaten out by termites.

Reason for Referral to Council: The proposal is for demolition of a derelict building of a heritage nature.

Public Submissions: No submissions received.

SEPP1 Objections: No SEPP 1 Objections were received.

Value of works: \$2,000

2. Site (Refer to attached plan.)

Address: Lot 2, Johnston Street, White Cliffs being Lot 2 DP449963

Site Area Total Site Area: 2151.55m.²
Total Building Area: 127.5m.
Frontage : 44.58m.
Depth: 56.7m.

Topography

and Vegetation: The topography of the site is flat to slightly sloping. The site is predominately covered with the presence of the derelict building and has minimal vegetation (grasses and weeds).

Existing Buildings: The subject land contains an old derelict building. The remains of some old rainwater tanks are located towards the rear of the building. The remainder of the site is vacant.

Planning Controls

Zoning 2(t) Township Zone under the Central Darling LEP 2004

RU5 Village Zone under draft Central Darling LEP 2012

3. Representations

Councillor: Nil

Any other persons (e.g consultants) involved in or part of the representation: Consultation with Council's Heritage Adviser occurred through the assessment process. The Heritage Adviser reported that the building was of no heritage significance and is beyond saving. The derelict building is not listed as heritage significant on the LEP or State Register.

Date: 5th June, 2012.

Form of the representation: Meeting and email.

4. Political Donations or Gifts

Any political donations or gifts disclosed: Nil received.

5. Proposal

The proposal is for the demolition of a derelict building. The site is located at Lot 2 Johnston Street, White Cliffs. The derelict building is constructed of iron cladding and timber. It is infested with termites and very little

solid timber is left to support the existing structure. The derelict structure represents a hazard to the public as the iron cladding has no support and fixings to the framework to keep it stable. The derelict building also has an extensive cellar that has collapsed walls, posing further risks to the surrounding area as the ground around the exterior of the walls has subsided to varying degrees providing unstable earth structure around the exterior of the structure.

6. Background

DA was lodged on 9 May 2012.

7. Submissions

The proposal was advertised and notified in accordance with Council policy Notification of Development Applications. The application was advertised on 2/07/2012 for a period of 14 days. Notification of the proposal under Council's policy was from 2/07/2012 for 14 days.

No submissions were received from the general public or adjoining landowners.

8. Policy Implications

Relevant Provisions of Environmental Planning Instruments etc:

(a) Central Darling Draft LEP 2004

Zoning 2(t) Township Zone

Requirements The derelict building is located within 2(t) Township zone pursuant to the Central Darling LEP 2004. The building is not listed as a heritage item under Schedule 1 Heritage Items. The objectives of the zone include – to conserve and protect heritage items and the natural environment. Under Clause 30 demolition of a heritage item may be carried out but only with development consent. The proposal has been inspected by Council's Heritage Adviser and her recommendations for demolition have been provided.

(b) Relevant SEPPs There are no particular State Environmental Planning Policies which apply to this development.

(c) Relevant REPs There are no Regional Environmental Plans relevant to this development.

(d) Any draft LEPs Draft Central Darling LEP 2012 was adopted by Council on 5 May 2009. Under this LEP, the zoning of the property is RU5 Village Zone. The proposed development is permissible with consent within this zoning under the draft LEP, and it is considered that the proposal is not contrary to the objectives of the LEP or those of the proposed zoning.

9. Likely impacts of the Development

(a) Built Environment

The proposed demolition is to be carried out on land within an existing urban area. The current pattern of development is that of commercial development on local roads near Johnson Street.

The amenity of the area is expected to remain unchanged apart from removing a derelict structure that is partly collapsed with loose materials hanging from it. The development is likely to have a significant effect on the immediate area, through creating a safe environment. The demolition of the building will improve the visual and safety aspect of the area.

(b) Natural Environment

Vegetation onsite consists of a few trees, mixed grasses and weeds, and some bare ground, with little potential to support threatened fauna species. No significant habitat is located onsite. The proposed redevelopment of the site will therefore not significantly impact on native flora and fauna. Threatened species, populations, ecological communities and their habitats will therefore not be impacted upon by the proposal.

Adjoining land uses comprise residential and commercial areas with limited landscaped gardens.

10. Suitability of the site for the development

The suitability of the site for the proposed demolition has been addressed in the above sections of this report. There are no prohibitive constraints posed by adjacent development or from within the site; there are adequate transport facilities in the area; utilities and services are available and adequate for the site; there are no hazardous land uses or activities nearby.

There are therefore, no known zoning, planning or environmental matters that should hinder the demolition on the site as proposed.

11. The Public Interest

The proposal is considered to have a positive impact on the local community and it is in the public interest for the demolition to proceed, again for visual and safety reasons.

12. Consultation

External Referrals

The proposal was referred to Council's Heritage Adviser for comments; these comments are as follows:

"From a visual assessment it is considered that this structure is beyond repair. The building has no heritage listing and therefore there is no requirement by the Council to keep this item as a heritage place. I therefore conclude that demolition could be granted for this structure".

13. Critical Dates

None.

14. Financial Impact

This proposal will have no financial impact for Council. All costs incurred on the site are to be met by the land owner.

16. Conclusion:

It is recommended that the proposed demolition of Lot 2, Johnston Street, White Cliffs be supported on the following grounds:

- The proposal supports the relevant provisions for the Central Darling LEP 2004 and Draft Central Darling LEP 2012;
- The proposed demolition of the derelict building is not anticipated to generate significant adverse impacts in the locality; and
- The proposed demolition will remove obvious dangers associated with the structure that may cause injury and damage to the general public and adjoining landowners.

RECOMMENDATION

That Local Development Application DA 07/12 at Lot 2 Johnston Street, White Cliffs being Lot 2 DP449963, be approved subject to the following draft conditions;

1. The conditions of this Development Consent issued under the Environmental Planning and Assessment Act 1979, are to be complied with. These conditions are attached to this approval and must be given to the builder and contractors to ensure this development is carried out as per the approval given.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and compliance with the development consent).

2. Two days before any site work, building work or demolitions begins, the applicant must forward the “notice of commencement and appointment of Principal Certifying Authority” form to Council; and notify adjoining owners that the work will commence.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

3. Before any site works, building or demolition is started, the applicant or builder must notify council of the name, address, phone number and license number of the builder; erect a sign at the front of the property with the builder’s name license number, site address and consent number; provide a temporary on site toilet; protect and support any neighbouring building; protect any public place from obstruction or inconvenience of the carrying out of the consent; prevent any substance from falling onto a public place.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

4. Install runoff and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows: divert uncontaminated runoff around cleared or disturbed areas; erect a silt fence to prevent debris escaping into drainage systems or waterways; prevent tracking of sediment by vehicle onto roads; stockpile, excavated material, construction and landscaping supplies and debris within the site.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

5. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the approved building area.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

6. The land surrounding any structure must be graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

7. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any pollution discharge.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

8. The owner, developer or builder shall be responsible for repairing any damage resulting to Councils infrastructure, land or assets in the vicinity of the subject site as a result of construction works, deliveries to the site or processes carried out with the site development.

(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).

9. The owner, developer or builder must consult with the local electricity authority to ensure clearances to overhead powerlines are maintained, and underground power-cables are located.

(Reason: To ensure safety from overhead powerlines and limit disturbance of underground cables.)

10. The vehicular crossing to the kerb and guttering and access to the allotment is to be constructed in accordance with the requirements of the Director of Engineering. The applicant is required to contact Councils engineers prior to any work commencing.

(Reason: To ensure design and installation is adequate for vehicular and pedestrian traffic).

11. The contractor must take all necessary precautions before and during demolition works strictly in accordance with AS 2601 'Demolition of Structures'.

(Reason: To ensure compliance with relevant Australian Standards).

12. Prior to works commencing the demolition contractor shall carry out an investigation of the building and site and advise the Council of any matters relating to hazardous materials, interference of services or other matters which may influence the proposed demolition procedures.

(Reason: To ensure any dangers are identified before works proceed)

13. The site shall be fully fenced off at the allotment boundaries to prevent unauthorized and unobstructed public access to the addressed allotment.

(Reason: To ensure public safety)

14. All electrical cables and the like shall be disconnected prior to the commencement of demolition works.

(Reason: To isolate electricity supply from the building)

15. Unless otherwise approved, demolition works shall commence at the roof and be executed storey by storey working downwards.

(Reason: To prevent unnecessary collapse and protect contractors)

16. Notices displaying 'Danger Demolition Works In Progress' or similar are to be fixed to the site.

(Reason: To notify public of demolition for safety reasons)

17. No wall, chimney or other similar structure shall be left unsupported in such a dangerous condition it may collapse due to wind or vibrations.

(Reason: To ensure public safety)

18. All asbestos on site shall be removed by an accredited asbestos removalist registered with the Workcover.

(Reason: To ensure OH&S requirements are met)

19. Dust creating material, unless thoroughly dampened shall not be thrown or dropped from the building but shall be lowered by hoisting apparatus.

(Reason: To limit undue dust pollution)

20. Buildings located close to allotment boundaries are to be reduced by hand. The demolisher must not carry out any works on, over or in the air space of an adjoining property without the prior approval of Council.

(Reason: To prevent impacts on adjoining properties)

21. Upon completion of the work notification shall be given to the relevant building surveyor for a final inspection.

(Reason: To ensure conditions of consent have been met)

22. All demolished materials shall be removed from the site. All hazardous materials to be disposed of in a proper and safe manner according to relevant legislation. Materials acceptable for placement at Council's Waste depot must be done in a satisfactory manner with material segregated into recyclable waste lines where able, with asbestos disposed of as per Workcover requirements.

(Reason: To ensure correct disposal of demolished materials)

SECTION 11. FINANCE MANAGER’S REPORT

11.1 INVESTMENTS

Schedule of Investments – July 2012

DATE	TIME PERIOD	INTEREST RATE	DUE DATE	TOTAL (\$)
Deposits at Call				
	Westpac	4.55%		\$125,000
Australian Corporate Mortgage Backed Securities (Face Value)				
	Castlereagh Trust 90 Points over 3mth BBSW	6.05%	21-Jun-13	\$1,500,000.00
	Capital Value - 30 th July, 2012			\$1,152,555
Total Investments as at 30th July, 2012				
	11 am Call Account			\$ 125,000
	Mortgage Backed Security			<u>\$ 1,152,555</u>
				<u>\$ 1,277,555</u>

At Call refers to funds held at a financial institution that can be recalled within 24 hours.

The 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 June 2012 be received and adopted.

11.2 RATES COLLECTIONS STATEMENT

STATEMENT OF RATES and CHARGES as at 31st July 2012

Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/offs & Credits	Pensioner Subsidy	Rates in Credit	BALANCE
General	\$ 675,308	\$ -	\$ 272,810	\$ 948,118	\$ 59,498	\$ 125	\$ 15,493		\$ 873,002
Special	\$ 32,549	\$ -	\$ 24,640	\$ 57,188	\$ 3,373	\$ 72	\$ -		\$ 53,744
Water	\$ 293,979	\$ -	\$ 197,112	\$ 491,091	\$ 31,172	\$ 242	\$ 4,856		\$ 454,821
Sewer	\$ 103,625	\$ -	\$ 50,621	\$ 154,246	\$ 7,206	\$ 583	\$ 788		\$ 145,670
Garbage	\$ 336,011	\$ -	\$ 238,051	\$ 574,062	\$ 33,261	\$ 324	\$ 13,182		\$ 527,294
Excess Water	\$ -	\$ -	\$ 210,671	\$ 210,671	\$ 30,517	\$ 119	\$ -		\$ 180,035
Charge on Land	\$ -	\$ -	\$ 27,365	\$ 27,365	\$ 136	\$ -	\$ -		\$ 27,229
Rates in Credit								-\$ 38,135	-\$ 38,135
TOTALS	\$1,441,472	\$ -	\$ 1,021,269	\$2,462,741	\$ 165,162	\$ 1,465	\$ 34,319	-\$ 38,135	\$ 2,223,660

Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit	
1/08/2012	\$1,301,005	\$226,675	\$132,273	\$106,556	\$71,936	\$183,649	\$239,700	-\$38,135	\$2,223,660

During July \$1.44 million was levied for the 2012/2013 financial year, an increase of \$51,000, or 3.69%. Receipts for the month were consistent with the recent trend - \$165,162 vs \$153,933 - an improvement of \$11,299, or 9.7%. Write offs and credits were not significant. No interest was raised due to interest being raised twice in June. Rates in Credit fell significantly following the 2012/13 levy being raised - down from \$66,355 to \$38,135. Ratepayers with large credit balances will be contacted in the coming months.

RECOMMENDATION

That the Rates Collection Report for June 2012 be received and adopted.

11.3 DRAFT LONG TERM FINANCIAL PLAN

ATTACHMENT 12

Summary

Attached with this agenda is Council’s draft Long Term Financial Plan (LTFP) for the years 2012/2013 – 2021/2022. This plan was due for completion by 30 June 2012 but due to staffing constraints was not achievable. It is considered appropriate that the incumbent Council consider and approve the Plan with the intention that it be reviewed by the new Council, once installed, over the ensuing year.

Commentary

Data contributing to this plan has been extracted from historical records (2010/2011 Annual Report and the 2011/2012 financial results) appropriately indexed; Council’s adopted Operational Plan for this current 2012/2013 year; Councils Workforce management Plan; and projected operating costs and capital and renewal expenditure as detailed in Council’s six Asset Management Plans. A conservative approach has been taken to both income and expenditure.

The LTFP anticipates a moderate growth in expenditure, generally in line with the Consumer Price Index and outlines three income stream scenarios: the ordinary rate peg percentage applying for this current year being continued throughout the ten year period; secondly, in addition to the rate peg increase, a one off 10% special variation increase in ordinary rates for 2013/2014 and then indexed

for the following 6 years; and thirdly, in addition to the rate peg increase, a proposed 7.5% special variation applying to ordinary rates in 2013/2014 with continuing 7.5% increases plus the applying rate peg for each of the successive six years.

The Asset Management Plans provide for very moderate operational /maintenance expenditure for the next ten years, based on average expenditure over the preceding 3 – 4 years and do not envisage any significant increase in the level of expenditure over the duration of the Plan.

If approved, this LTFP will be open to submission with the closing date for submissions being 18th September 2012.

RECOMMENDATION

That Council adopts the Draft Long Term Financial Plan for the 10 year period 1 July 2012 to 30 June 2022 for the purposes of a 28 day public consultation period.

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
17/07/2012	Minister for Planning & Infrastructure Minister assisting the Premier on Infrastructure NSW	Funding to help boost housing supply.
20/07/2012	Local Government Association of NSW & Shires Association of NSW	Managing Water, Utilities and Our Environment
23/07/2012	Local Government Association of NSW & Shires Association of NSW	There's something in the water (LGSA Water Management Conference)
23/07/2012	Department of Primary Industries	Flow Advice for Lower Murray Darling River
26/07/2012	Local Government Association of NSW & Shires Association of NSW	LGSA calls on infrastructure NSW to extend funding program for country water and sewerage utilities.
27/07/2012	Regional Achievement & Community Awards	Recognition for Community Service
27/07/2012	Member for Murray-Darling	Deadline approaching for Crown Reserve funds.
1/08/2012	Local Government Association of NSW & Shires Association of NSW	Commonwealth's grant mistake hits NSW councils back pocket.
8/08/2012	Local Government Association of NSW & Shires Association of NSW	NSW Councils vote 'YES'to form One Association.
10/08/2012	Member for Murray-Darling	Sport and Recreation Grants Now Open

Date	Sender	Contents
13/08/2012	Local Government Association of NSW & Shires Association of NSW	Communities celebrate councils being locally responsible Local Government.
14/08/2012	Local Government Association of NSW & Shires Association of NSW	Studd confirms container deposit systems are a win win for communities.
14/08/2012	Member for Murray-Darling	Green Grants now open
14/08/2012	Member for Murray-Darling	Nominations open for the 2013 Australian of the year award.

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
Local Government Association of NSW and the Shires Association of NSW	13/06/2012	Local Government Weekly 28/12
NSW Government Premier& Cabinet	16/06/2012	Local Infrastructure Renewal Scheme – Round One.
NSW Government Premier& Cabinet	18/06/2012	Exposure draft boarding housing bill 2012
NSW Government Premier& Cabinet	27/06/2012	Calendar of compliance and reporting requirements 2012/13.
Local Government Association of NSW and the Shires Association of NSW	20/06/2012	Local Government Weekly 29/12
Local Government Association of NSW and the Shires Association of NSW	27/06/2012	Local Government Weekly 30/12
Local Government Association of NSW and the Shires Association of NSW	3/08/2012	Local Government Weekly 31/12

Sender	Date	Contents
NSW Government Premier& Cabinet	10/08/2012	Special Disclosure of Pecuniary Interests form.

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

Nil

SECTION 14. DELEGATES' REPORTS

RECOMMENDATION

That the Delegates' reports be received and noted.

SECTION 15. QUESTIONS WITH NOTICE

RECOMMENDATION

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

15.1 CR REID

1. At the recent Councillor information Session the General Why was the GM in attendance, was the Consultant employed by the Electoral or by the GM?

The General Manager was in attendance as he was driving the consultant around the Shire in order for the consultant to be able to conduct the sessions. The General Manager was also in attendance in order to respond to any queries specific to the Central Darling Shire Council that the consultant may not have been able to answer

2. Was the accommodation and meals for the GM inclusive of the fee Council paid to the Electoral Commission, for the running of this Election.

The candidate information sessions were organised by the Shire and the consultant was sourced by the General Manager.

As the sessions were organised by Council, the cost of meals and accommodation for the General Manager were paid by Council.

15.1 CR LOONEY

1. When will Irrigation Road be sealed, what level to the road going to be lifted. How much will this cost.

Irrigation Rd is not on the 5 year program for any sealing works to be carried out. Staff are looking at maintaining the assets we have in accordance with the transport asset management plan. The road will be lifted up to 330mm at the lowest point. Estimated cost for formation and capping works is \$33,000

2. Has Shire approached Susan Ley to determine a source of funding for the proposed BMX bike track at Menindee.

3. In Menindee Street, opposite Albermarle Hotel there are several slabs of footpath missing. My concern is safety, it is badly fenced, being near the Hotel & Youth Center, is Shire responsible should an accident occur.

The footpath is a Council asset which we are responsible for. If an accident were to occur on any footpath Council could be found liable. The section of footpath in question is programmed for repairs in August.

4. Residents were told they would receive letters answering questions raised at Menindee Shire Meeting. Bob Looney would like an answer to his questions please.

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 RATES MATTER

Council will determine this matter in part of the meeting closed to the public pursuant to Sub-Sections 10A (1) & 10A (2) (a) being information that discloses personnel matters concerning particular individuals other than Councillors.

RECOMMENDATION

That this report be received and noted.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 25th September 2012 in Wilcannia commencing at 9:00am.
