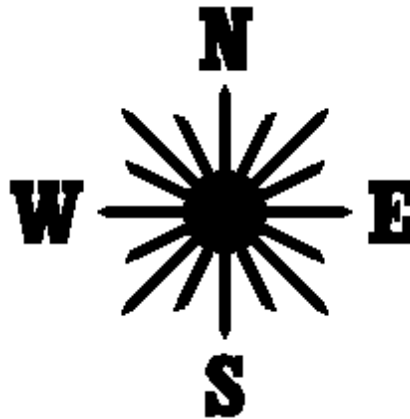


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Minutes

For the Ordinary Meeting

Tuesday 19th February 2013

at

Wilcannia

Council dedicated to serving its Communities.

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

The above-mentioned Meeting of Council was held in the Council, Chambers, Wilcannia on Tuesday 19th February 2013 and commenced at 9:08am.

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MOTION CARRIED

MOVED CLR SULLIVAN /CLR LINNETT

1-02-13 resolved

That Council suspend standing orders

Standing orders suspended at 9:07am

A presentation took place for Mrs Chris Elliott to receive her Australia Day - Citizen of the Year Award. Mrs Elliott was unable to attend the Australia Day celebrations held in Wilcannia therefore the Award was presented at the Council Meeting.

MOTION CARRIED

MOVED CLR LINNETT / CLR SULLIVAN

2-02-13 resolved

That Council resume standing orders.

Standing orders resumed at 9:10am

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

PRESENT:

Councillors:

Ray Longfellow

Clive Linnett

Lorraine Looney

Eamon Sammon

Ron Page

Peter Sullivan

Dennis Standley

Gary Astill

Honor Liversidge

ALSO PRESENT:

Leeanne Ryan

Acting General Manager

Reece Wilson

Manager Technical and Engineering Services

David Cumming

Acting Manager Corporate and Community

Adelaide Elliott

Executive Assistant

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

Mr Bill Elliott addressed Council regarding formation of a S355 tourism committee. He stated representatives from each town in the Shire were willing to be involved. Mr Elliott also pointed out an error in the Wilcannia Works Committee minutes dated 7 December 2012 relating to the new playground in Baker Park. He also requested the Wilcannia Tourism Association be advised of future Works Committee Meetings in Wilcannia.

Mr Adrian Fethers addressed Council to outline a proposal to have more street trees planted around the township. Mr Fethers requested that there be an allocation of \$40,000 in next year's budget for the purpose of a street trees project. Mr Fethers also indicated his support for a rescission motion to the sale of land for the Knox and Downs building site.

Mr Steve Ross from Summit Employment addressed Council regarding a pipeline trench that had been ripped across the footpath to the Victory Park Caravan Park. He expressed concern over the lack of safe work methods in place, and also queried why no works had been undertaken to repair the footpath after he had contacted Council on a number of occasions.

Mr Paul Brown addressed Council expressing concerns for the long term future of the Knox and Downs site. Mr Brown disputes that Council did not consult with the community regarding the future of the site. He indicated that Council had moved a motion in May 2012 to clean up the site, and to undertake public consultation regarding the future of the site. Mr Brown also stated that Council's Works Committee decisions must be transparent, and should be advertised with persons allowed to be involved eg drainage works near Wilcannia Motel.

Mr Rick Taylor Snr from Glenhope Station, White Cliffs, addressed the Council regarding their agreement with Council for the use of Wakefield Tank. Mr Taylor Snr noted that there are problems with the creek above the tank and advised there are significant problems with the erosion; he raised concerns with Council's involvement. He also noted that his access to the pipeline was cut off with the tap being turned off to livestock.

Mr Rick Taylor Jnr noted that they had requested that there be no earth works undertaken above Wakefield Tank however works had been conducted without their permission. Mr Taylor Jnr also noted that there had been a number of incidents where livestock were left without water due to the tap being turned off. The Wakefield Tank has approximately 5.5m depth of water left and the quality of the water is not too bad. Mr Taylor Jnr noted that they had received correspondence from Council.

Clr Sullivan commented on the Wilcannia Works Committee meeting and queried whether there had been public notification regarding the meeting date, as there seemed to be low attendance numbers at the meeting of the general public.

Clr Astill noted that only in recent years the Works Committee Meetings had been opened to the general public.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION CARRIED

MOVED CLR SULLIVAN / CLR LINNETT

3-02-13 resolved

That the minutes of the Ordinary Meeting of the Council held on the 18th December 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

Nil

3.2 STATUS OF COUNCIL RESOLUTIONS – DECEMBER 2012

MOTION CARRIED

MOVED CLR SULLIVAN / CLR LINNETT

4-02-13 resolved

Status of Council Resolutions be received and noted.

SECTION 4. MAYORAL MINUTES OR REPORT

Clr Astill left the meeting at 9:58am returning 10:04am

15th January 2013 - The Mayor, Clr Page, Clr Astill, Clr Looney and Clr Standley attended a meeting in Menindee regarding the Pooncarie Road. There were sixteen interested people in attendance. The meeting was addressed by Mr Tom Murphy, a consultant from the Western Institute, who outlined his progress and what he would require from interested parties for him to progress his study and present his final assessment on the way forward. Mr Murphy was hopeful, if all relevant information was forthcoming that he would have a presentation by the end of February 2013.

4th February 2013 - The Mayor, Deputy Mayor and Acting General Manager had a teleconference with Broken Hill City Council and Local Member John Williams regarding the decision on the drawdown of Lake Menindee and Lake Pamamaroo at such an alarming rate. This in turn has created grave uncertainty for tourism both for Broken Hill and Menindee and the greater Western Area. This has also impacted on the future dynamics of investment and development for the region. It was decided that a delegation should try and meet with Minister Burke and Craig Knowles and seek information about the future management of the Menindee Lakes and what progress

has been made in implementing any structural changes that would improve the overall management. It was also decided to seek whatever relevant data was available regarding storage and flows that impact on the system.

14th February 2013 - The Mayor and Acting General Manager had a teleconference with Broken Hill City Council regarding the possibility of joining a ROC group. Broken Hill City Council has a preference to join OROC which is a group to the east but who do have a commonality with Central Darling and the immediate area. To the south of Central Darling Shire Council is another group, RAMROC that is also very active. Central Darling Shire Council also has links to OROC through our risk management. Broken Hill City Council has asked for a meeting in Broken Hill with OROC to discuss a way forward and for OROC to undertake a presentation outlining what they can offer. Central Darling has been invited to attend if and when a meeting takes place.

Cr Sullivan queried the Mayor on the recent Order of Australia awarded to former Councillor Robert Vagg. The Mayor indicated this was correct and that letters had been sent from Council congratulating Mr Vagg on the receipt of his award. It was also noted that the OAM board in the Council Chambers required updating to include the names of Mr Davies and Mr Vagg.

SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

Nil

SECTION 6. NOTICE OF MOTIONS

Councillor Ron Page has submitted two notices of motion pursuant to Council's Code of Meeting Practice.

Motion 1

6-2-2013

Notice of Motion

Central Darling Shire Council

Meeting date 19-2-2013

Motion

That the Central Darling Shire form a 355 Committee, Membership of this 355 Committee should include all Local Aboriginal Land Councils and other bodies by Invitation.

Councillor Ron Page

MOTION LOST

MOVED CLR PAGE / CLR SULLIVAN

That the Central Darling Shire form a 355 Committee, Membership of this 355 Committee should include all Local Aboriginal Land Councils and other bodies by Invitation.

Clr Astill moved an amendment to the original motion, Cr Looney seconded.
The motion was lost.

MOTION LOST

MOVED CLR ASTILL/ CLR LOONEY

That Council send letters to Aboriginal Organisations throughout Central Darling asking for Expressions of Interest to join a Section 355 committee.

The Mayor then put the original motion, the motion was lost
Clr Page called for a Division.

For	Against
Clr Page	Clr Looney
Clr Sammon	Clr Sullivan
Clr Standley	Clr Linnett
Clr Astill	Clr Liversidge

	Clr Longfellow
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Motion 2

6-2-2013

Notice of Motion

Central Darling Shire Council

Meeting date 19-2-2013

Motion

That the Central Darling Shire form a 355 Committee to help build a future in the Tourist Industry, for Central Darling Shire's long term future.

Councillor Ron Page

MOTION CARRIED

MOVED CLR PAGE / CLR ASTILL

5-02-13 resolved

That the Central Darling Shire form a 355 Committee to help build a future in the Tourist Industry for Central Darling Shire's long term future.

Meeting adjourned for Morning Tea at 10:17am, resuming at 10.50am

SECTION 7. NOTICE OF RESCISSION MOTIONS

Councillor Peter Sullivan has submitted one notice of Rescission motion pursuant to Council's Code of Meeting Practice.

Motion 1

19-2-12

Notice of Rescission Motion

Central Darling Shire Council

Meeting date 19-2-2013

Motion

That Central Darling Shire rescind the motion to sell Knox and Downs that it passed at the December meeting of Council.

Councillor Peter Sullivan

MOTION LOST

MOVED CLR SULLIVAN/ CLR LINNETT

That Central Darling Shire rescind the motion to sell Knox and Downs that it passed at the December meeting of Council.

Clr Sullivan spoke in favour of his rescission motion regarding the Knox and Downs site, and noted a previous commitment by Council to consult the community on the future plans of the site.

Clr Sammon noted that he had support from the community regarding the motion to sell the Knox and Downs site. He indicated that Council has had 11 years to make a decision on the site.

Cr Page indicated that the site was in bad shape and the community wanted it cleaned up.

Cr Astill stated that locals were happy that something was going to be done. He also indicated that the motion from December should have been acted on, and that nothing had been done for 2 months.

The Mayor put the motion, the motion was lost

Clr Sullivan called for the Division.

For	Against
Clr Sullivan	Clr Sammon
Clr Linnett	Clr Astill
Clr Longfellow	Clr Standley
	Clr Looney
	Clr Liversidge
	Clr Page

SECTION 8. ACTING GENERAL MANAGER'S REPORT

MOTION CARRIED

MOVED CLR SULLIVAN / CLR LIVERSIDGE

6-02-13 resolved

That the Acting General Manager's Report be dealt with.

8.1 INFORMATION ITEMS

8.1.1 NSW PROTOCOL FOR HOMELESS PEOPLE IN PUBLIC PLACES

8.1.2 LETTER OF SUPPORT – MENINDEE - POONCARIE ROAD

8.1.3 INVITATION TO ATTEND COUNCIL MEETING

8.1.4 NATIONAL STATE OF THE ASSETS REPORT

8.1.5 REPORT ON INQUIRY INTO ECONOMIC & SOCIAL DEVELOPMENT IN CENTRAL WESTERN NSW

8.1.6 INDEPENDENT REVIEW PANEL

MOTION CARRIED

MOVED CLR SULLIAN / CLR ASTILL

7-02-13 resolved

That the Information Items report be received and noted.

8.2 SALE OF COUNCIL LAND POLICY

MOTION CARRIED

MOVED CLR SULLIVAN/ CLR LINNETT

8-02-13 resolved

That the Sale of Council Land Policy report be received and noted; and further, that the Sale of Council Land Policy be adopted.

8.3 REMOTE JOBS AND COMMUNITIES PROGRAM

MOTION CARRIED

MOVED CLR ASTILL / CLR PAGE

9-02-13 resolved

That the Remote Jobs and Communities Program report be received and noted.

Cr Astill queried why Broken Hill was not included under this Program? The Acting GM advised she was unsure as it had not been mentioned.

8.4 CONSTITUTIONAL RECOGNITION OF LOCAL GOVT – CONTRIBUTION OF FUNDS

MOTION CARRIED

MOVED CLR ASTILL/ CLR SAMMON

10-02-13 resolved

That the Constitutional Recognition of Local Govt – Contribution of Funds report be received and noted, and further;

That Council contribute \$2,976.99 to the LGSA for Constitutional Recognition of Local Government advertising campaign.

8.5 NEW MODEL CODE OF CONDUCT FRAMEWORK

MOTION CARRIED

MOVED CLR SULLIVAN/ CLR PAGE

11-02-13 resolved

1. That Council adopt the model Code of Conduct and Procedures as at 1st March 2013.

2. That Council's Manager Corporate & Community Development be appointed as Councils Complaints Coordinator.

3. That Council's Executive Assistant be appointed as Council's Alternate Complaints Coordinator.

4. That until the selection process takes place utilising the new procedures for the appointment to the Panel of Conduct Reviewers that the existing Code of Conduct Committee be retained.

| Cr Page requested a workshop be held regarding this matter.

8.6 FUNDS RAISED BY S355 COMMITTEES

MOTION CARRIED

MOVED CLR LOONEY / CLR PAGE

12-02-13 resolved

That the Funds Raised by S355 Committees report be received and noted.

| Cr Looney indicated that the Menindee Development Committee was seeking information on the financial statements for the Menindee Fishing Competition.

| Cr Page stated he would bring back a detailed report on the fishing competition to the next Council meeting.

8.7 MENINDEE BMX TRACK PROPOSAL

MOTION CARRIED

MOVED CLR LOONEY/ CLR LIVERSIDGE

13-02-13 resolved

That the Menindee BMX Track Proposal report be received and noted.

| Cr Looney stated the BMX track did not have to be a large structure.

| It was agreed that the Acting General Manager would liaise with Menindee Councillors regarding the design and construction costs of the Menindee BMX track.

8.8 EXPRESSIONS OF INTEREST – MENINDEE-POONCARRIE ROAD

MOTION CARRIED

MOVED CLR ASTILL/ CLR PAGE

14-02-13 resolved

That the Committee Formation – Menindee-Pooncarie Road report be received and noted.

Cr Page indicated that the committee needed to be a S355 committee, and nominated Cr Astill to be the Chairperson.

Cr Sullivan indicated this would restrict what the committee could do.

8.9 DRAFT BOUNDARIES – LOCAL LAND SERVICES; PROPOSED WORKSHOP WITH BROKEN HILL CITY COUNCIL

Clr Astill left the meeting at 11.40am returning 11:50am

MTES left the meeting at 11:42am returning 11:46am

MOTION CARRIED

MOVED CLR LOONEY / CLR PAGE

15-02-13 resolved

That the Mayor, Acting General Manager and other relevant staff and interested Councillors attend the workshop with Broken Hill City Council in March 2013.

Clr Sullivan and Clr Looney advised they wished to attend the workshop.

8.10 INTEGRATED PLANNING AND REPORTING REVIEW-STRATEGIC PLAN UPDATES

MOTION

MOVED CLR ASTILL/ CLR LOONEY

16-02-13 resolved

That the Integrated Planning and Reporting Review – Strategic Plan Updates report be received and noted.

That an Action Plan to address the further work required on each plan be prepared.

That further Community Consultation to gain any additional information be undertaken through surveys.

That an external consultant be engaged to assist the Acting General Manager to complete work on the plans if required.

8.11 MENINDEE WEDGE TAILED EAGLES – REQUEST FOR SPONSORSHIP

MOTION

MOVED CLR ASTILL/ CLR PAGE

17-02-13 resolved

That the Menindee Wedge Tailed Eagles Rugby League Team receive a sum of \$1000 under Councils Financial Assistance Grants program, subject to a letter of confirmation from the team being received by Council and the proposal being placed on public exhibition for 28 days with any submissions being reported back to Council.

Clr Astill left the meeting at 12:00pm returning 12:14pm

8.12 RURAL FIRE SERVICE ESTIMATES 2013/2014

MOTION

MOVED CLR SULLIVAN / CLR LINNETT

18-02-13 resolved

That the Rural Fire Service Estimates 2012/2013 report be received and noted.

That Council accept the bid offered with Council's contribution at 11.7% being \$130,051.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

MOTION

MOVED CLR LINNETT / CLR STANDLEY

19-02-13 resolved

That the Managers Technical and Engineering Services Report be dealt with.

9.1 INFORMATION ITEMS

9.1.1 GRADING PROGRAM

9.1.2 POONCARIE ROAD SUBMISSION

9.1.3 IVANHOE TOWN WATER SUPPLY

9.1.4 WATER RESTRICTIONS

9.1.5 EMMDALE AIRSTRIP

Clr Sullivan discussed an approval that had been granted for water connection outside the town boundary of Wilcannia. He stated he was dissatisfied with the situation and that town water should not be piped to properties outside the town boundaries.

Cr Sullivan moved a motion to this effect, Cr Page seconded.

MOTION CARRIED

MOVED CLR SULLIVAN/ CLR PAGE

20-02-13 resolved

That any future additional water connections not happen outside the township zoning as per Councils Local Environmental Plan for all townships within the Shire.

MOTION CARRIED

MOVED CLR SULLIVAN/ CLR STANDLEY

21-02-13 resolved

That the Information Items report be received and noted.

9.2 ROADS REPORT

MOTION

MOVED CLR ASTILL / CLR LINNETT

22-02-13 resolved

That the Roads Report be received and noted.

Cr Astill queried the MTES on the recent truck accident on Dolo Bridge. Cr Astill commended the actions of the MTES regarding the management of this incident.

9.3 SERVICES REPORT

MOTION

MOVED CLR ASTILL / CLR LIVERSIDGE

23-02-13 resolved

That the Services Report be received and noted.

Cr Liversidge queried whether trees had been cut down around Wakefield Tank. The MTES stated he was unaware of any trees being cut down.

Cr Sullivan asked if future reports on storage tanks could include the total and current capacities to provide Councillors with an indication of the amount of water left in storage.

Clr Liversidge left the meeting at 12:30pm returning 12:32pm

9.4 PROJECTS REPORT

MOTION CARRIED

MOVED CLR SULLIVAN / CLR ASTILL

24-02-13 resolved

That the Projects Report be received and noted.

9.5 ROADS TO RECOVERY 2013/14

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

25-02-13 resolved

That the 2013/2014 Roads to Recovery work schedule submission identify the construction of new box culverts at Yampoola Crossing MR68C \$353,770 and the construction of new box culverts and reconstruction works to SR3 \$350,000.

9.6 AERODROMES REPORT

MOTION CARRIED

MOVED CLR LINNETT / CLR ASTILL

26-02-13 resolved

That the aerodromes report be received and noted and further that Council considers budget allocation for aerodromes at the next financial quarterly review.

Cr Astill asked if a toilet would be constructed at the Menindee Aerodrome?

The Mayor requested a letter be written to the Bureau of Meteorology regarding weather monitoring stations in Central Darling and whether any of these stations are being withdrawn. MTES advised he would follow up.

9.7 DISPOSAL OF REDUNTANT ASSETS – CALLING FOR EXPRESSIONS OF INTEREST

MOTION CARRIED

MOVED CLR PAGE/ CLR SULLIVAN

27-02-13 resolved

That the disposal of the assets as listed go out on expression of interest with the inclusion of the Windmill at Wakefield tank.

It was agreed by Councillors that staff had the option to add further items to the list for expressions of interest as all submissions received would be reported back to Council.

Meeting adjourned for Lunch at 12:51pm, resuming at 1.54pm

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

MOTION CARRIED

MOVED CLR STANDLEY / CLR LINNETT

28-02-13 resolved

That the Managers Environmental Services Report be dealt with.

10.1 INFORMATION ITEMS

10.1.1 BLUE GREEN ALGAE ALERTS

10.1.2 COMPREHENSIVE LEP

MOTION CARRIED

MOVED CLR SULLIVAN/ CLR LIVERSIDGE

29-02-13 resolved

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR JANUARY 2013

MOTION CARRIED

MOVED CLR ASTILL/ CLR LINNETT

30-02-13 resolved

That the Environmental Services Department Statistics for January 2013 report be received and noted.

10.3 WHITE CLIFFS GYMKHANA & RODEO

MOTION CARRIED

MOVED CLR ASTILL / CLR LIVERSIDGE

31-02-13 resolved

That Council as the Trust Manager enter into a temporary licence with the White Cliffs Gymkhana Club to use Reserve 30642 located at White Cliffs for the purpose of the annual White Cliffs Gymkhana & Rodeo on 27 & 28 April 2013.

That relevant signatures and seal be applied to the temporary licence as required.

10.4 NEW SMOKE-FREE REFORMS

MOTION CARRIED

MOVED CLR LINNETT/ CLR LOONEY

32-02-13 resolved

That the New Smoke-Free Reforms report be received and noted.

That Council support the ongoing public awareness and education campaign.

That where deemed necessary additional signage be erected.

Clr Astill recorded against the motion.

SECTION 11. FINANCE MANAGER'S REPORT

MOTION CARRIED

MOVED CLR LINNETT / CLR SULLIVAN

33-02-13 resolved

That the Finance Managers Report be dealt with.

11.1 INVESTMENTS AND BANK BALANCES

MOTION CARRIED

MOVED CLR LINNETT / CLR LIVERSIDGE

34-02-13 resolved

That the Schedule of Investments Report for December 2012 be received and adopted.

11.2 RATES REPORT

MOTION CARRIED

MOVED CLR LINNETT / CLR ASTILL

35-02-13 resolved

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

11.2 RATES REPORT ADDRESSING – NAMING OF ROADS

MOTION CARRIED

MOVED CLR LINNETT / CLR LOONEY

36-02-13 resolved

That Council publish notice of the proposal to change the above names, such notice to be published no later than Friday 22nd February, 2013. That Council serve notice of the proposal on Australia Post, the Registrar General and Surveyor General, such notice to be served no later than Friday 1st March. That Council accept submissions on the proposed name changes until 5pm on Friday 29th March, 2013.

Clr Astill commended Council's Rates Officer - Mr Graeme Peake on the work he has undertaken to progress this matter. He also requested a letter be sent to Mr Peake commending him on his efforts and commitment.

SECTION 12. CORRESPONDENCE

MOTION CARRIED

MOVED CLR ASTILL / CLR LINNETT

37-02-13 resolved

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

12.2 CIRCULARS/NEWSLETTERS

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

MOTION CARRIED

MOVED CLR ASTILL / CLR LIVERSIDGE

38-02-13 resolved

That the MANEX Meeting Minutes dated 28th November 2012 be received and noted.

MOTION CARRIED

MOVED CLR ASTILL / CLR LIVERSIDGE

39-02-13 resolved

That the Ivanhoe Works Committee Meeting Minutes dated 6th December 2012 be received and noted.

MOTION CARRIED

MOVED CLR ASTILL / CLR LIVERSIDGE

40-02-13 resolved

That the Menindee Works Committee Meeting Minutes dated 6th December 2012 be received and noted.

MOTION CARRIED

MOVED CLR ASTILL/ CLR LIVERSIDGE

41-02-13 resolved

That the Wilcannia Works Committee Meeting Minutes dated 7th December 2012 be received and noted.

MOTION CARRIED

MOVED CLR ASTILL/ CLR LIVERSIDGE

42-02-13 resolved

That the White Cliffs Works Committee Meeting Minutes dated 7th December 2012 be received and noted.

The Mayor requested that all Works Committee meetings are to be well advertised with sufficient notification for all communities. He also requested that a list of the topics being discussed at the meeting and the funding allocated be included in the advertisement for all Works Committee meetings across the Shire.

SECTION 14. DELEGATES' REPORTS

Clr Linnett attended the Murray Darling Basin Association Meeting on the 12th February 2013 in Mildura. Clr Linnett also attended the Long Paddock meeting in Deniliquin, and supplied a report to Council on the progress of the organisation.

Clr Standley attended the West Darling Arts Extraordinary Meeting on the 29th January 2013 and also on the 14th February 2013; both meetings were conducted in Broken Hill.

MOTION CARRIED

MOVED CLR LOONEY / CLR LIVERSIDGE

43-02-13 resolved

That the Delegates' reports be received and noted.

SECTION 15. QUESTIONS WITH NOTICE

MOTION CARRIED

MOVED CLR LINNETT / CLR SULLIVAN

44-02-13 resolved

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

15.1 CR LOONEY

1. I believe Menindee Lakes Caravan Park requested a garbage collection. Why were they refused?

Answer: Staff were not aware this request had been made, therefore it has not been considered.

2. I found out via Media Release Central Darling Shire and Broken Hill had a meeting to discuss action on Menindee Lakes water releases. There was no representation from Menindee, Why weren't Menindee Councillors involved?

Answer: The meeting was organized by Broken Hill City Council in conjunction with Central Darling, the meeting was held to work on a plan to liaise and progress the matter forward for discussion with the relevant body.

Cr Looney indicated she had spoken to Council's Rates Officer regarding bins for Menindee Lakes Caravan Park. Acting GM advised she would follow up on this matter.

15.2 CR SAMMON

1. Can you please give an update on Knox and Downs and can a further report be given before the next Council Meeting in March.

Answer: Due to heavy workloads and the break during January for the Acting General Manager to take leave, this matter will be progressed shortly.

2. Can you please explain why the Wilcannia Swimming Pool was closed on Christmas eve and Boxing Day, as there was children waiting and there was no notices advising that it would be closed.

Answer: The pool was closed as Pool Attendants did not turn up for work, nor did they inform their supervisor that they would not be present on Christmas Eve and Boxing Day, it was expected they would turn up and each was informed that the pool was to be opened on all days apart from Christmas Day. Notices were not put up as the office was closed between Christmas and New Year, and without prior warning that the pool was not going to be open office staff were none the wiser.

SECTION 16. URGENT BUSINESS

MOU'S

The Mayor requested that MOU's be drafted individually for all Aboriginal organisations across the Shire in conjunction with Council. It was noted that the relevant groups need to be identified and that MOU's must be presented to Council for approval before being entered into.

MOTION CARRIED

MOVED CLR LONGFELLOW / CLR PAGE

45-02-13 resolved

That identified Aboriginal organisations across the Shire be invited to enter into MOU's with Council individually.

KNOX AND DOWNS SITE, WILCANNIA

The Acting General Manager raised the matter of the sale of Knox and Downs seeking direction from the Council how they wished to proceed with the sale of the site. Council considered a range of options and decided upon open tender.

MOTION CARRIED

MOVED CLR LINNETT/ CLR ASTILL

46-02-13 resolved

That the Knox and Downs site be sold by tender; with the highest or lowest tender not necessarily being the most successful.

REMOTE JOBS AND COMMUNITIES PROGRAM

Cr Sullivan raised the matter of the Remote Jobs and Communities Program as reported in the Acting General Managers report. He queried whether Minister Humphries was aware of the project? Acting General Manager advised that he was aware.

SPORT AND RECREATION GRANTS

Cr Astill requested that an application be lodged under the current round of funding through Sport and Recreation for upgrades to swimming pool amenities at all Council owned swimming pools within the Shire.

MOTION CARRIED

MOVED CLR ASTILL/ CLR PAGE

47-02-13 resolved

That Council lodge an application for funding under the Sport and Recreation grant for upgrades to swimming pool amenities.

LETTER TO NSW POLICE

The Mayor informed the meeting of a letter he had received from a resident in Menindee regarding the lack of police response to a recent incident in Menindee. It was requested by Councillors that a letter be sent to the Local Command highlighting this matter and the need for a review into police presence and response times in Menindee.

MOTION CARRIED

MOVED CLR ASTILL/ CLR PAGE

48-02-13 resolved

That a formal letter of complaint be sent to Broken Hill Police regarding wait times for the police to arrive to incidents.

MENINDEE PLAYGROUND

Cr Page raised that matter of the softfall under the playground at Menindee. He requested that the sand be removed and that certified barkchips and edging be installed. It was noted that the funding for the works could be sought from the Menindee Town Improvement Fund.

MOTION CARRIED

MOVED CLR ASTILL/ CLR PAGE

49-02-13 resolved

That certified barkchip softfall and edging be installed at the Menindee playground ASAP and that funding for the softfall be allocated out of the Menindee Town Improvement Fund.

Clr Looney recorded against the motion

REGIONAL ORGANISATIONS OF COUNCIL (ROC)

The Mayor advised Council that it was imperative that Council consider joining a ROC. The Acting General Manager presented a report for Councillors consideration. It was agreed that Council request Orana Regional Organisation of Councils (OROC) to provide a presentation to Council in the near future.

MOTION CARRIED

MOVED CLR PAGE/CLR ASTILL

50-02-13 resolved

That the Regional Organisation of Councils (ROC) report be received and noted.

That Council invite a presentation from OROC representatives at the next available Council Meeting.

BETTER BOATING PROGRAM

The MTES advised Council of their successful application for funding under the Better Boating Program for a boat ramp to be installed at Menindee. He advised that \$26,500 had been allocated, but required matching funding. It was agreed that Council allocate matching funds under the 2013/14 budget.

MOTION CARRIED

MOVED CLR ASTILL/ CLR STANDLEY

51-02-13 resolved

That Council committs \$26,500 from the 2013/14 budget for the Menindee Boat Ramp.

COUNCIL CHAMBERS

Cr Astill expressed concern that Council should be planning ahead regarding the replacement of the Council Chambers within the next ten years. He suggested \$100,000 be put aside each year to save a sufficient amount to replace the building.

MOTION LOST DUE TO NO SECONDER

MOVED CLR ASTILL

That a \$100,000 be put aside every year in the budget for the next ten years for the construction of a new Council Chambers.

MOTIONS FOR WESTERN DIVISION CONFERENCE

The Mayor advised that the following motions were to be put by Council at the Western Division Conference in Nyngan next week -

1. Lack of public housing. Clr Astill advised he would speak to this motion.
2. Possibility of formation of a new ROC called WESTROC. Clr Longfellow advised he would speak to this motion.
3. Foreign ownership of land across the Western Division. Clr Astill advised he would speak to this motion.
4. Recognition of Constitutional Reform for Local Government. Clr Longfellow advised he would speak to this motion.
5. Menindee Lakes management and recent water releases. Clr Longfellow and Clr Astill will both speak to this motion.

Meeting adjourned at 3:15pm resuming at 3:27pm

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 a open meeting would, on balance, be contrary to the public interest.

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

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

Resolutions passed in Closed Council

It is a requirement of Clause 253 of the Local Government (General) Regulation 2005 that any resolution passed in Closed Council, or Committee be made public as soon as practicable after the meeting has ended. At the end of Closed Council or Committee meeting, the Chairperson will provide a summary of those resolutions passed in Closed Council or Committee.

Reports to be Considered in Closed Council

MOTION CARRIED

MOVED CLR LINNETT / CLR LIVERSIDGE

52-02-13 resolved

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 SR1 BRIDGE REPLACEMENTS, TALYAWALKA AND PAPEPAPINBILLA CREEKS – TENDER NO 2012/03

MOTION CARRIED

MOVED CLR ASTILL/ CLR STANDLEY

53-02-13 resolved

That Council awards the contract for the design and construction of the Talyawalka Creek and Papepabinbilla Creek Bridges on the Tilpa East Rd (SR1) to Dearnu Pty Ltd pursuant to the relevant provisions of the Local Government Act, 1993 and in accordance with the subject tender bid by Dearnu Pty Ltd.

17.2 PLANT REPLACEMENT

MOTION CARRIED

MOVED CLR ASTILL / CLR LINNETT

54-02-13 resolved

That the Plant Replacement Report be received and noted and further that;

1. Council purchases a new Kioti Tractor and Daiken slasher from Western Farm Machinery for \$73,090

2. Council purchases a new Isuzu FRR500 factory tipper from Mildura Truck Centre for \$74,250 including trade in and purchase a 200 litre emulsion system from Paveline for \$10,901

17.3 DELEGATION TO SYDNEY

MOTION CARRIED

MOVED CLR LINNETT / CLR ASTILL

55-02-13 resolved

That Council approve a delegation from Council to make representations with relevant Ministers in Sydney.

All Staff left the meeting at 3:53pm

17.4 GENERAL MANAGER RECRUITMENT

MOTION CARRIED

MOVED CLR LINNETT / CLR SULLIVAN

56-02-13 resolved

That Council accepted the procedure and recommendation provided from the sub committee for the appointment of the General Manager

MOTION CARRIED

MOVED CLR LINNETT /CLR SULLIVAN

57-02-13 resolved

That Council move back into Open Council.

Council resumed in open session at 4:10pm

MOTION CARRIED

MOVED CLR SULLIVAN/CLR ASTILL

58-02-13 resolved

That all decisions passed in Closed Council be made public.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 19th March 2013 in Wilcannia commencing at 9:00am.

There being no further business, Council meeting concluded at 4:11pm
