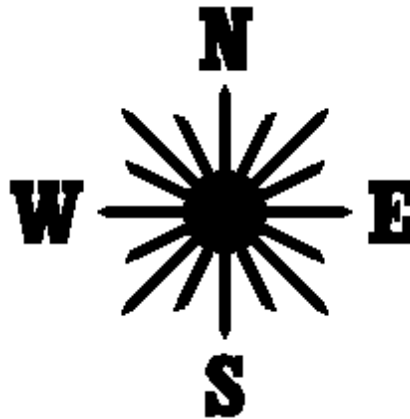


Mission Statement

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 19th March 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 will be held in the Council, Chambers, Wilcannia on Tuesday 19th March 2013 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 19th February 2013, copies of which were circulated to all Councillors, be taken as read and confirmed as a correct record of the proceedings of the meeting.

3.1 BUSINESS ARISING FROM MINUTES

3.2 STATUS OF COUNCIL RESOLUTIONS – FEBRUARY 2012

Status of Council Resolutions - March 2013				
Minute Number	Required action from Resolution	Responsible Officer	Secondary Support	Action Taken
13-9-11	Inform Councillors and Staff of the changes and Council's new policy "Public Interest Disclosures Act : Internal Reporting Policy".	AGM	EA	To be completed.
	Present designs for the Wilcannia Community Hall mural to Council	MES	IO	Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12. Further follow-up with CDEP required. Discussed with CDEP, for their follow-up. No further action forthcoming from CDEP - project is not a priority for this group anymore.
	Present designs and locations of graffiti boards to Council	MES	IO	Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12. Further follow-up with CDEP required. Discussed with CDEP, for their follow-up. No further action forthcoming from CDEP - project is not a priority for this group anymore.
19-02-12	White Cliffs Water Supply - Glen Hope Agreement, too seek urgent legal advice regarding the original agreement	MTES	WE	Draft agreement sent 6-2-13. Awaiting reply
45-06-12	That Council prepare a detailed submission to the Minister for Roads in	MTES	AGM	In Progress

	relation to the sealing of Pooncarie Rd.			
40-09-12	That Council inform Essential Energy that Council accepts the proposal offered regarding the White Cliffs Solar Power Station and will negotiate further the method of transfer.	MES	AGM	In Progress,awaiting reponse from Essential Energy
7-11-12	That the Central Darling Shire Council sign a Memorandum of Understanding between the Central Darling Shire, the Lands Councils and the Working Parties of Wilcannia, Ivanhoe and Menindee.	AGM	EA	In progress
8-11-12	That the Central Darling Shire Council seek grant funding from both State and Federal Governments to build housing for the aged in Menindee	MES	AGM	In progress
9-11-12	That the Central Darling Shire Council arrange a date for a training workshop on how to Chair Council Meetings and update our policy on meeting procedure.	AGM	EA	In progress
16-11-12	That the Internal Audit Committee be reviewed at the end of this financial year	AGM	MCCD	To be commenced.
22-11-12	That the Acting General Manager’s Report “Payment of Expenses and Provision of Facilities to Councillors” be received and noted and further: 1. That the draft policy “Payment of Expenses and Provision of Facilities to Councillors” be adopted and publicly advertised for 28 days; 2. That a further report be submitted to Council after the closure of public submissions; 3. That the policy be reviewed by Council each year by the 30 November and a copy duly submitted to the Division of Local Government; and 4. That upon final adoption of the policy it be published on Council’s website	AGM	EA	AGM to investigate, report to Council March 2013 meeting.

23-11-12	That Council disbands the S355 Committee and control of the Ivanhoe Sale yards go back to Council. That all keys be recalled to all padlocks, and that appropriate persons be notified, and further, that a report on fees and charges be brought back for Council's consideration.	MES	AGM	In progress,report to Council March 2013 meeting.
31-11-12	1.That Council endorse the findings of the Playground Audit. 2.That Council allocate an additional \$45,500 towards repairs to existing playground facilities to comply with AS 4685, and 3.That Council considers funding of \$40,000 towards replacement of playground facilities at Menindee's Bill Murray Memorial park because of critical non-compliance with AS 4685 at the next quarterly review.	MTES	WE	To be considered in association with February 2013 budget review.
15-12-12	That the Draft Employee Housing Policy report be received and noted and further: 1. That the Draft Employee Housing Policy be adopted and publicly advertised for 28 days; 2. That a further report be submitted to Council after the closure of public submissions;	MES	AGM	Exhibition period completed and report to Council March 2013 meeting.
23-12-12	That Council adopt the draft Street Tree policy and draft Verge Maintenance Policy including the following amendments, Point 3. Number of trees per allotment – 2 trees per 20m allotment frontage and increased pro-rata for wider allotments. Point 4. Where planting of street tree/s are approved, trees will be placed on a tree planting program. Tree planting will be undertaken during March to August of each year. Point 8. Endemic tree species will generally be preferred. That Council consider a Comprehensive Review of the Street Trees, Streetscape and Verge Maintenance Policies following consideration by Manex and	MTES	WE	In progress, Points 3,4,8 need to be added to the existing policy.

	quantification of resources required.			
54-12-12	That the policy register have the inclusion of the grids policy incentive agreement.	MTES	WE	In progress
5-02-13	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.	AGM	EA	In progress
15-02-13	That the Mayor, Acting General Manager and other relevant staff and interested Councillors attend the workshop with Broken Hill City Council in March 2013	AGM	EA	In progress, due 15/3/2013
16-02-13	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.	AGM	EA	In progress
17-02-13	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.	AGM	EA	In progress, on public exhibition for 28 days with any submissions being reported back to Council.
27-02-13	That the disposal of the assets as listed go out on expression of interest with the inclusion of the Windmill at Wakefield tank.	MTES	WE	In progress

31-02-13	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.	MES	IO	In progress
36-02-13	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	AGM	RO	In progress
45-02-13	That identified Aboriginal organisations across the Shire be invited to enter into MOU's with Council individually.	AGM	EA	In progress
46-02-13	That the Knox and Downs site be sold by tender; with the highest or lowest tender not necessarily being the most successful.	AGM	IO	In progress
49-02-13	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.	MES	IO	In progress
56-02-13	That Council accepted the procedure and recommendation provided from the sub committee for the appointment of the General Manager	Mayor		In progress

SECTION 4. MAYORAL MINUTES OR REPORT

RECOMMENDATION

That the Mayoral Report be received and noted.

**SECTION 5. DISCLOSURES OF INTEREST – PECUNIARY AND NON
PECUNIARY**

RECOMMENDATION

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

SECTION 6. NOTICE OF MOTIONS

SECTION 7. NOTICE OF RESCISSION MOTIONS

SECTION 8. ACTING GENERAL MANAGER'S REPORT

8.1 INFORMATION ITEMS

8.1.1 IVANHOE (WARAKIRRI) CENTRE

ATTACHMENT 1

Correspondence has been forwarded from Mr John Williams addressing concerns Council had in regards to the future of the Ivanhoe (Warakirri) Centre. The correspondence includes a letter from the Attorney General Minister for Justice, the Hon Greg Smith SC MP outlining that Correctional Services NSW is undertaking a wide ranging review of its correctional centre infrastructure requirements to assist in planning for projected offender accommodation up until the year 2030. The review will analyse each correctional centre in NSW and present options on its future role and function in accommodating inmates and delivering programs and services for inmates up to 2030. A copy of the correspondence has been provided for Councillors information.

8.1.2 LOCAL GOVERNMENT REVIEW PANEL

ATTACHMENT 2

Further media releases have been released by the Independent Review Panel regarding the review of local government. The latest release indicates that a “one size fits all model” for local government does not work. It also indicates that the current model requires changing, and that change is inevitable for the future sustainability of Councils.

8.1.3 MODEL CODE OF CONDUCT

ATTACHMENT 3

Last month Council considered a report on the model code of conduct prepared by the Division of Local Government, and resolved to adopt the model code, along with the administration procedures. A circular has since been issued by the Division reminding Council that the Model Code commences on 1 March 2013, also that a Model Code Summary is available, along with a webpage for further information. A copy of the Model Code Summary has been provided as an attachment.

8.1.4 MOU'S

Council has been pursuing the implementation of MOU's with various Indigenous organisations across the Shire as required under resolution. To date, the Wilcannia and Ivanhoe Community Working Parties have indicated interest, along with the Wilcannia and Menindee Local Aboriginal Land Council's. Further work will be undertaken to formulate MOU's in the near future.

8.1.5 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

ATTACHMENT 4

Further information is provided for Councillors as attached on the Constitutional Recognition of Local Government. The Australian Local Government Association (ALGA) indicate that they remain committed to supporting a referendum on the financial recognition of local government. The Preliminary report on the majority finding of the Expert Panel on Constitutional Recognition of Local Government: the proposal, timing and likely success of a referendum to amend Section 96 of the Australian Constitution to effect financial recognition of local government is also attached.

RECOMMENDATION

That the Information Items report be received and noted.

8.2 NATIONAL GENERAL ASSEMBLY

ATTACHMENT 5

Summary

This report provides Council with information on the annual National General Assembly of Local Government.

Commentary

Correspondence has been received from Australian Local Government Association (ALGA) advising the National General Assembly of Local Government (NGA) will be held in Canberra from 16-19 June 2013. The theme for the conference is Foundations for the Future Twenty13. A copy of the program is attached for Councillors information. A number of key speakers will be in attendance being Senator Barnaby Joyce, the Hon Warren Truss, Senator Christine Milne, Geraldine Doogue AO, Fred Chaney AO and Peter FitzSimons AM. Other speakers have been invited being the Hon. Julia Gillard, the Hon Simon Crean and the Hon. Tony Abbott. Some of the topics being discussed include Financial Assistance Grants Review – Commonwealth Grants Commission, and Regional Development.

ALGA has also called for motions from Councils for the conference; a discussion paper on preparing motions is also attached.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Early bird registrations are \$899 per person, with other sessions such as the Regional Co-operation and Development Forum being costed separately. Accommodation and travel costs would also be additional.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the National General Assembly report be received and noted.

8.3 FRUIT FLY SIGNAGE

ATTACHMENT 6

Summary

The purpose of this report is to provide Council with correspondence received from the Hon Gail Gago MLC from the South Australian Government regarding fruit fly signage.

Commentary

Last year, Cr Sullivan requested a letter be sent to the Member for Murray-Darling, Mr John Williams MP requesting whether signage could be installed on the Barrier Highway east of Broken Hill to alert travellers that fruit purchased in Broken Hill cannot be transported over the SA border. Mr Williams

forwarded Council's letter to the Hon Gail Gago MLC of the South Australian Government seeking information on our request. Correspondence is attached for Councillors information.

The Hon Gail Gago MLC has indicated that in the past their Department had funded the installation, repair and replacement of road signs worded to reflect that fruit and vegetables purchased in Broken Hill were prohibited into South Australia. Due to ongoing vandalism to the signage a decision was made not to continue signage at these locations. Alternatively, the SA Government introduced a comprehensive community awareness program which extends over SA's borders into all adjacent States and Territories and focuses on key stakeholder groups and the travelling public e.g. by placing information at convenience stops, visitor centres and caravan parks.

It was indicated in our letter that it would be appropriate for signage to be placed on the Barrier Highway east of Broken Hill. The SA Government supports this initiative; however no mention of who was supplying the signage was indicated. An approach to the NSW DPI and RMS to supply and erect signage may be worth considering.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Fruit Fly Signage report be received and noted, and further,

That Council contact DPI and RMS requesting signage be placed on the Barrier Highway east of Broken Hill advising that fruit purchased in Broken Hill cannot be transported into South Australia.

8.4 SEXI PROJECT

ATTACHMENT 7

Summary

This report provides Council with information on an interesting project called SEXI that is likely to be presented as an application for funding in the near future.

Commentary

SEXI is a (marketing) acronym, for the Solar Energy eXchange Initiative. The proposed SEXI Group of Councils cover much of inland NSW; and just on 66% of the area of NSW. The SEXI Proposal is that the Federal Government fund photovoltaic (PV) installations across this area; and 5 medium scale

solar power plants, of a size suitable to provide enough electricity to run a typical country town, and that Councils own, operate and run the infrastructure.

This proposal has been around for at least 12 months, and has been discussed and presented to the Western Division Group of Councils at various conferences and mid-term meetings. The proposal has been reasonably well received, but two issues were raised –

“What’s in it for my Council?”

“Where’s the money coming from?”

To answer these questions the following information is provided.

What’s in it for my Council?

Every Council gets one million dollars of PV panels and equipment. Very approximately, one million dollars would see about 0.4 MW of PV panels installed. If Council used the electricity generated, it would represent a cost saving to Council of about \$120,000 per year for every year. If Council sold the electricity back into the grid, it may be worth up to \$40,000 per year.

Where’s the money coming from?

ARENA is the new Federal Government agency - the Australian Renewable Energy Agency. It was established on 1st July 2012. It currently has over \$2B in uncommitted funds. And is now formulating how its grant programs should be structured and it is calling for public submissions.

Information about ARENA can be found at <http://www.arena.gov.au>

The Current State of Play

The SEXI Proposal document has recently been produced as attached for Councillors information. There are many details that are still to be worked out. In spite of all the details, we should focus on the bigger picture. The two important questions at this stage are –

1. Does our Council want to be part of a collective SEXI Group?

If Council believes that it may gain some benefit from becoming part of the SEXI Group of Councils, it could consider passing a general motion of support.

2. Is ARENA interested in funding the SEXI Proposal?

OROC and Western Division Shires have had some very preliminary “chats” with ARENA, informing them of the SEXI Proposal. ARENA is still formulating their grant programs, so it is difficult for them to answer questions definitively.

As stated earlier, there are many details still to be worked out. But they have been worked out for other Council groupings, such as OROC, Western Division Shires, the NSW Floodplain Management Authorities etc, and similarly they could be worked out here. Initially there needs to be confirmation that Councils support the general proposal. And the Federal Government needs to indicate if it is willing to consider financial support of such a proposal.

Council should have no illusions about the difficulty in securing Federal Government funding. ARENA’s predecessor ran the \$1.5B “Solar Flagship Program”, and called for expressions of interest.

52 expressions of interest were received. Of these, eight proposals were selected for further development. And finally, two proposals were awarded Federal Government “IOU’s” worth hundreds of millions of dollars. Major international and national companies took part in this process. The two successful proposals were not able to develop their projects sufficiently, and meet appropriate Federal Government requirements to be able to “cash their cheques”.

However, ARENA is now developing its grants program, and seeking public submissions. While there remain many SEXI details to work out, it is worth indicating that Council supports the general proposal.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the SEXI Project report be received and noted, and further;

That Central Darling Shire Council support the notion “Public funding used for public benefit”.

That Central Darling Shire Council, in principle, supports the SEXI proposal, and the development of a solar energy industry in our area.

That Central Darling Shire Council call on the Federal Government, through the Australian Renewable Energy Agency (ARENA), to provide up to \$200M over five years to the SEXI Group of Councils, to allow the SEXI proposal to be built and operated.

Summary

A circular has been received from the Division of Local Government advising the options to manage illegal camping in public places.

Commentary

The topic of illegal camping in public places has been raised by the Division. It can cause health and safety issues, disturbance to adjoining land users, environmental damage and unfair competition to commercial businesses. A number of options are available to manage this issue such as checking approval requirements are met, requesting RMS to erect signage at roadside rest areas that camping is not permitted, consulting the relevant legislation and/or administering agency to ensure compliance with legislative obligations, preventing unfair competition between illegal camping operations and legitimate approved caravan and camping businesses. A copy of the circular is provided for Councillors information. It is advised that RMS should be contacted regarding the placement of signage at roadside rest areas.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

*That the Camping in Public Places report be received and noted, and further,
That Council contact Roads and Maritime Services (RMS) regarding the erection of signage at roadside rest areas advising camping is not permitted.*

Summary

The purpose of this report is to provide Council with information on correspondence received from Mr Rod Cook of White Cliffs regarding the construction of a Men's Shed.

Commentary

A letter has been received from Mr Rod Cook seeking assistance from Council to construct a Men's Shed at White Cliffs. The proposed location is within the grounds of the White Cliffs Community Hall. A number of local persons as well as the RFDS have been approached about the project and indicate their support for the proposal. The proposal was also raised at the October Works Committee Meeting. A copy of the letter is attached for Councillors information.

At present there is no group established to run the proposed facility, and further discussion is required as to how it will be run and managed. There is mention that perhaps a S355 Committee of

Council could be established, however such a facility is not a core function of Council. It is noted that there is a Mens Shed at Menindee, it is not a S355 Committee of Council, but it is under the umbrella of Uniting Care for insurance coverage and the like.

There is no mention of funding for the shed, nor the ongoing costs of overheads, management and maintenance.

It is recommended that further discussions occur on the proposal with Mr Rod Cook, with Council supporting in principle the establishment of a Mens Shed at White Cliffs.

(a) Policy Implications

Nil to report at this stage

(b) Financial Implications

Council has no allocated budget for development of a Mens Shed at White Cliffs.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Mens Shed Proposal – White Cliffs report be received and noted, and further;

That further discussions occur regarding the White Cliffs Mens Shed,

That Council support the proposal in principle for development of a Mens Shed in White Cliffs.

8.7 WESTERN DIVISION SHIRES CONFERENCE - NYNGAN

Summary

This report provides information on the recent Western Division Shires Conference held in Nyngan.

Commentary

On 24 February 2013, the Mayor, Cr Linnett, Cr Astill and Acting General Manager travelled to Nyngan to attend the Western Division Shires Conference. The conference commenced on Sunday evening with the reception held beside the Bogan River at the Riverside Cabin Park. This provided the ideal opportunity to network with other Councils, DLG representatives and members of parliament. Keynote speaker for the evening was Minister for Western NSW, Hon. Kevin Humphries MP.

On Monday 25 February 2013 the conference commenced and a number of speakers addressed the gathering. Following is a summary of each presentation.

Minister for Local Government – Hon. Don Page MP

- The Minister for Local Government gave the opening address at the conference.
- Noted and advised the group of the NSW State Plan.
- Acknowledged the panel members of the Independent Review Panel (IRP), and advised that there is no silver bullet for Councils, IRP is the biggest thing for Councils in 25 years. He looks forward to the recommendations from the panel, and working on an appropriate structure for Western NSW. There is a complete review of Local Government in NSW. At present the Local Government Act is too prescriptive. The review began at the Dubbo 2036 workshop.
- For Western Councils there needs to be a stronger relationship between State, Federal and Local Government at the coalface. Some councils face financial challenges with community expectations to provide services; councils are keeping communities together.
- The third paper from the panel is due out in April 2013, this will outline draft recommendations. In July the draft recommendations will be presented to the Minister to take to cabinet. There is a need for a new model in the west, amalgamations will not work. It is likely they will adopt the recommendations of the panel. There will be a transition period from old to new.
- Councils in NSW have a key role to play.
- The Infrastructure Renewal Scheme is a successful scheme that is available to Councils. Some Councils in the west have accessed this scheme to renew infrastructure.
- There have been changes to legislation this week with the introduction of early intervention in dysfunctional councils. Councils are expected to show due diligence on all matters. The Division can assist up front with issues. The Division also has the power to issue orders to improve, to suspend Councils for 3 months with an administrator taking charge; the council resumes control again after this period.

Local Government Management Solutions (LGMS) – Mr Mark Anderson

- gave an overview of LGMS and the services they can provide to Councils such as organisational restructures and GM recruitment.

Local Land Services (LLS) – Carolyn Raine

- gave an update of where the LLS is up to, with 4 depts being merged into one – being ag advice, plant and animal biosecurity, natural resources and emergency management.
- the draft plan is still on exhibition and comments are sought.
- western NSW will be referred to as Rangelands under the new LLS.
- there will be a board of management to consist of 4 ministerial appointments, 3-4 elected reps, and one extra ministerial appointment. The board members will be selected pending skills
- there is a proposal for Councils to collect fees on behalf of LLS (fee for service).

Independent Panel Review – Professor Graham Samson and Glenn Inglis

- Future Directions paper is due in April – May 2013.
- Remote Councils have issues around financial, staff, asset management and replacement.
- Communities are losing critical mass. State and Federal projects have a lot to do with declines in communities, with no accountability at the local level, the duplication of services is rife, lack of collaboration and co-ordination between government agencies, no strategic focus, no long-term strategies for economic or community capacity building. Communities want jobs and opportunities.
- The panel are looking at a built for purpose governance model that allows decision making, provides leadership, service delivery and is sustainable long-term. This would be turned into

legislation and be able to formalise partnerships between governments and be able to preserve local democracy and individualise local communities. Indigenous participation within local government needs to be strengthened.

- requires a whole of government approach – perhaps with joined up funding models focused on localised outcomes. Money needs to be directed back to the local level to sustain local economy and increase employment opportunities

- The model needs to provide a seamless local service delivery system that supports disadvantaged communities, it must be transparent and accountable.

- a number of options are being looked at, but 4 in particular were mentioned;

1. County Councils with mandated sub-regional functions that support existing local councils.

2. County Councils as above with new local governance structures.

3. Amalgamation and boundary changes where appropriate (but don't see as a way forward for Far West).

4. Joint state –local authority that would plan and deliver federal, state and local government services across the region.

Department of Premier and Cabinet – Jason Collins

- Spoke about the Regional Action Plans.

- Has been working with western councils of Brewarrina, Bourke and Walgett looking at government service delivery. Is yet to catch up with CDSC but will do so shortly. Lack of evidence to show service delivery is not working. How do we evidence base this?

TAFE

- Mentioned their program Western Connect, interested in partnering with Councils.

- what community training needs are needed, there are training options available.

National Native Title Tribunal

- Advised the role of the tribunal as administrative only. They apply a registration test for each claim before they are registered. Claimants of native title must prove they are descendants of those who were traditional owners of the land. Native title claims can't stop development.

- Enter into Indigenous Land Use Agreements if native title is proven; this is a voluntary agreement, needs to be flexible to suit parties needs, where registered they are binding on all persons who hold native title for the area covered by the agreement.

Mark Coulton

- Regional Development Australia – only 3 councils got funds.

- Push to stimulate funding for small councils.

Matt Parmeter – SEXI Project/Proposal

- solar energy project, funding available through ARENA.

- SEXI group of Councils – 32 proposed in total.

- \$200M over 6 years proposed for the project

- looking at 32 PV sites, 5 medium scale solar plants in central and western NSW

- End result of the proposal is every SEXI council gets \$1M worth of solar panels. Saving of around \$120,000 per year in electricity costs.

- SEXI Councils will cover 66% of inland NSW, made up of Councils from Western Division, OROC and CENTROC, as these areas are the best for sun.

- it is predicted there will be no new coal fired power stations. Solar could be a future industry for western NSW.
- The project would be run by a SEXI organisation – similar to a Council.
- ARENA has \$1.8B of uncommitted funds.
- from a partnership with ARENA and the SEXI group of Councils.
- 32 sites = 32 councils = \$32M – means every council involved gets solar panels.
- 5 solar power plants across the SEXI councils. Not known where these would be, need to be located close to transformer and require about 30HA for land
- Interested Council need to provide a motion of support.

Royal Far West (RFW) – Richard Colbran

- What are the gaps in health care?
- RFW have not been connected with the bush very well so are working to rectify. Estimated 4,000 – 5,000 kids not accessing services.
- New care mobile bus is doing 4yo health checks (blue book checks)
- Working with 400-500 schools in rural NSW to train up staff
- Now offering transitional support after child is past 16-18yo.
- Site at Manly, and Drummond House is open for respite and family care, excursions and holidays to the sea for families.
- Launched new pilot project called Come N See that provides speech therapy via videoconferencing and Skype.
- RFW are looking for those that cannot access child health needs, where are the waiting lists – RFW want to know about these.
- Current development proposal at their site in Manly. The land belongs to country people under special charity. Minister for Education trying to give RFW school to Manly Village School. RFW were looking for assistance to fight this.

Overall the conference was very worthwhile and knowledge was gained on a wide range of matters as noted above.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Minimal

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Western Division Shires Conference – Nyngan report be received and noted.

8.8 MENINDEE DEBUTANTE BALL – REQUEST FOR FUNDING

ATTACHMENT 10

Summary

This report provides information about a request for funding for a Debutante Ball to be held in Menindee.

Commentary

Correspondence has been received from the Menindee Deb Ball Committee seeking sponsorship from Council for a Debutante Ball to be held in Menindee. The ball is being held as part of the 150th celebrations of Menindee being gazetted as a township. The committee are seeking \$2,000 from Council to go towards the Deb Ball.

Generally requests for financial assistance are dealt with under Council's Financial Assistance Grant scheme. Each year Council allocates \$25,000 under the budget to be utilised for small financial assistance grants requested throughout the Shire. To date \$21,000 has been utilised of the \$25,000. As there is still funding available, it is recommended that the request be placed on public exhibition for 28 days, with a report being brought back to Council after this date.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Under Council's Financial Assistance Grant for 2012/13 there is sufficient funds remaining to assist with this request.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

The request for financial assistance is to be placed on public exhibition for 28 days.

RECOMMENDATION

That the Menindee Debutante Ball – Request for Funding report be received and noted, and further;

That the request for funding be placed on public exhibition for 28 days with a further report being presented to Council after this timeframe.

8.7 DRAFT POLICY: PAYMENT OF EXPENSES AND PROVISIONS OF FACILITIES TO COUNCILLORS

Summary

This report provides the draft policy titled Payment of Expenses and Provisions of Facilities to Councillors for formal adoption after the 28 day public exhibition period.

Commentary

In November 2012, Council adopted the draft policy – Payment of Expenses and Provisions of

Facilities to Councillors. The draft policy has since completed the required exhibition period. During this period, no submissions were received. Copies of the draft document were provided as an attachment to Councillors at the November Council Meeting.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Draft Policy: Payment of Expenses and Provisions of Facilities to Councillors report be received and noted, and further;

That the Draft Policy: Payment of Expenses and Provisions of Facilities to Councillors be adopted and incorporated into Council's Policy Register.

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

9.1.1 GRADING PROGRAM

ATTACHMENT 11

The March 2013 Grading Program has been included to enable Council to follow the progress of the grading crews working throughout the Shire. Any changes will be presented on a monthly basis.

9.1.2 POONCARIE RD SUBMISSION

Correspondence has been received from Western Research Institute. There have been minor delays due to difficulties in obtaining information from Tandou. The proposed due date for Council to receive the draft report is 28th March 2013.

9.1.3 IVANHOE TOWN WATER SUPPLY

The Ivanhoe town water is being supplied from Lake Morrison storage. With assistance from the NSW Office of Water the raw water treatment process was initiated on Wednesday 6th March 2013.

Chemical treatment of raw water includes Alum, Soda Ash and Powdered Activated Carbon (PAC). PAC is used on the raw water to eliminate taste and odour issues, it is anticipated that the raw water odour may be of some concern to some residents in the immediate future. Approximately 1 month of pumping is required to eliminate the existing water shandy in the treatment plant storage dam and allow adequate settling time.

9.1.4 WATER RESTRICTIONS

Level 1 water restrictions that were implemented across the Shire have been lifted as of Monday 11th March 2013. Recent rainfall has seen the Darling River level rise, storage at White Cliffs has been replenished and Ivanhoe town water is being sourced from Morrison's Lake Reservoir. Water samples taken from White Cliffs have resulted in no blue green algae counts in any town water storage tanks.

9.1.5 ROAD MAINTENANCE COUNCIL CONTRACTS (RMCC)

ATTACHMENT 12

In a Roads and Maritime Services newsletter (February 2013) it was stated that the current contract arrangements will be extended a further 12 months from 1 July 2013. Under the terms of the contract RMS is required to give Council 6 months notice to either extend the contract or introduce a different form of contract.

9.1.6 REMOTE COMMUNITIES WATER SUPPLY AND SEWERAGE PROGRAM

The contracts to upgrade of the Wilcannia Water Treatment Plant (WTP) and the relining of the Wilcannia Filtered Water Reservoir were issued in December 2012.

With respect to the WTP upgrade management plans have been submitted and design is underway. It is anticipated that work will commence on site on 5th May 2013 and commissioning is targeted for late June 2013.

The relining of the Wilcannia filtered water reservoir is expected to commence with on site with pipework modifications getting underway on 8th April 2013 and with relining works to commence on 15th April 2013.

The civil works component of the augmentation scheme is subject to an amended scope of work to investigate full gravity reticulation for the Mallee and Warralli Estates. The NSW Public Works are undertaking this redesign work which is anticipated to be completed by 12 April 2013. The substantial change to the scope of works requires retendering by all six original tenderers. Funding requirements mandates that works commence by 30 June 2013.

RECOMMENDATION

That the Information Items report be received and noted.

9.2 ROADS REPORT

Summary

The purpose of this report is to update Council on the current status of the 2012/2013 Roads section of the Engineering Department for the previous month.

Council currently has five grading crews operating with priorities being on the completion of flood damage works, reconstruction works and RMS Ordered Works

Commentary

State Roads:

- 2012/2013 RMCC works estimated cost for Routine Maintenance Works on both highways is \$514,000. Expenditure detailed below is from the 2nd quarter report 31 December 2012.
- 6 Works Orders received this financial year to date.
- 2 Works Orders remaining from 2011/12 financial year.
- Proposed \$1M works order for 3km sealing section on Cobb Highway to be issued by RMS.

	Original Budget	Remaining Budget	% Expended
RMCC (ROUTINE WORKS)	\$514,000	\$217,585	58%
Flood Damage 2012	\$217,142	\$8,903	96%

SH21 Capital Works	\$1,000,000	\$1,000,000	0%
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Regional Roads:

- Balranald Rd Reconstruction complete.
- 2012 Flood Damage Restoration in progress.
- 2012/13 Regional Road Block Grant total \$2,459,000 including traffic and supplementary components. Remaining budget does not include \$396,000 allocated to Regional Road Repair program or \$540,000 allocated to Balranald Rd Reconstruction.
- Regional Roads Repair Program is 50/50 funded. Councils \$396,000 share is funded from the 2012/13 Regional Roads Block Grant

	Original Budget	Remaining Budget	% Expended
MR67 Balranald Rd (2011/12)	\$2,015,000	\$0	100%
Regional Road Block Grant	\$2,459,000	\$384,503	85%
Flood Damage 2012	\$936,157	\$243,818	74%
Regional Road Repair Program MR416	\$792,000	\$323,054	60%

Local Roads:

- 2012 Flood Restoration Works are in progress.
- FAG total was \$1,374,991 and \$280,000 has been allocated to Works Committee Funds
- Roads to Recovery (R2R) allocation of \$703,770 for SR1 Tilpa East Rd works are in progress

	Original Budget	Remaining Budget	% Expended
Local Roads Component (FAG)	\$1,374,991	\$390,505	72%
R2R SR1 Bridges	\$703,770	\$677,970	4%
Flood Damage 2012	\$1,644,003	\$154,547	91%

(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
- **Wilcannia** - \$25,000 allocated to playground installation, \$5,000 allocated to tree planting/ town beautification, \$40,000 to be confirmed – subject to RMS approval for drainage improvements from Depot to Motel. Other projects considered included gravel/sealing laneways, sporting oval reserve seating, scoreboard and time-clock.
- **White Cliffs** - \$35,000 allocated to new playground, \$35,000 for 200m street reconstruction and sealing.
- **Menindee** - \$70,000 allocated to new Multi Sporting Complex
- **Ivanhoe** - \$40,000 allocated to main street paving works, \$25,000 allocated to Sporting Oval amenities upgrade, \$5,000 to be confirmed

Note: Those funds allocated to projects that include grant submissions will be advised ASAP of the outcome of that grant application. Alternate projects should be considered in the event that the grant submission is unsuccessful.

	Original Budget	Remaining Budget	% Expended
Wilcannia	\$70,000	\$58,838	16%
White Cliffs	\$70,000	\$36,634	48%
Menindee	\$70,000	\$70,000	0%
Ivanhoe	\$70,000	\$70,000	0%

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Various as displayed in the above table. Funds sourced from the Financial Assistance Grant – Local Roads Component.

(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.

Summary

The purpose of this report is to update Council on the current status of the Services provided by the Engineering Department for the previous month.

Commentary

Town Maintenance:

- General routine inspections and maintenance
- The table below references Parks and Gardens which include mowing, buildings and toilets. The Ancillary Works include Kerb and Gutter, Footpaths, Trees, Signs and Street lighting.

	Original Budget	Remaining Budget	% Expended
Parks & Gardens	\$137,500	\$22,769	84%
Ancillary Works	\$150,000	\$63,229	58%
Street Cleaning/ Bins	\$113,500	\$24,372	79%
Aerodromes	\$68,000	-\$15,411	100%
Public Conveniences	\$37,250	\$10,225	73%

Water & Sewerage Maintenance:

- Wilcannia town water supply is currently being sourced from the Emergency Bore Supply.

- White Cliffs town water supply is sourced from ground tanks current levels detailed below:
Tank 1 = 4.2 m, Tank 2 =1.0m, Tank 3 (Wakefield) 8.2m
- Ivanhoe town water supply is currently being sourced from the Morrison’s Lake storage.
Water levels are currently 450 megalitres, town storage dam 15 megalitres.

	Original Budget	Remaining Budget	% Expended
Wilcannia Water	\$308,250	\$99,418	68%
Wilcannia Sewer	\$81,000	\$59,417	26%
White Cliffs Water	\$113,500	\$23,725	80%
Ivanhoe Water	\$151,500	\$36,957	75%

(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

ATTACHMENT 13

Summary

The purpose of this report is to update Council on the current status of projects being undertaken by the Engineering Department.

Commentary

Warrali Mission Footpath Upgrade Works has been reviewed by Councils Finance Department. Expenditure has been confirmed at \$165,000. Additional funding has been granted for \$44,000 to cover this expenditure. The works have been fully accounted for at no cost to Council.

Project	Comments	Original Budget	Remaining Budget	% Expended
Remote Communities Water & Sewer Project	Civil Works component aborted and redesign being undertaken. Water Treatment Upgrade Works and Reservoir relining works tenders have been awarded and are in progress.	\$3.03 Mil	\$3.03 Mil	0%
Wilcannia Weir	S355 Committee held 13-11-12	N/A	N/A	N/A
Aboriginal Communities Water	Ongoing. Interim arrangements have been extended to 30 June 2013. An additional \$59k has been approved for filtered water pipeline over the Old Wilcannia Bridge. Further extension to BHC Plumbing engagement beyond current arrangements to be subject to review of scope of works and competitive quotations being called.	\$243,000	\$125,489	48%

Integrated Water Management Plan	Draft Strategy due for completion in April 2013. A report to Council will be presented following receipt of this report.	\$167,000	\$8,354	95%
Warrali Mission Footpath Upgrade	Complete.	\$165,000	\$0	100%
Old Wilcannia Bridge	Timber received. 90% complete	\$90,000	\$0	100%
MR67 Ivanhoe-Balranald Rd Reconstruction	Complete	\$2,015,000	-\$119,248	100%
SR1 Bridge Replacements	Tenders Closed. Report to Feb Meeting	\$703,770	\$677,970	4%
MR416 Ivanhoe-Cobar Rd Repair Program	In Progress	\$792,000	\$323,054	60%

(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 RAIL ROAD INTERFACE AGREEMENT

ATTACHMENT 14

Summary

The purpose of this report is to inform Council of the finalisation of the draft conditions of the proposed Rail Road Interface Agreement between Australian Rail Track Corporation Ltd and Central Darling Shire Council.

Background

Council staff have met with representatives from ARTC in 2010. The preparation of the interface agreement has slowly evolved over this time to the point where the draft Interface Agreement has now been finalised.

The Interface Agreement is large and is not considered necessary for Councillors to get an individual copy. However a copy can be made available upon request.. The document has been reviewed in conjunction with consideration of issues raised by other Councils. As the MTES, I agree and endorse those issues as relevant to CDSC and advise Council that the matters have been addressed by ARTC finalisation of the subject agreement.

The recent correspondence and Summary of Status of Interface Agreement Issues raised by other Councils is attached for reference and consideration.

Commentary

Staff have contacted and spoken to Councils insurers who advised that the matter is for Councils discretion and does not involve any significant risk issues for Council.

On this basis, Council needs to approve the endorsement of the Interface Agreement.

(a)Policy Implications

Nil at this stage

(b)Financial Implications

Entering into this agreement has no inherit increase demand on budget. ARTC is responsible for rail and corridor works, Council is responsible for Road works outside of the designated corridor.

(c)Legal Implications

Nil at this stage.

(d)Community Consultation

Nil

RECOMMENDATION

That Council receive and note the Rail Road Interface Agreement report, and further;

That Council endorses the Interface agreement in the manner required, and authorizes the Acting General Manager to sign and seal the document as required.

Summary

The purpose of this report is to inform Council of the final decision by NSW Office of Water (Department of Primary Industries) with respect to the site of the new Darling River Monitoring Station at Wilcannia.

Background

NSW Office of Water generally, and specifically the Water Monitoring Unit, have been seeking to establish a new Darling River Monitoring Station at Wilcannia since early 2010. The existing station upstream of the Wilcannia Bridge is fast approaching the end of its useful life and a more suitable location for the new monitoring station is required.

The original site (Site A) proposed by the Water Monitoring Unit immediately adjacent to the north-east boundary of 65-67 Reid Street was opposed by Council as was the alternate site (Site B) mid-block at the Cleaton Street terminus adjacent to the Darling River.

Council requested the NSW Office of Water consider the site marked Site C on the attached plan.

Commentary

The NSW Office of Water have advised the proposed alternate site (Site C) is not suitable for reasons identified in attached e-mail. The NSW Office of Water have advised that they will locate the new Darling River Monitoring Station for Wilcannia at Site B.

(a) Policy Implications

Nil at this stage.

(b) Financial Implications

The new Darling River Monitoring Station is funded by NSW Office of Water at no cost to Council.

(c) Legal Implications

The NSW Office of Water representing the Crown have the authority to establish the new Darling River Monitoring Station at Site B on crown land “owned” by the state.

(d) Community Consultation

Significant consultation has been undertaken by the Department concerning the location of the new Darling River Monitoring Station at Wilcannia with Central Darling Shire Council and the community generally.

RECOMMENDATION

That Council support the location of the new Darling River Monitoring Station situated at the eastern end of Cleaton Street adjacent to the Darling River and marked-up as Site B on the attached plan

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

10.1 INFORMATION ITEMS

10.1.1 UPDATE ON COUNCIL’S PLAYGROUNDS

Over the past month, the Baker Park Playground has been completed, minor works to install seating is required under the funding agreement. Recent vandalism to part of the structure has been repaired by Council’s Maintenance staff.

Ivanhoe Playground has been ordered and will be install late April – early May.

Both projects were funded by Dept of Families, Housing, Community Services and Indigenous Affairs

10.1.2 FUNDING APPLICATION – MENINDEE MULTI-PURPOSE CENTRE

Council’s Expression of Interest for a Multi-purpose Centre at Menindee has been successful under the Regional Development Australia funding. Council has been invited to prepare a full application, due on 27 March 2013. Staff at Menindee are busy preparing the application on behalf of the Acting General Manager.

10.1.3 KNOX AND DOWNS

Staff are currently in the process of preparing tender documents for the tendering process of Knox and Downs. It is expected the tenders will be called shortly.

RECOMMENDATION

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR FEBRUARY 2013

Summary

This report provides a statistical summary of legislative activities undertaken by Environmental Services within February 2013.

Commentary

The statistics will be provided to Council on a monthly basis. The below table demonstrates results for February 2013.

<u>Statistics for February 2013</u>	
Number DA’S Approved for February 2013	2 – broken down into the following categories; Commercial = \$267,485 Residential = \$4,000

Total Value of DA's approved for February 2013	\$271,485
Food Premises Inspected in February 2013	2
Animal Control Activities for February 2013	Impounded = 23, Rehomed = 14, Returned to Owner = 1, Euthanized = 8
Water Sampling for February 2013	Microbiology Samples Collected = 4 Chemistry Samples Collected = 1 Disinfection By Products = 0 Non-compliant Samples = 0

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

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

10.3 DEVELOPMENT APPLICATIONS

Summary

This report provides information on development applications approved under delegated authority.

Commentary

DA	Applicant Name	Site Address	Development Details
01/12	Graham Howe	45 Menindee Street, Menindee	Subdivision
02/12	Blende Street Butchers and Seafoods	Woore St, Wilcannia	Sale of meat and sea foods from mobile van
03/12	Raymond Dennis	Klondyke Station, 12402 Wanaaring Rd, White Cliffs	Private rifle range
04/12	Z & L Turner	Goodwood Station, 1025 Glendara Rd, White Cliffs	Alterations to shearers quarters

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05/12	Georgia Tacey	Lot 15/16 Barkindji Drive, Wilcannia	Playground
06/12	NSW Public Works	32 Woore Street Wilcannia	Construct two units
08/12	Scott Smith	"Warrawong" Barrier Highway, Wilcannia	Caravan Park and Camping Ground
09/12	Catholic Education Office Diocese of Wilcannia-Forbes	St Therese's Community School, Warrali Avenue, Wilcannia	Erection of two accommodation units
11/12	Barbara Turner	Racecourse Road, Menindee	New dwelling and sheds
12/12	Gazebo Shade Centre.	119-121 Woore St, Wilcannia	Shade Sail Installation
13/12	RW & KA Fazulla	Wentworth Road, Menindee	Erect two sheds
14/12	Steven Pittaway	Lake View Avenue, Sunset Strip	Erect Shed
16/12	Wilcannia Tourism Association	49-63 Reid Street, Baker Park Wilcannia	Install BBQ
17/12	Josh Perryman	Girrawheen Station Via Ivanhoe,	Dwelling
18/12	Sunset Strip Progress Association. Inc	Lake View Avenue, Sunset Strip Via Menindee	Erection of viewing platform
19/12	James Liddell	Gasoline Alley, Copi Hollow Caravan Park Lot, Copi Hollow	Carport
20/12	J.M Cliffs Symons	Johnson Street, White Cliffs	Construct Shade Structure
21/12	Terry Kalamistrakis	25-29 Ross Street Wilcannia	Install two transportable units
23/12	Nicole Sanderson	36 Bourke Street, Wilcannia	House Extension
25/12	Zoe Dobson, Maari Ma Health	12 Reid Street, Wilcannia NSW	Demolition
26/12	Central Darling Shire Council	Johnson Street, White Cliffs	Remove old Swimming pool and replace with new one.
27/12	R. Blackford	Menindee Lakes Caravan Park Via Menindee	Car Port Shelter
28/12	Central Darling Shire Council	Baker Park, 49-63 Reid Street, Wilcannia	Playground
29/12	Broadcast Australia	Balranald Rd Ivanhoe (approx. 3 kms to south west of town)	Erect Satellite Dish
30/12	Chris Evans/ NSW Public Works	51 Candilla Street, Menindee	Construction of new 4 bedroom brick dwelling for THA
31/12	Taylor Made Builders	"Coonoolera", Wilcannia	Installation of manufactured home

32/12	Dianne Lee Rolton	137 Little Menindee Creek Road, Menindee	Erect a shed
33/12	Maxwell J Popp	14 Kingfisher Avenue, Sunset Strip	Extension to Carport
34/12	Murdi Paaki Regional Enterprise Corporation	Burke & Wills Park, 6-10 Perry Street, Menindee	Install shade structure and electric BBQ
35/12	John Vernon	“Monivea” 42552 Cobb Highway Via Ivanhoe	Alterations of existing shearers quarters

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Development Application report be received and noted.

10.4 OLD DEPOT LEASE - WILCANNIA

Summary

This report advises Council the lease for use of part of the Old Shire Depot in Wilcannia is due for renewal with the current lessee Mr J. Schofield.

Commentary

For a number of years part of the Old Wilcannia Depot located on Crn Bourke and Field Streets, Wilcannia has been leased by Mr J. Schofield. Mr Schofield currently occupies a small part of the site and uses the old amenities and shed for shelter for his caravan. This agreement has been in place for the past 20 + years. The remainder of the site, including the large shed and ATCO accommodation units are utilised by Council’s Environmental Services Dept as a works depot. The ATCO accommodation is utilised by Council contractors and tradespersons when undertaking works in the Wilcannia area on behalf of Council. The ATCO’s are also utilised by Council staff when visiting from other towns requiring accommodation overnight. Mr Schofield has utilised the small area on the eastern side of the site for many years, and pays minimal rent being \$1.00 per week in lieu of providing some security to the site for Council. The security is more in the form of a caretaker role or as a presence on the site to detract intruders. To date the shed or the ATCO’s have not been vandalised or incurred any break-ins. Mr Schofield pays for his power usage, water usage is not excessive and excess water charges have not been incurred on the site to date.

This has been a long term arrangement that has worked satisfactorily in the past. Mr Schofield is seeking the lease be renewed as it has expired. Generally the lease is for a 12 month period, with an option to extend for a further 12 month period. It is recommended that Council consider issuing the lease for a 2 year period, with the inclusion for the option to extend for a further 12 month period.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Lease – Part Old Shire Depot, Wilcannia report be received and noted, and further,

That the lease agreement between Council and Mr John Schofield for use of part of the old Shire depot be renewed for a further one year period, with the option to extend for a further one year being included.

10.5 IVANHOE SALEYARDS

Summary

This report provides further information to Council on the Ivanhoe Saleyards.

Commentary

In December 2012, Council elected to undertake changes to the management regime of the Ivanhoe Saleyards. Part of these changes were to review the fees charged, and changes padlocks.

To date, the padlocks have been changed, and keys lodged with the Ivanhoe MSO and Ivanhoe Post Office. The site has been cleared of overgrown vegetation by the local CDEP. It is necessary for Council to consider applicable usage fees for the facility in the event of future usage.

To assist Council set relevant fees, other Councils were contacted to gain an indication of the fees they charge. The following information was obtained –

Walgett	Saleyards Fees	Description of item	Total
	Casual use of yards for sheep	Per 1000 (or part thereof) per day	\$35.00

Nyngan	Sheep sale	Per head	\$1.00
	Casual use of sheep yards	Per head/per day for non ratepayer	\$0.95
	Casual use of sheep yards	Per head/per day for ratepayers	\$0.45
Narromine	Sheep and lambs – associated with a sale	Per head	\$0.50
	Sheep and lambs – passed in stock not sold	Per head	\$0.50
	Licence permit fee for Licensed Agents using saleyards	Sheep per head	\$0.15
	Callout fee – distressed stock (not associated with a sale)		\$160.00
	Sheep – casual use, not exceeding one day	Per head	\$0.10
	Sheep Overnight – not in connection with a sale		Minimum charge \$50.00
	Horse overnight (1)	Per night	\$2.50
	Use by other organisations	Per function	\$249.00

The fees vary in price and parameters. It would seem the less expensive is Narromine with the facility being run by the local Council. The above prices have been based on sheep usage only, as the yards are too low for cattle. An option for use by horses has been provided if required. It is expected that the fees charged to utilise the yards would assist Council with ongoing maintenance and management. It is recommended that Council should adopt a fee structure similar to that of Narromine.

(a) Policy Implications

Nil to report at this stage

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the Ivanhoe Saleyards report be received and noted, and further,

That Council adopt a fee structure for use of the Ivanhoe Saleyards similar to the fees charged by Narromine Shire Council for use of their saleyards.

That the adopted fees be incorporated into the 2013/14 Operational Plan.

SECTION 11. FINANCE MANAGER’S REPORT

11.1 INVSTMENTS AND BANK BALANCES

Schedule of Investments and Bank Balances as at 28 February 2013						
	Term	Interest Rate	Maturity		Amount	
Deposits at Call						
Westpac 11am Call Account					\$0	
Australian Corporate Mortgage Backed Securities (CDO)						
Castlereagh Trust (face value) (90 points over 3 month BBSW)		6.05%	21 June 2013	\$1,500,000		
Capital Value as at 28 February 2013					\$1,472,385	
Total Investments as at 28 February 2013					\$1,472,385	
Bank Balances as at 28 February 2013						
General Fund (Overdraft limit: \$2,500,000)					\$721,237 OD	
Trust Account					\$6,168 In Funds	
At Call refers to funds held at a financial institution that can be recalled within 24 hours.						
A 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 2013 be received and adopted.

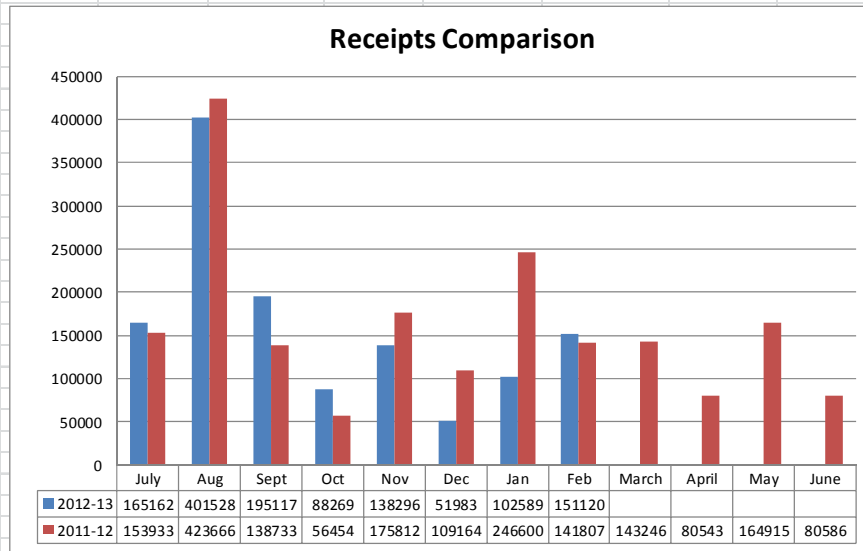
11.2 RATES REPORT

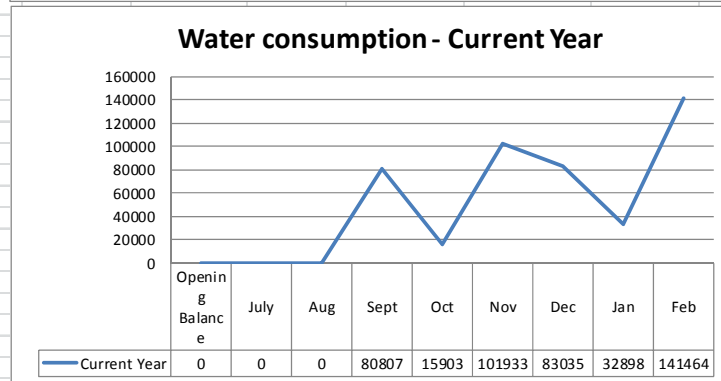
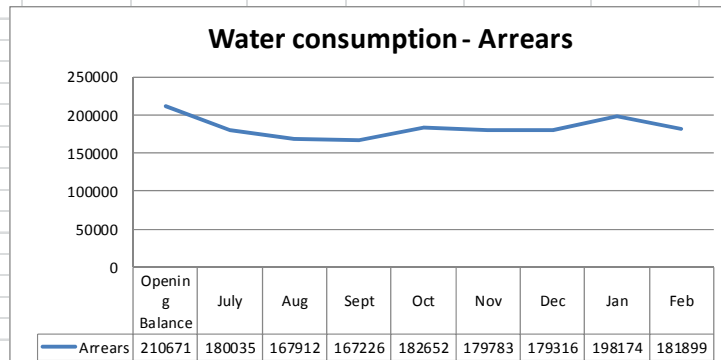
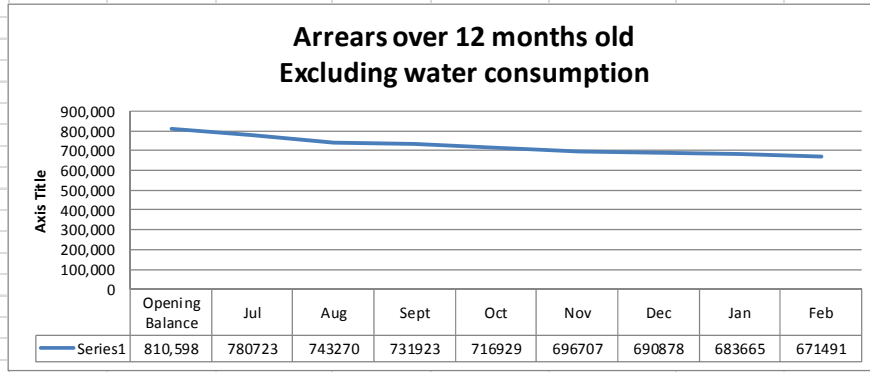
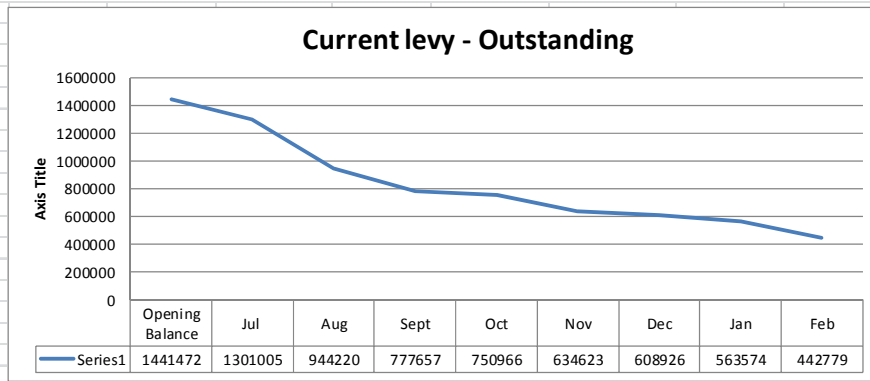
Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/offs & Credits	Pensioner Subsidy	Rates in Credit	BALANCE
General	\$ 675,308	\$ 13,760	\$ 272,810	\$ 961,877	\$ 514,570	\$ 4,044	\$ 15,292		\$ 427,971
Special	\$ 32,549	\$ 1,227	\$ 24,640	\$ 58,416	\$ 24,881	\$ 309	\$ -		\$ 33,227
Water	\$ 293,979	\$ 9,836	\$ 197,112	\$ 500,927	\$ 219,600	\$ 3,472	\$ 4,752		\$ 273,102
Sewer	\$ 103,625	\$ 2,554	\$ 50,621	\$ 156,800	\$ 79,125	\$ 589	\$ 788		\$ 76,298
Garbage	\$ 336,011	\$ 11,973	\$ 238,051	\$ 586,034	\$ 251,471	\$ 5,629	\$ 13,039		\$ 315,897
Excess Water	\$ 336,557	\$ 8,775	\$ 210,671	\$ 556,003	\$ 201,409	\$ 50,160	\$ -		\$ 304,434
Charge on Land	\$ -	\$ -	\$ 27,365	\$ 27,365	\$ 2,918	\$ -	\$ -		\$ 24,448
Rates in Credit								-\$ 53,961	-\$ 53,961
TOTALS	\$1,778,029	\$ 48,125	\$ 1,021,269	\$2,847,423	\$ 1,293,973	\$ 64,203	\$ 33,870	-\$ 53,961	\$ 1,401,416

Water meter misreads resulted in credits of \$6,520. As this is an ongoing problem the viability of electronic readers is to be assessed. Receipts (\$151,120) re-bounded following the last few months, where the amounts collected have been down on the corresponding period last year. There were two interest write-offs (\$512 & \$256) as part of arrangements to clear debts of \$7,897 and \$6,805. Water levies of \$129,655 were raised. Taking these new levies into account the overall position nevertheless improved by \$22,524.

Previous Balance	\$ 1,423,940
This Period	
Interest raised	\$ 7,088
Water Levies Raised	\$ 129,655
Supplementary Levies	\$ -
Receipts	\$ 151,120
W/Offs & Adjustments	\$ 7,591
Pensioner Rebates	\$ -
Rates in Credit	\$ 556
Current Balance	1,401,416
Net Movement	-\$ 22,524

Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit	
1/02/2013	\$596,472	\$167,542	\$116,064	\$97,152	\$67,578	\$168,065	\$264,473	-\$53,406	\$1,423,940
1/03/2013	\$584,234	\$162,763	\$113,414	\$96,243	\$67,413	\$163,445	\$267,865	-\$53,961	\$1,401,416
Net Movement	-\$12,238	-\$4,779	-\$2,650	-\$910	-\$165	-\$4,620	\$3,392	-\$555	-\$22,524





RECOMMENDATION

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

11.3 RATES REPORT ADDRESSING – NAMING OF ROADS

Commentary

Council has been requested to review the name of Reola Road. This request has come from various property owners who were not aware of the original naming submission to Council. Investigation into this submission has failed to locate all required documents. As a result the decision should be reviewed.

The road in question is known as the White Cliffs – Monolon Road, or as the Monolon Road, running from White Cliffs to the Shire boundary with the Unincorporated Area heading towards Monolon Station and the Cut Line. Once across the Shire boundary the road is known as Reola Road, a consideration that it would appear Council took into consideration in light of the Geographical Name Board's (GNB) adoption of the Australian/New Zealand Standard for Rural and Urban Addressing, AS/NZS 4819:2011, where Section 4.4.6 (Names for roads crossing jurisdictions) states:

'An unbroken section of road crossing an administrative boundary shall keep the same name. Such boundaries include reservation boundaries (eg forests or parks), locality or local government boundaries and state and territory borders. In such cases the name and extent of the road should be determined through liaison with the relevant naming authorities.'

Further to the above quoted section, Section 4.4.9 (Origin – Destination Road Names) states:

'A road name shall not consist of the conjoined names or places or localities found along of at the end of the road.' The long used and locally accepted White Cliffs – Monolon is therefore considered unacceptable.

The representations made to Council have been to retain the road name as Monolon Road, a name that has apparently never formally existed, but, as stated earlier, has also long been locally used.

RECOMMENDATION

That Council publish notice of its intention to seek to Gazette the name Reola Road as the name for the road running north from White Cliffs towards the Cut Line, such notice to be published no later than Tuesday 26th March, 2013 and placed on Public Exhibition for a period of not less than 28 days. That Council notify Australia Post, the Registrar General and Surveyor General and others as required. That Council accept submissions on the proposed name until 5pm on Tuesday April 30th, 2013. That a report and any submissions received be presented to Council at the April meeting.

11.4 2012/13 QUARTERLY BUDGET REVIEW STATEMENT ATTACHMENT 16

Summary

The Local Government (General) Regulation 2005 requires Council to review its budget on a quarterly basis. This is the review for the first two quarters for the 2012/13 financial year.

Council originally adopted a budget deficit of \$487,000 as part of its 2012/13 Annual Budget and Operating Plan in June 2012.

This report recommends that budget adjustments and transfers as discussed in this report, be endorsed.

Commentary

The Quarterly Budget Review Statement (QBRS) presents a summary of Council's financial position as at the end of each quarter. It is the mechanism whereby Council and the community are informed of our progress against the annual budget and the last revised budget along with recommended changes and reasons for major variances. The QBRS and commentary are included in the attachments.

The QBRS is comprised of the following components:

- Income Statement
- Capital Funding Statement
- Cash and Investments Restrictions Held
- New Contracts Report
- Comments on the Review
- Statement By Responsible Accounting Officer.

The following table summarises the major changes which have impacted the budget during the year to date and recommended changes:

DESCRIPTION	DETAIL	AMOUNT	AMOUNT
2012/13 Original		\$	\$
Budget Deficit			
Recommended			-487,000
Budget Adjustments			
Income			
User Charges and Fees	Increase in income projections	13,000	
Interest and Investment			
Revenues	Reduction in interest on investments	-69,000	
Capital Grants	Additional RMS grants	2,244,000	
	Deferment of Sewerage Project grant	-1,733,000	
Other Income	Insurance proceeds	113,000	568,000
Expenses	Savings from vacant positions	-305,000	
Employee Costs	Savings in training costs	-57,000	
	Unbudgeted terminations	140,000	
	Recruitment costs	25,000	
	Increase in entitlements cost	143,000	
	Capitalised costs	-180,000	-234,000
Borrowing Costs	Reduction in fixed loan interest	-62,000	
	Interest on overdraft	95,000	33,000
Materials and			
Contracts	Lease rentals not in budget	40,000	
	Increase in grant funded works	1,040,000	
	Upgrade of reporting system	40,000	1,120,000
Other Expenses			
	Lower Council election costs	-14,000	
	Additional tourism support	30,000	
	Village improvements Sunset Strip	25,000	
	Increase in electricity costs	10,000	61,000
	Increase street lighting charges	10,000	
Non- Cash Items			
	Increase in employee leave entitlements expense	143,000	143,000
Capital Income	Transfers from restricted assets	4,519,000	4,519,000
Capital Expenditure			
Capital Additions	Additional grant funded works	2,396,000	
	Deferral of sewer project	-1,733,000	
Transfer to Restricted Assets	Transfers to restricted assets	3,845,000	
Loan repayment	Reduction in loan repayment	-90,000	
			4,418,000
Current Budget Deficit			-655,000

Conclusion

If the above adjustments are endorsed, Council's financial position will deteriorate and it is likely that the financial position as at 30 June 2013 and key performance ratios, will continue to be unsatisfactory.

Policy Implications

Nil to report at this stage

Financial Implications

The financial position being forecast in the budget is unsatisfactory.

Legal Implications

Nil to report at this stage.

RECOMMENDATION

That the Quarterly Budget Review Statement for the period 1 July 2012 to 31 December 2012 be accepted and the budget adjustments included in the report and actions recommended in the Statement by The Responsible Accounting Officer be endorsed.

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
26/02/2013	Local Government and Shires Association	Western NSW Councils discuss new governance model.
28/02/2013	Member for Murray-Darling	Fay Linnett named 2013's Murray-Darling Local Woman of the Year.
1/03/2013	The Hon Don Page MP	New Code of Conduct Comes into Force
1/03/2013	Local Government NSW	Local Government NSW launched Today.
7/03/2013	Member for Murray-Darling	Funding Increase for Community Transport in Murray-Darling.
7/03/2013	Member for Murray-Darling	\$40 Million Public School Upgrade Program
8/03/2013	Independent Local Government Review Panel	Review Panel now finalising draft proposals

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
Local Government and Shires Association of NSW	1/02/2013	Local Government Weekly Issue:5
Local Government and Shires Association of NSW	8/02/2013	Local Government Weekly Issue:6

Local Government and Shires Association of NSW	15/02/2013	Local Government Weekly Issue:7
NSW Premier and Cabinet	19/02/2013	Council Management of Camping in Public Places
Local Government and Shires Association of NSW	22/02/2013	Local Government Weekly Issue: 8
NSW Premier and Cabinet	1/03/2013	Model Code of Conduct 2013- Commencement and Key Resources
Local Government and Shires Association of NSW	11/03/2013	Local Government Weekly Issue: 9
NSW Premier and Cabinet	8/03/2013	2013 Ministers' Awards for Women in Local Government – Winners Announced
Local Government and Shires Association of NSW	8/03/2013	Local Government Weekly Issue: 10

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

RECOMMENDATION

That the MANEX Meeting Minutes dated Monday 18th February 2013 be received and noted.

Agenda for MANEX Meeting held Monday 18th February 2013

Meeting Commenced at 2:03pm

Present:

Leeanne Ryan -Acting GM

Reece Wilson -MTES

David Cuming -AMCC

Paul Gavin -AFM

Adelaide Elliott - EA

Apologies:

Nil

Minutes from Previous Meeting:

Darren Scotti was present at the previous meeting but it wasn't noted on the draft minutes.

Questions with Notice from Councillors:

Answers to Question on Notice from Councillors are located in the Agenda

Governance:

Nil

Financial Management:

AMCC gave an update on finance and cashflow.

Risk Management:

MTES noted that all contractors have now completed the new induction process and weekly "Toolbox" talks have now commenced.

Incident/Accident Reports:

Nil

Work Health & Safety:

Drug & Alcohol Draft Policy, MANEX have been asked to comment.

Further investigation needs to take place in regards to who can conduct the testing on Councils behalf.

Human Resource Management:

Admin Staff absences - General discussion took place.

MTES noted that the Engineering Administration Officer Position, 12 Month Maternity Leave needs to be advertised

Council has been approached by Menindee Central School to take on a trainee at the Menindee RTC- further information to be forwarded to the MANEX group.

9 day fortnight is progressing as planned, two exemptions requests were discussed and will be considered by the AGM.

Other Business:

Council Agenda- General discussion took place on items reported in the agenda.

Integrated Water Management Plan project- progress reports to be undertaken by AMCC

White Cliffs Agreement with Glenhope Station, MTES a letter has been sent.

Wakefield Tank – AGM had inspected onsite with Mr Taylor, Mr Taylor was not happy with the works undertaken within the creek.

Complaints Draft Policy, MANEX have been asked to comment and provide feedback to AGM.

IP&R Action Plan, to be completed.

Water Restrictions update-Currently Ivanhoe, Wilcannia and White Cliffs remain on water restrictions.

Street and Verge Policy was discussed and MTES to supply copies of Mr Fethers proposal. MTES also noted that he would take the street and verge policy to the next works committee meeting.

Warrawong pipeline-MTES gave MANEX an outline of this request.

Meeting Closed at 3:41pm

SECTION 14. DELEGATES' REPORTS

RECOMMENDATION

That the Delegates' reports be received and noted.

SECTION 15. QUESTIONS WITH NOTICE

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 ATLAS-CAMPASPE – MINERAL SANDS PROJECT (SSD-5012) ATTACHMENT 17

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

This report provides information on the latest advancements with the Atlas-Campaspe – Mineral Sands Project south of Ivanhoe.

17.2 DELEGATION TO VISIT MINISTERS

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

This report provides information on a recent visit to Ministers in Sydney.

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on the 16th April 2013 in Menindee commencing at 9:30am.
