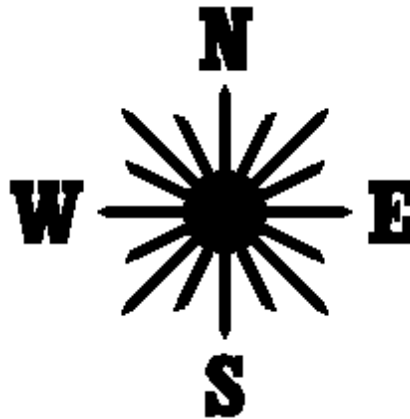


Mission Statement

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

9:00am Tuesday 20th March 2012

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 will be held in the Council Chambers, Wilcannia on Tuesday 20th March 2012 commencing at 9:00am.

Morning Tea is scheduled to be served at 10:30am and lunch at 12:30pm. Refreshments will be served in the Council Chambers.

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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 21st February 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 – MARCH 2012

Status of Council Resolutions - March 2012

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
	Inform Councillors and Staff of the changes and Council's new policy	GM	EM	18/11/2011	
14-9-11	Review of Internal Audit Committee	GM		18/10/2011	Report to December Council meeting.
	Oversee the flood restoration works behind the Wilcannia Post Office	MES			Correspondence sent 27/9/2011, No action from CDEP.
	Oversee the repainting of the tables and chairs in Wilcannia	MES			Correspondence sent 27/9/2011, No action from CDEP.
	Present designs for the Wilcannia Community Hall mural to Council	MES		18/10/2011	Correspondence sent 27/9/2011, No action from CDEP
	Present designs and locations of graffiti boards to Council	MES			Correspondence sent 27/9/2011, no action from CDEP.
16-9-11	September 2012 LG Elections report to Council	GM		18/10/2011	Awaiting further information from LGSA since meeting with Premier and Minister on 19 September. COMPLETE
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		18/10/2011	Not commenced.
21-9-11	Web Accessible Disclosure Log and Register of Contracts be developed	GM	IT		Not commenced.
22-9-11	Request to the Minister for Local Government and the Minister for Far Western NSW for financial and professional assistance with the implementation of the project plan	GM	EM		Letters sent 11 October 2011.

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	IPRL Project Plan form part of the GM's performance agreement	Council	GM		
	That Council staff be fully appraised on the contents of the Project Plan - Community Strategic Plan report and IPRL Project Plan	GM			Memo and project plan sent to all staff with payslips on 16 February. COMPLETE
25-9-11	Seek information from Office of Water on affects of the draft water sharing plan for the Lachlan Unregulated and Alluvial Water Sources on Council's operations in Ivanhoe	MTES	Proj Eng	18/10/2011	Letter completed and submitted to Office of Water.
48-9-11	Insert Asset Management Policy into Policy Register	EM		30/09/2011	Policy added to register 26/10/2011. COMPLETE
7-10-11	Request for 4 week extension for Ward Boundary Review	EM		15/11/2011	Request sought 25/10/2011. Report to November Council meeting. Extension granted to 31/1/2012. COMPLETE
35-11-11	Engage Council's External Auditor to address December 2011 Meeting of Council	FM		25/11/2011	Auditor's visit arranged. COMPLETE
42-11-11	Arrange for quote for removal of asbestos from Knox & Downs site	GM	MES	2/12/2011	Refer to minute 26-02-12.
4-12-11	Playground proposal in Mallee	GM	MES		In progress
12-12-11	Council workshop the issue of Council's future structure and invite the Minister for LG to a meeting.	GM			
17-12-11	Contact the Murray Darling Basin Authority about organising public consultation for the shire in early 2012.	GM			Letter sent.
28-12-11	Orgainse renewal of temporary licence for Holdaways	MES			Completed
30-12-11	Contact the NSW Office of Water for further information on the shepherding water for the Environment	MES			In progress, letter sent.
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			
51-12-11	Report into the review of council housing costs and cost recovery as well as future housing costs.	GM/MES		Jan-12	Report currently being drafted - expected completion April 2012.
53-12-11	Report on victory Park Caravan Park with future information from preferred applicant	MES		1/01/2012	Report to January Council meeting. COMPLETE
8-1-12	General Manager to negotiate venue hire fees with Centacare Wilcannia-Forbes for Menindee RTC	GM			Letter sent.
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 to be completed in February.

Central Darling Shire Council – Ordinary Meeting – 20th March 2012

16-1-12	Correspondence to Department of Primary Industries regarding the Ivanhoe Aerodrome	MTES			In Progress
23-1-12	Invite Summit Employment and Training into an agreement for the lease of Victory Park Caravan park and that all relevant departments are notified of the changes in management and correspondence to BP service station expressing gratitude for taking bookings.	MES/GM			COMPLETE
10-2-12	That the March Meeting of Council to be moved from Tilpa to Wilcannia due to flooding.	GM			
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. Awaiting reply.
26-02-12	The General Manager, as a matter of urgency, make contact with hazardous material consultant and arrange an assessment of the level and presence of asbestos on the Knox and Downs site and location of the asbestos.	GM			Consultant contacted, awaiting revised quote. Date for visit not yet confirmed.
31-02-12	Council request that the expression of interest (Garbage Collection Service) be resubmitted to the March meeting of Council with the existing report and a comprehensive cost analysis.	MTES			Report currently being drafted - expected completion April 2012.

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

Councillor Peter Sullivan has submitted one Notice of Motion pursuant to Council's Code of Meeting Practice.

Motion 1

07-03-2012

Notice of Motion

Central Darling Shire Council

Meeting Date 20-03-2012

Motion ,

That Central Darling Shire Council have no increase in its general rate for the 2012-2013 year.

Signed



Peter G Sullivan

Councillor C.D.S.C

SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil

SECTION 8. GENERAL MANAGER'S REPORT

8.1 INFORMATION ITEMS

ATTACHMENT 1, 2

8.1.1 PROMOTING BETTER PRACTICE REVIEW ACTION PLAN UPDATE ATTACHMENT 1

As reported to Council at the February 2012 meeting, most of the key action items in the Promoting Better Practice Review action plan remain on track, but some are having to be rescheduled due to the extremely high workload being experienced across the organisation.

Changes to the status of action items is now being highlighted in black to make it easier for elected members and the public to track the progress made since the previous month.

Development of plans required under the Integrated Planning and Reporting framework was the key activity undertaken during the last month. Work commenced on the development of a Workforce Management Plan and a draft Transport (Roads, footpaths, kerb & gutter, car parks, aerodromes) Asset Management Plan has been produced for management review.

It is expected that a number of action items will be undertaken in the next month, with a review of Council's tendering processes due to commence in the week prior to this Council meeting.

As highlighted last month, the action plan for the PBP recommendation implementation is going to be reviewed in some detail later this month to determine whether the original timetable is realistic given the resources available to Council.

8.1.2 INTEGRATED PLANNING AND REPORTING PROGRESS REPORT ATTACHMENT 2

Much work is continuing to be undertaken in relation to the development of the plans required under the Integrated Planning and Reporting Framework (IPR). Work is currently underway to incorporate feedback from the community forums held in December 2011 into the Community Strategic Plan.

Dynamic HRM which conducted the community forums will be holding a workshop with Council to discuss the draft Community Strategic Plan with Council in mid-April 2012, after which it is hoped the draft plan will be ready for public consultation.

A draft Transport (Roads, footpaths, kerb & gutter, car parks, aerodromes) Asset Management Plan has been prepared and is being reviewed by management. AMPs for Buildings, Structures & Land Improvements; Stormwater Drainage; Water & Sewer and Plant & Equipment will be developed in April/May.

Collins Anderson have commenced development of the Workforce Management Plan and had a preliminary visit to Council on 29 February and 1 March. A second visit will be scheduled for late March/early April to consult more broadly with staff and finalise the plan.

Work will soon commence on Council's 2012/13 Annual Budget and Operational Plan. The Long Term Financial Plan development will also commence shortly, however due to the link with the AMPs, it will not be possible to finalise the LTFP until the AMPs are completed.

The Delivery Program is the other key plan requiring development prior to 30 June. A consultant will be engaged to develop this Program.

8.1.3 GENERAL MANAGER ACTIVITY/MEETING SCHEDULE

This schedule is provided for information purposes to keep Councillors informed of the meetings and activities that undertaken each month by the General Manager.

Date	Meeting participants/location	Subject
21 st February 2012	GM & Andrew Boucher RSM Bird Cameron	Wilcannia Aboriginal Lands Council
22 nd February 2012	GM, Zoe Dobson	Remote Service Delivery
	GM Interview with ABC Radio	
23 rd February 2012	GM	IPR Workshop in Hay
	GM	Aboriginal Affairs Meeting in Broken Hill
26 th - 28 th February 2012	GM, Clr Longfellow, Reid, Linnett, Looney, & Page	Western Division Shires Conference
28 th February 2012	GM, Clr Reid & Brown ,Minister Pru Goward & Minister Kevin Humphries	Service Delivery in Wilcannia
29 th February 2012	GM Brad Smith, Collins Anderson	Workforce Management Plan
	GM, Peter Judge LG Super	Local Government Super issues
2 nd March 2012	GM Interview with ABC Radio	
6 th March 2012	GM, MTES, FM	MANEX
7 th March 2012	GM, MTES & Beemax	Update on Bemax mine site South-West of Ivanhoe.
8 th March 2012	GM Interview with ABC Radio in the studio in Broken Hill	Water & Sewer Project Wilcannia

Date	Meeting participants/location	Subject
9 th March 2012	GM, Christine Bruce & Jessica Rossell	RSD issues in Wilcannia

RECOMMENDATION

That the Information Items report be received and noted.

**8.2 AUSTRALIAN LOCAL GOVERNMENT WOMENS ASSOCIATION CONFERENCE
DUBBO ATTACHMENT 3**

Summary

The Australian Local Government Women’s Association is holding its annual State conference in Dubbo from 22- 24 March 2012. Council is requested to approve the attendance of Councillors in accordance with the Payment of Expenses and Provision of Facilities to Councillors policy.

Commentary

The theme of the 2012 conference is Creators of Change, which is intended to reflect the level of influence achieved by women in local government, as well as opportunities for the future.

The conference will include presentations by inspirational women who have made a difference to their communities. The conference is expected to be relevant to career advancement, life transitions and changes in communication methods.

The ALGWA state conference will provide an excellent opportunity for women in local government to network and hear from leaders in their field. It will promote the establishment of support networks amongst women in local government and generally enable women in local government to share and learn from their various experiences.

Councillor Reid has been booked to attend the conference and the opportunity also exists for other elected members to attend. Council must endorse the attendance of

Councillors who attend the conference will be required to submit a detailed written report to Council on the outcomes and benefits achieved for the Council and the community in accordance with the Payment of Expenses and Provision of Facilities to Councillors policy.

(a) Policy Implications

Attendance of Councillors at this event must be approved by Council in accordance with the Payment of Expenses and Provision of Facilities to Councillors policy.

(b) Financial Implications

Approximate cost for attendance by one Councillor is \$2,000.

(c) Legal Implications

Nil.

(d) Community Consultation

Nil.

RECOMMENDATION

That Council approve the attendance of Clr. Reid and Clrs. _____ at the 2012 Australian Local Government Women’s Association annual conference to be held in Dubbo from 22 to 24 March 2012 and that Councillor expenses for attendance at the meeting be reimbursed in accordance with the Payment of Expenses and Provision of Facilities to Councillors policy.

8.3 MAJOR ROADS CAPITAL PROJECTS COMMITTEE

ATTACHMENT 4

Summary

Terms of Reference for a Major Road Project Committee have been drafted in accordance with Council minute 15-12-11. Council must now determine whether it wishes to establish this Committee and if so, when the first meeting of the Committee will take place.

Commentary

At its December meeting, Council resolved to develop a terms of reference for a proposed Major Roads Capital Projects Committee. This decision stemmed from discussions regarding the Menindee-Pooncarie Road Committee becoming a standing committee of Council.

Those draft terms of reference have now been developed and are attached to this agenda. The purpose of the Committee from these draft terms of reference is to provide direction and leadership to Council in relation to Council’s major roads capital projects priorities and funding allocations.

Council has a number of identified priority roads between which Roads to Recovery and other road funding is allocated on a rolling five year cycle, primarily to seal unsealed sections of Council’s road network. Those priority roads are:

- MR68C Menindee Pooncarie Rd
- MR67 Ivanhoe Balranald Rd
- MR416 Ivanhoe Cobar Rd
- MR68B Wilcannia Menindee West Rd
- MR428 White Cliffs Kayrunnera Rd

Whilst each of these roads is significant in their own right, Council to date has not had a mechanism whereby it specifies the criteria that will be used to determine its road project priorities. One of the key roles of the Committee would be to establish those criteria, which can then be used to determine the road capital projects priorities.

These priorities would then be used to determine the funding allocations that would be applied to each of the roads.

The establishment of a Committee to deal with issues such as these would be an efficient and effective means to develop priorities for capital roads projects and make recommendations to Council about those projects and associated budget allocations.

(a) Policy Implications

The Committee would be responsible for ensuring the implementation of Council's asset management policies, strategies and plans as they relate to road assets.

(b) Financial Implications

Nil.

(c) Legal Implications

Nil.

(d) Community Consultation

Nil.

RECOMMENDATION

That Council establish a Major Roads Capital Projects Committee as a standing committee of Council and adopt the draft terms of reference for this Committee.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

ATTACHMENT 5

9.1.1 FLOOD UPDATE

Please find attached Central Darling Situation Report No. 5. Attachment 5

As detailed in the report and further information for Council, see below:

Tilpa – reach 13.0m around 17-3-12 with major flooding

The works to the existing levee bank around the village has been completed and crest height has been raised to 13.5m. Vegetation removed, scours, crab holes and low spots filled and compacted. The 3 houses north of the village have an earth bank constructed to approximately 13.2m. Inclement weather halted works and all machinery were instructed to leave Tilpa. Levee works will be reimbursed through Counter Disaster Funding. Tilpa will be isolated for an unknown period of time whilst the river level is up at this height. All river roads will be closed. All river properties will be affected.

Wilcannia – reach 11.0m around early April with major flooding

All unsealed roads are currently closed. The Waralli Reserve and St Theresa's School levees are in the process of being shaped and compacted. All river properties will be affected.

Menindee – reach 10m around mid-April with major flooding

All unsealed roads are currently closed. Council is assisting the SES where needed and monitoring road infrastructure. All river properties will be affected.

Local residents that will be affected include 19 properties, based on 2010 flood event. Council is assisting the SES where needed. Any evacuations that are required are dealt with by the NSW Police and are recorded on the register. Council will assist if required.

9.1.2 WILCANNIA WATER AND SEWER UPGRADE WORKS

Department of Public Works has advertised Tenders for these works. There will be a pre tender meeting held in Wilcannia on Wednesday 14th March.

Council has completed the tender documents and advertised Tenders for the Filtered Water Reservoir Works.

9.1.3 WILCANNIA WATER SUPPLY FLUORIDATION

Council has completed the Tender documents with assistance from the NSW Office of Water and has advertised Tenders for a Fluoridation system to be installed at the Treatment Plant.

9.1.4 WILCANNIA WATER SUPPLY AND ELECTRICITY ISSUES

Over the weekend of the 25th and 26th February 2012 Wilcannia endured an extended electricity supply interruption (blackout) from 4pm Saturday to about 4pm Sunday. The power outage meant the Wilcannia Water Treatment Plant and river intake pumps were inoperative during this time as there is no alternate/emergency power supply and hence no potable water was produced during this time.

The climatic conditions over the subject weekend were hot and humid with relatively high water supply demand.

An additional factor was water usage related to water reticulation maintenance works undertaken by BHC Plumbing in accordance with the Aboriginal Communities Water Supply and Sewerage Program and Service Agreement. These works (flushing on mains) reduced available raw water supply prior to blackout which ultimately exacerbated the overall water supply availability issues which eventuated.

The combination of these three factors meant that overall water supply availability (or lack thereof) became critical on Sunday morning (26th February) to such an extent that mandated that Council advise residents of the water supply availability issues and request residents reduce water consumption accordingly. In this regard Council Officers distributed notices in the normal fashion throughout Wilcannia. It should be noted that the Wilcannia Filtered Water Reservoir provides greatly diminished level of service below the 6m level. Reservoir capacity is generally determined to provide storage for expected peak daily demand for the population catchment which in the case of Wilcannia is 0.5 ML. Therefore it is not unexpected that water supply would become an issue when the Wilcannia WTP is off-line with no constraint on usage.

The critical conclusion from the weekends experience is the absolute dependence on Essential Energy's reticulated electricity supply. No alternate electricity supply is practically available without modification of the existing infrastructure and purchase of a suitable generator. This provision should be investigated in consultation with NSW Office of Water in the context of the current Wilcannia Water Supply and Sewerage Augmentation.

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 2011/2012 Roads section of the Engineering Department for the previous month.

Council currently has three grading crews operating with priorities being on the completion of emergency works to enable closed roads to be opened, flood damage works and RTA Ordered Works'.

Commentary

State Roads:

- RMCC \$148,110 included on emergency sealing works on the Cobb Highway south of Ivanhoe.
- 2011/2012 RMCC works total spending for routine works on State Highways \$540,000. The additional works carried out will be reimbursed to Council and this total yearly budget increased.
- Six works order received for the year to the value of \$393,791. Four of these have now been completed.
- Heavy patching and resealing works programmed to be started mid to late March, weather pending.

	Original Budget	Remaining Budget	% Expended
RMCC	\$540,000	\$0	100%
Flood Damage 2010	\$298,000	\$0	100%
Flood Damage 2011	\$176,571	\$69,023	61%

Regional Roads:

- 2010/2011 Pooncarie Rd Bridge replacement and approach roads Reconstruction commenced.
- 2011/2012 Balranald Rd Reconstruction programmed for March 2012.
- All Regional Road 2010 Flood Damage works completed
- Regional Road 2011 Flood Damage works have commenced. Works now completed on all Regional Roads except MR428 Kayrunnera Road.
- Heavy Patching and Resealing works on Regional roads have been completed. White lining works to be done in conjunction with Highway works.
- See 9.5 Regional Roads Report.

	Original Budget	Remaining Budget	% Expended
MR428 Kayrunnera Rd (2010/11)	\$1,100,000	\$4,335	97%

Talyawalka Bridge	\$1,800,000	\$542,877	70%
MR67 Balranald Rd (2011/12)	\$1,100,000	\$1,100,000	0%
Regional Road Block (including Supplementary and Traffic)	\$2,323,000	\$1,194,195	51%
Flood Damage 2010	\$643,000	\$0	100%
Flood Damage 2011	\$1,365,419	\$132,756	97%

Local Roads:

- 2010 Flood Restoration works completed on all local roads except SR5 Wanaaring Rd.
- 2011 Flood restoration works are in progress. Roads completed include SR10 Wilcannia to Menindee east Side Rd, SR7 Dry lake Rd, SR3 Tilpa-Tongo Rd, SR37 Menindee Racecourse.
- FAG total was \$1,391,646 and \$280,000 has been allocated to Town Improvement Funds.

	Original Budget	Remaining Budget	% Expended
Local Roads Component (FAG)	\$1,391,646	\$661,689	53%
Flood Damage 2010	\$2,833,281	\$156,299	95%
Flood Damage 2011	\$786,778	\$342,275	57%

(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
- All towns contributed \$12,500 of allocated budget for Town Entrance Signs
- Menindee playground and Beach volleyball court complete. Clarification needed on softfall that was sourced and beach volleyball court net to be installed
- Wilcannia playground to be completed in conjunction with RSD. Hood St seal extension earthworks to commence this year, sealing dates to be confirmed
- White Cliffs causeway to be designed, costed and programmed. Playground works to be confirmed once costings obtained.
- Ivanhoe Oval Irrigation Works complete. Ivanhoe paving works complete. Clarification required on Playground location and scope of works

	Original Budget	Remaining Budget	% Expended
Wilcannia	\$70,000	\$57,500	28%
White Cliffs	\$70,000	\$57,500	28%
Menindee	\$70,000	\$42,321	40%
Ivanhoe	\$70,000	\$29,265	58%

(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.
- Parks and Gardens budget has been expended due to increased maintenance works needed. Additional works carried out include Wilcannia Oval Lighting column repairs and Ivanhoe Sporting Ground works.
- Amendment to Original Budget figure for Parks and Gardens has been increased to \$94,000 due to budget confirmation from Finance Manager.

	Original Budget	Remaining Budget	% Expended
Parks & Gardens	\$94,000	-\$6,234	100%
Ancillary Works	\$102,000	\$1,107	99%
Street Cleaning/ Bins	\$113,500	\$34,439	70%
Aerodromes	\$53,000	\$11,619	79%
Public Conveniences	\$37,250	\$9,020	76%

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 = 4.5 m, Tank 2 = 4.5m, Tank 3 (Wakefield) 7.0m
- Ivanhoe town water supply is currently being sourced from the underground bore fields. Morrison's Lake storage is currently 400 megalitres, town storage dam 40 megalitres.
- Ivanhoe Filtration Plant is undergoing necessary repairs and maintenance prior to the utilisation of the storage water from Morrison's Lake. \$58,587 spent to date on the plant. The NSW Office of Water will be in Ivanhoe on February 29th to assist in initial treatment of

Morrison's Lake Storage Water. Due to weather the NSW Office of Water could not attend on the 29-2-12 and will advise Council of the next available date.

- Amendment to Original Budget figures below have been made due to budget confirmation from Finance Manager.

	Original Budget	Remaining Budget	% Expended
Wilcannia Water	\$147,565	-\$44,348	100%
Wilcannia Sewer	\$93,500	\$39,804	58%
White Cliffs Water	\$108,500	\$39,417	64%
Ivanhoe Water	\$145,500	\$35,080	76%

(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
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Remote Communities Water & Sewer Project	Tender documents finalised for filtered reservoir internal relining tender advertised. DPW pre tender meeting 14-3-12	\$2.7 Mil	\$2.7 Mil	0%
Wilcannia Weir	Steering Committee meetings suspended. Funding required for further REF report. S355 Committee in progress	N/A	N/A	N/A
Aboriginal Communities Water	Ongoing. Payment received for last 6 months. Interim arrangements have been extended for a further 12 months.	\$184k/annum	\$46,207	75%
Talyawalka Bridge	Structure 95% complete. Joint Grouting outstanding Road Works in progress	\$1,800,000	\$542,877	70%
Integrated Water Management Plan	GPS equipment purchased. Dept Public Works Engagement in progress	\$167,000	\$8,354	95%
Warrali Mission Footpath Upgrade	Key Stakeholder Meeting held 8-3-12 Lighting proposal and costings in progress.	\$121,000	\$121,000	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 REPORT

Summary

The purpose of this report is to update Council with the current status of Regional Road Spending and remaining available funds to be acquitted by June 2012.

Commentary

The total payment of Regional Road Block funding by RTA to Council in 2010/2011 was \$2,301,000. Due to extensive Flood Restoration Works and inclement weather \$1,528,000 was unexpended by 30th June 2011 and carried forward into 2011/2012 as agreed with the RTA, Parkes.

The budget for 2011/2012 is \$2,323,000 as stated in the Block Grant Agreement Schedule 1.

The total amount of RBB funding available in 2011/12 was: \$1,528,000 + \$2,323,000 = \$3,851,000

The Talyawalka Bridge project is made up of 3 funding sources; Roads to Recovery \$703,770 Restricted Funds \$500,000 and Regional Road Block \$596,230. Further to this, at the ordinary meeting of Council in September 2011 it was resolved "That Council approve an additional \$240,000 towards the Talyawalka Bridge Project for bridge approaches construction and these funds be sourced from Councils Regional Road Block Grant" Therefore total required from the Regional Road Block Grant for this project is \$836,230.

The Balranald Rd Reconstruction Works (\$1.1m) due to commence shortly is made up of 2 funding sources; Roads to Recovery \$703,770 and Regional Road Block Grant \$396,230.

Gravel crushing in the south of the Shire, Ivanhoe, is required as all pits have been exhausted. The extent of gravel crushing required here is: 30,000ton at \$12 per ton for a total cost of \$360,000.

Maintenance grading works, other than flood works, carried out to date total \$1,194,195.

Remaining estimated funds to be expended by 30th June 2012 is \$1,064,345.

It is desirable that Council spend this remaining money in the current financial year. Due to the impact of the floods and funding associated with the restoration of roads from 2010 and 2011, Council has had to carry over funding from 2010/11 into 2011/12. With funding expected to be

sourced from further flood restoration funding, it is likely that Council will once again be undertaking extension restoration work to its road network in the remainder of 2011/12 and 2012/13.

In order to avoid excessive backlog of works and potential loss of future regional road block funding, it is recommended that Council seek to spend the remaining \$1,064,345 as quickly as possible. It is expected that this issue would in future be addressed by Council’s Major Roads Capital Projects Committee (should Council decide to establish such a Committee), however due to that Committee not having commenced operation and the urgency of this matter, it is presented to full Council for decision at this meeting.

The following table lists Councils Regional Roads, lengths and suggested improvements’.

Regional Road	Total Length	Sealed Length	Unsealed Length	Suggested Improvement
MR66 Menindee-Broken Hill Rd	6.38km	6.38km	0km	Reseal and Shoulder Grading
MR67 Ivanhoe-Balranald Rd	34.75km	10.75km	24.0km	Reconstruct and Seal
MR68C Menindee-Pooncarie Rd	69.80km	2.59km	67.21km	Reconstruct and Seal or Build up Flood prone areas or Yampoola Crossing Box Culvert Works.
MR68B Wilcannia-Menindee West	154.42km	17.98km	136.44km	Gravel, Build up and reshape all flood prone areas. Culvert upgrade works.
MR68A Wilcannia-Tilpa West	127.66km	5.72km	121.94km	Gravel, Build up and reshape all flood prone areas.
MR80 Mossgiel-Hillston Rd	3.99km	0km	3.99km	Reconstruct and Seal
MR428 Kayrunnera Rd	34.91km	3.7km	31.21km	Reconstruct all Causeways, Gravel cap and seal.
MR433 Ivanhoe-Menindee Rd	199.87km	1.88km	197.99km	Gravel, Build up and reshape all flood prone areas or Replace all single grids with

				Doubles and seal approaches
MR435 Opal Miners Way	93.14km	93.14km	0km	Reseal and Shoulder grading
MR416 Ivanhoe-Cobar Rd	65.72km	2.8km	62.92km	Gravel, Build up and reshape all flood prone areas or Replace all single grids with Doubles and seal approaches

(a) Policy Implications

Nil

(b) Financial Implications

As per the Regional Road Block Grant Agreement 2011/2012

Council is expected to have fully expended the grant by 30 June 2012. Any part of the grant not expended by 30 June 2012 may be expended by Council after that date without diminishing the amount of the grant for the subsequent financial year but not later than 31 July 2012 provided that Council shall expend such remaining sum in accordance with the terms of this agreement and certify this expenditure in accordance with Schedule 3 of this agreement.

Any remaining part of the grant not expended by 31 July 2012 will be regarded as a payment against the grant for the subsequent financial year.

(c) Legal Implications

Nil

(d) Community Consultation

Nil

RECOMMENDATION

That Council determines on which Regional Roads project the estimated remaining \$1,064,345 of Regional Road Block funding is to be expended by 30th June 2012.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

Nil

SECTION 11. FINANCE MANAGER’S REPORT

11.1 INVESTMENTS

Schedule of Investments – February 2012

DATE	TIME PERIOD	INTEREST RATE	DUE DATE	TOTAL (\$)
Deposits at Call				
Westpac		4.55%		\$1,105,000
Australian Corporate Mortgage Backed Securities (Face Value)				
<i>Castlereagh Trust 90 Points over 3mth</i>				
<i>BBSW</i>		6.05%	21-Jun-13	\$1,500,000.00
Capital Value - 29 th February, 2012				\$ 1,059,840
Total Investments as at 29th February, 2012				
11 am Call Account				\$ 1,105,000
Mortgage Backed Security				\$ 1,059,840
				\$ 2,164,840

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).

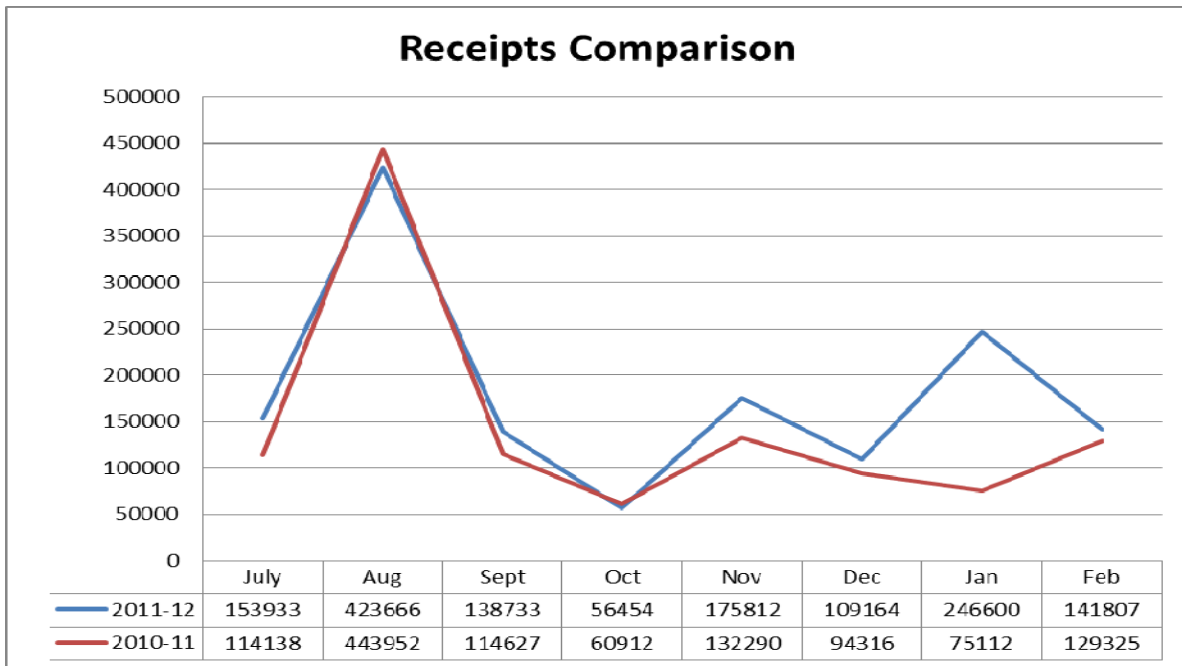
RECOMMENDATION

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

11.2 RATES COLLECTIONS STATEMENT

The rates collection statement for the month for February 2012 is presented for Council's information .

Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/offs & Credits	Pensioner Subsidy	Rates in Credit	BALANCE	
General	\$ 656,829	\$ 13,757	\$ 276,324	\$ 946,909	\$ 517,295	\$ 5,772	\$ 15,829		\$ 408,013	
Special	\$ 29,410	\$ 1,229	\$ 25,865	\$ 56,504	\$ 24,522	\$ 1,724			\$ 30,258	
Water	\$ 284,556	\$ 11,306	\$ 234,622	\$ 530,484	\$ 259,897	\$ 6,182	\$ 5,381		\$ 259,024	
Sewer	\$ 98,753	\$ 4,104	\$ 91,191	\$ 194,048	\$ 108,538	\$ 3,544	\$ 788		\$ 81,179	
Garbage	\$ 320,578	\$ 13,096	\$ 261,431	\$ 595,105	\$ 272,962	\$ 4,965	\$ 13,771		\$ 303,408	
Excess Water	\$ 380,707	\$ 11,724	\$ 251,096	\$ 643,526	\$ 260,712	\$ 94,951			\$ 287,863	
Charge on Land	\$ 644		\$ 31,750	\$ 32,393	\$ 2,904	\$ 432			\$ 29,058	
Rates in Credit								-\$ 43,649	-\$ 43,649	
TOTALS	\$1,771,476	\$ 55,216	\$ 1,172,278	\$2,998,970	\$ 1,446,829	\$ 117,571	\$ 35,769	-\$ 43,649	\$ 1,355,153	
Summary									Previous Balance	\$ 1,361,675
Receipts in February were up slightly over the same month last year - \$141,807 vs \$129,325. Six out of the first eight months of this financial year have followed this trend. Water charges of \$129,760 were levied in the month, while write-off and adjustments were \$306. Rates in credit increased slightly by \$1,217. Despite water charges and interest (\$7,048) the overall position improved by \$6,523.									This Period	
Issues identified by the DLG in Council's Catch-up / (Excess) result for 2011/12 Report to Council from the Department of Premier and Cabinet									Interest Raised	\$ 7,048
Council has not rated to its maximum permissible income for the last three years and has lost unused catch-up every year since the 2005/06 rating year, resulting in loss of potential revenue of \$118,189. This has also had a significant adverse effect on Council's notional income.									Water Levies Raised	\$ 129,760
									Supplementary Levy	\$ -
									Receipts	\$ 141,807
									W/O's & Adjustments	\$ 306
									Pensioner Rebate	\$ -
									Rates in Credit	\$ 1,217
									Current Balance	\$ 1,355,153
									Net Movement	-\$ 6,523
Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit		
1/02/2012	\$602,396	\$157,524	\$122,681	\$83,146	\$61,429	\$146,059	\$230,873	-\$42,432	\$1,361,675	
1/03/2012	\$608,254	\$153,903	\$121,765	\$81,877	\$60,458	\$141,407	\$231,138	-\$43,649	\$1,355,153	
Net movement	\$5,858	-\$3,621	-\$916	-\$1,269	-\$971	-\$4,652	\$265	-\$1,217	-\$6,523	
Debt Analysis										
1 Council has 1 significant claim being dealt with									\$ 123,129	
2 133 Assessments are in the hands of Council's Debt Collection Agency									\$ 348,451	
3 90 Assessments are being dealt with in-house									\$ 288,368	
4 68 Levy notices were returned as undeliverable and are being investigated									\$ 92,066	
5 Council has 8 known deceased estates (2 @ \$46,423 & 1 @ \$16,050 with no funds)									\$ 62,473	
6 64 Assessments have a Charge Against Land, representing the cost of prior recovery action									\$ 28,911	
Debt Analysis Follow-up - Reference numbers relate to Debt Analysis Table above										
1 This claim is in the hands of an administrator									\$ 123,129	
2 31 Arrangements are in place as a result of the original letters, payments made so far total									\$ 16,724	
2 25 letters were returned and may have to be considered unrecoverable. Other avenues are being investigated.									\$ 84,783	
2 23 Assessments are constrained by the cost of previous recovery action. Other avenues are being investigated.									\$ 172,520	
3 55 assessments have made payments to the value of									\$ 53,445	
3 6 payment arrangements have been made to the value of									\$ 65,502	
4 5 undelivered assessments have been tracked and payments made									\$ 5,536	
4 12 assessments are owned by de-registered Pty Limited companies and are unrecoverable									\$ 21,041	
4 18 assessments are unrecoverable due to a legal technicality									\$ 18,543	



RECOMMENDATION

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

11.3 BUDGET TIME TABLE

Summary

The timeframe for presenting a budget to Council for consideration has been formulated to ensure the expertise of our financial consultants has been fully utilised.

Commentary

As Council is, Council does not have a permanent finance manager on staff at this time which has hampered the commencement of formulating the budget for the 2012/2013 financial year.

Mr Lee Dyball, a financial consultant, commenced duties with us on 21st February this year and will soon be joined by Mr David Cuming, commencing mid-March. These two consultants bring with them over 60 years combined knowledge of local government finance. Between them they will assist in the preparation on the 2012/2013 budget, redesign Council’s general ledger and job costing systems so as to better represent the structure and workings of Council thereby creating more meaningful system reporting, assist with the formulation of Council’s long term financial plan, assist in the formulation of Council’s asset management plans and many other projects that require their financial input over the next few months.

At this time the December review of Council’s 2011/2012 budget has now been completed and is included in the agenda for this meeting. Mr Dyball has now commenced reviewing the general ledger and job costing systems in order to have the redesign completed prior to the draft budget being presented to Council. This is required to ensure that budgets are correctly allocated in the job costing programme thereby ensuring that system generated reports are more meaningful than is currently the case.

Once Mr Cuming commences, it is envisaged that the budget will be his priority. Work will commence on collating the information based on the redesigned general ledger and job costing systems in order to prepare the draft budget. It is envisaged that a first draft budget should be before Council at the May meeting of Council.

(a) Policy Implications

Nil

(b) Financial Implications

Nil

(c) Legal Implications

Nil

(d) Community Consultation

Nil

RECOMMENDATION

That the Budget Time Table report be received and noted.

11.4 STATEMENT OF COMPLIANCE CONFIRMATION

ATTACHMENT 6

Summary

The Department of Premier and Cabinet, Division of Local Government have completed their review of Council's Statement of Compliance for 2011/2012 and highlighted Council's continual loss of potential revenue, currently standing at \$118,189 since 2005/2006, due to not rating to its maximum permissible income for the last 3 years.

Commentary

Each year Council is required to complete a detailed Statement of Compliance in relation to rates and charges levied for each financial year.

The Department has identified that an amount of \$2,353 of potential income was lost in the current year bringing the amount forgone since 2005/2006 to \$118,189. This amount will continue to increase even if Council utilizes the maximum allowed each year as the rate base is now at a lower figure to that which it would have been if the maximum had been utilized previously. Utilising an assumption of a rate pegging amount of just 3.5% each year the \$118,189, already foregone, will increase to \$211,678 in the next four years, by 2015/2016, and to \$510,271 by 2025/2026.

The department has also stated that this "loss" has also had an adverse effect on Council's notional income and recommended that Council review its rating structure to ensure that Council is setting rates at a level that maintains Council's rate base.

Council has, in July 2011, already adopted a set of 7 financial strategies, which, if adhered to, would ensure that Council maintained its rate base and continues to move towards fiscal responsibility.

It is also noted that a notice of motion has been received requesting no rate increase for the 2012/2013 financial year. Council, in discussing and debating any motion should first ensure that they are in receipt of all the information required to make an informed decision. To do otherwise would risk the resolution being found ultra vires and ultimately rescinded. In order to make an informed decision in relation to any rate increase, Council should first review all expenditure required to meet Council's social, financial and statutory requirements including providing services to all residents of the shire and providing for future asset replenishment/replacement. Council should also review all revenue other than rates and charges likely to be received in order to establish a minimum rating requirement. Any shortfall in revenue must be recovered by means of rating.

It should also be noted that the Promoting Better Practice Program (PBPP) review report from January 2011 highlighted the issue of rates revenue raising at point 5.3.3 which states at paragraphs 1, 2 and 5:

The Council has the lowest rate income in the State, being \$667,000 for the financial year ended 30 June 2009. The Council has demonstrated ongoing difficulty in collecting rates, with almost 30% uncollected in that financial year. In the three previous financial years, it had outstanding rates exceeding or approaching 30%.

Council has not applied the rate peg increase for a number of years and as a consequence Council has not only forgone income, it has also reduced its income base for future years. This amounts to a reduction of \$123,816 or 18% of its 2009/10 permissible rates.

Although Council incurs significant administrative costs in the collection and administration of rates, it needs to ensure that it pursues and maximises its rate income. Again, it needs to ensure that it maximises its other sources of revenue.

Council should also bear in mind the above point from the PBP review report and the requirement of complying with Financial Strategy 1 i.e. Maintain a balanced budget with an accumulated unrestricted cash balance in the order of 10% of total operating expenditure (approximately \$1.5M).

(a) Policy Implications

Financial Strategies already adopted.

(b) Financial Implications

Ensure maximum rate pegging amount is applied each rating year.

(c) Legal Implications

Nil

(d) Community Consultation

With Management Plan

RECOMMENDATION

That Council receive the report and defer all debate on 2012/2013 rating revenue until the draft 2012/2013 budget is brought before Council.

11.5 RURAL ADDRESSING

Summary

The purpose of this report is to update Council on the progress of Rural Addressing - where the project is at, what still needs to be done, how it is proposed, what timeframes have been set for completion, how much will it cost, and what assistance (financial or otherwise) is available and from whom.

Commentary

A recent update shows that there are exactly 60 incomplete Property Addresses (PIDs) across the Shire, out of a total of approximately 190. The information has therefore been gathered to complete 68.5% of the Rural Addresses. Information gathering relevant to the remaining 60 properties should be completed by the end of the year.

At next month's Council meeting a list of preferred road names will be presented in order to further move the process forward. Following ratification of the preferred names a period of community consultation will be advertised. It will be noted in the consultation documents that the New South Wales Government is enacting legislation that will require Councils to complete the process of Property Addressing. Hence where disagreements arise a final decision must be made by Council. This legislation will result in a state wide Comprehensive Property Addressing System (CPAS) and will create an official geo-coded address database for NSW that will be the "Single source of truth for addressing in NSW".

Following community consultation the process of finalising rural addressing includes:

- Gazetting road names (and where needed Locality Boundaries and names)
- Erecting Road Name Signage
- Adopting Rural Addresses as Property Addresses in Council records 68.5% complete, (as stated above)
- Notifying property owners and explaining adoption of addresses
- Erecting Rural Address number plates
- Developing a strategy for the issuing of new rural addresses
- Developing a strategy to inform stakeholders of address updates.

Land and Property information, being the major stakeholder in the process of rural addressing, has agreed to a time frame which will see the process finalised by the 30th June, 2013. This time frame will enable Council to undertake the final information gathering in the course of its normal activities rather than incurring additional expenses. Limited funding from LPI is available to help cover the expense of having the Rural Address number plates made and erected.

Policy Implications

Nil to report at this stage

Financial Implications

As discussed in the commentary

Legal Implications

Nil to report at this stage

Community Consultation

As discussed in the commentary.

RECOMMENDATION

That the Rural Addressing report be received and noted.

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
15/02/2012	Member for Murray-Darling	Small to Medium Business in Murray-Darling Encouraged to Apply for \$500,000 in R & D Vouchers.
15/02/2012	Member for Murray-Darling	Locals Invited to have their say on Aboriginal Affairs Policy.
15/02/2012	Local Government & Shires Association	Riverina Councils discuss Code of Conduct for the Murray-Darling Basin.
16/02/2012	Local Government & Shires Association	Councils call on NSW Premier to support Constitutional Recognition of Local Government.
17/02/2012	Local Government & Shires Association	Central West Councils look forward to definite actions from Destination 2036
20/02/2012	Local Government & Shires Association	Councils improve their assessment of difficult Das
21/02/2012	Member for Murray-Darling	Vale Colin O'Donnell
21/02/2012	Member for Murray-Darling	Appointment of State's First Cross Border Commissioner Welcomed.
23/02/2012	Local Government & Shires Association	Local Government Tourism Conference to Land in Gunnedah.
24/03/2012	Member for Murray-Darling	Williams Condemns Federal Government's Decision on Water Buybacks.

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27/02/2012	Member for Murray-Darling	Williams Welcomes Minister Gay to Broken Hill.
29/02/2012	Member for Murray-Darling	Work Set to Start on Barham Bridge.
02/03/2012	Member for Murray-Darling	\$7,100 for Disability Sport in Murray-Darling
02/03/2012	Member for Murray-Darling	Murray Darling Community Transport Boost.
02/03/2012	Member for Murray-Darling	Williams Announces Boost for Murray Darling Sport.
05/03/2012	Member for Murray-Darling	Outback NSW Snares Double Win in Tourism Awards.
06/03/2012	Local Government & Shires Association	Shire Councils concerned about Mining Impact.
06/03/2012	Member for Murrumbidgee	Local Member Brings SES Commissioner for Assessment of Flooding
07/03/2012	Member for Murray-Darling	Productivity Extinguished on the Langarin.
08/03/2012	Local Government & Shires Association	Councils Celebrate International Womens Day.
9/03/2012	Local Government & Shires Association	NSW Councils in favour of Container Deposit Legislation.
9/3/2012	Member for Murray-Darling	Locals urged to attend Public Meetings on the Murray-Darling Basin Plan in Deniliquin and Echuca.
12/03/2012	Member for Murray-Darling	Williams Congratulates Lehman Bros, On 75 Years in Business.
12/03/2012	Member for Murray-Darling	Farmers in the Murray- Darling urged to Report Damage from the Floods.
12/03/2012	Member for Murray-Darling	Williams Announces \$110,351 in Sport and Recreation Facility Funding.

13/03/2012	Member for Murrumbidgee	Forum to Discuss the Future of Transport Planning in NSW.
13/03/2012	NSW Government Department of Primary Industries, Office of Water	Commissioner Warns of Severe Penalties for Constructing Levees without Approval.

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
Local Government Association of NSW and the Shires Association of NSW	17/02/2012	Local Government Weekly 7/12
Local Government Association of NSW and the Shires Association of NSW	8/02/2012	Local Government Weekly 8/12
Local Government Association of NSW and the Shires Association of NSW	1/03/2012	Newsletter from the Presidents
Local Government Association of NSW and the Shires Association of NSW	2/03/2012	Local Government Weekly 9/12
Local Government Association of NSW and the Shires Association of NSW	12/03/2012	Local Government Weekly 10/12

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

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 LOONEY

1. Can we please have an itemised account of the money spent on our \$70k original budget town improvement funds for Menindee.

Funds expended to date include:

\$12,500 Town Entrance Signs.

\$15,179 Playground and Beach Volleyball Court.

Project not yet commenced:

\$44,500 Green the Main Street.

2. Does Shire have the population figures for each town from the last Census?

The population figures from the 2011 Census are not published until June this year. The 2006 population figures are:

Wilcannia: 629

Ivanhoe: 400

Menindee: 633

White Cliffs: 181

15.2 CR BROWN

1. At the recent Traffic Committee Meeting, it was noted that several years ago an audit of roads and traffic was carried out in Aboriginal Communities in NSW. It was also reported that Wilcannia had been included. Has a copy of this audit been located and what, if any, recommendations were included as regards roads in the Mallee area of town.

No copy of the audit has been found at Council or in any correspondence to date as at , Monday 12th March.

The MTES has requested that the Roads and Maritime Services provide a copy of the audit to Council as soon as possible. Once received the report will be distributed accordingly.

15.2 CR SAMMON

1. Where is the Council up to with the development of the play equipment for Baker Park?

Council will be ready to proceed with the project once funding has been confirmed through the Remote Service Delivery Program. It is expected that confirmation will be received shortly, following verbal confirmation of this at recent meetings between the General Manager and representatives from FAHCSIA. Once the funding is officially confirmed, the design of the playground will need to be

finalised and possibly subject to community endorsement. A development application will also need to be approved prior to the project's commencement. Council has committed \$39,500 through the Wilcannia town improvement fund to the project.

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 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

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 PLANT REPLACEMENT PROGRAM

Council will determine this matter in part of the meeting closed to the public pursuant to Section 10A (2) (c) & (d) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business, and/or is commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Summary

The purpose of this report is to provide Council with information in order to resolve which Tractor to purchase to replace plant 1017, Menindee Ford 2WD Tractor.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 20th March 2012 in Wilcannia commencing at 9:00am.
