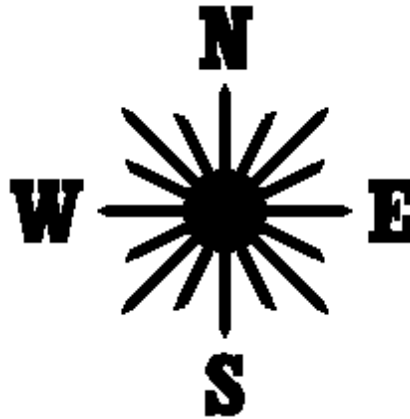


Mission Statement

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

CENTRAL DARLING



SHIRE COUNCIL

Agenda

For the Ordinary Meeting

9:30am Tuesday 15th May 2012

at

Darnick

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 Community Hall, Darnick on Tuesday 15th 2012 commencing at 9:30am.

Morning Tea is scheduled to be served at 11:00am and lunch at 1:00pm. Refreshments will be served in the Community Hall.

ORDER OF BUSINESS

SECTION 1. RECEIPT OF APOLOGIES AND THE GRANTING OF LEAVE OF ABSENCE	5
SECTION 2. PUBLIC ACCESS – QUESTIONS AND COMMENTS FROM THE PUBLIC	6
SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	7
3.1 BUSINESS ARISING FROM MINUTES	7
3.2 STATUS OF COUNCIL RESOLUTIONS – APRIL 2012	7
SECTION 4. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY	13
SECTION 5. MAYORAL MINUTES OR REPORT	14
SECTION 6. NOTICE OF MOTIONS.....	15
SECTION 7. NOTICE OF RESCISSION MOTIONS.....	16
SECTION 8. GENERAL MANAGER’S REPORT	17
8.1 INFORMATION ITEMS	17
8.1.1 PENDING REPORTS.....	17
8.1.2 GENERAL MANAGER ACTIVITY/MEETING SCHEDULE	17
8.2 INTEGRATED PLANNING AND REPORTING FRAMEWORK ATTACHMENT 1	18
8.3 TOURISM PROJECTS ATTACHMENT 2	21
8.4 NSW SHIRES ASSOCIATION CONFERENCE ATTACHMENT 3	23
8.5 FINANCIAL ASSISTANCE GRANTS ATTACHMENT 4.....	25
8.6 AUDIT COMMITTEE	28
8.7 ROAD NAMING – REOLA ROAD ATTACHMENT 5.....	29
8.8 MURRAY DARLING ASSOCIATION 68 TH ANNUAL CONFERENCE & AGM ATTACHMENT 11 ..	30
8.9 LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS WATER MANAGEMENT CONFERENCE ATTACHMENT 12.....	32
SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT	34
9.1 INFORMATION ITEMS	34
9.1.1 FLOOD UPDATE	34

9.2 ROADS REPORT	34
9.3 SERVICES REPORT	38
9.4 PROJECTS REPORT	39
9.5 STREET VERGE MAINTENANCE	41
9.6 2012/2013 ROADS TO RECOVERY PROJECTS	42
9.7 GRANT FUNDING - WATER SUPPLY AND SEWERAGE PROJECTS	44
SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT	46
10.1 INFORMATION ITEMS ATTACHMENT 6	46
10.1.1 DRAFT COMPREHENSIVE LEP	46
10.1.2 LEP FUNDING ATTACHMENT 6	46
10.1.3 RANGER/ANIMAL CONTROL OFFICER	46
10.1.4 WASTE TO ART WINNERS PRIMARY – 2D	46
10.2 ENVIRONMENTAL SERVICES DEPARTMENT STATISTICS - APRIL 2012	47
10.3 NATIONAL TREE DAY 2012.....	48
10.4 DRAFT SALE OF COUNCIL LAND POLICY ATTACHMENT 7.....	49
10.5 KNOX & DOWNS, WILCANNIA ATTACHMENT 8	50
10.6 WHITE CLIFFS WASTE DEPOT	53
10.7 DRAFT EMPLOYEE HOUSING POLICY ATTACHMENT 9	53
10.8 45 MENIDEE STREET, MENIDEE – LOCAL DEVELOPMENT APPLICATION FOR SUBDIVISION DA 01/12 ATTACHMENT10	56
SECTION 11. FINANCE MANAGER’S REPORT.....	61
11.1 INVESTMENTS	61
11.2 RATES COLLECTIONS STATEMENT	62
SECTION 12. CORRESPONDENCE.....	64
12.1 MEDIA RELEASES	64
12.2 CIRCULARS/NEWSLETTERS.....	65
SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES.....	66
SECTION 14. DELEGATES’ REPORTS.....	68
SECTION 15. QUESTIONS WITH NOTICE	69

15.1 CR LOONEY69

SECTION 16. URGENT BUSINESS.....70

SECTION 17. CONFIDENTIAL MEETING71

17.1 WILCANNIA WATER SUPPLY FLUORIDATION73

17.2 PROPOSED MINE DEVELOPMENT.....74

SECTION 18. DATE AND VENUE FOR NEXT MEETING77

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

RECOMMENDATION

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

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

Council's policy in regards to public access to Council Meetings states:

- Public access to meetings of the Central Darling Shire Council are to be listed on the agenda following the Mayoral Minute.
- Each member of the public who wishes to address Council is to register with Management prior to the commencement of the meeting, listing their name and the general topic or topics they wish to raise. Those who register will have precedence.
- Each address will be limited to five (5) minutes at the discretion of the Chair.
- All matters raised by members of the public will be recorded and actioned within one month of the meeting.

SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the minutes of the Ordinary Meeting of the Council held on the 17th April 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 – APRIL 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. COMPLETE
	Oversee the flood restoration works behind the Wilcannia Post Office	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12.
	Oversee the repainting of the tables and chairs in Wilcannia	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12.
	Present designs for the Wilcannia Community Hall mural to Council	MES		18/10/2011	Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12.
	Present designs and locations of graffiti boards to Council	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
					sent 02/05/12
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. COMPLETE
	IPRL Project Plan form part of the GM's performance agreement	Council	GM		
42-11-11	Arrange for quote for removal of asbestos from Knox & Downs site	GM	MES	2/12/2011	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. COMPLETE
28-12-11	Orgainse renewal of temporary licence for Holdaways	MES			COMPLETE

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
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			GM has contacted Essential Energy regarding the matter and the process to gift the land to Council will commence shortly.
51-12-11	Report into the review of council housing costs and cost recovery as well as future housing costs.	GM/MES		Jan-12	Draft Housing policy to be presented at May 2012 Council meeting
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.
19-02-12	White Cliffs Water Supply - Glen Hope Agreement, too seek urgent legal advice regarding the original agreement	MTES			In progress - letter has been sent to Austen Brown Boog. Reply received, Council to supply additional requested information.
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			Assessment completed, report received from consultant.

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
7-3-12	That the April meeting of Council be transferred from Menindee to Wilcannia and the June meeting of Council from Wilcannia to Menindee	GM			COMPLETE
15-3-12	That Council allocate up to \$150K of 2011/12 Regional Road Block funding for surveying and design of Yampoola crossing on the Menindee - Pooncarie Rd.	MTES			BARNSON have been contracted to prepare initial report, site meeting 29-3-12
16-3-12	That Council allocate the remaining \$914,345 of the 2011/12 Regional Road Block funding to the Ivanhoe - Balranald Rd	MTES			In progress
22-3-12	That Council receive the report and defer all debate on 2012/2013 rating revenue until the draft 2012/2013 budget is brought before Council.	FM	GM		
28-3-12	That Council give in-principle support to the Wilcannia Central School's proposal of restricting retail sales to children during school hours in an attempt to increase school attendance rates.	GM			
29-3-12	That Council investigate responsibility for nature strip maintenance with a view to developing a policy.	MTES			Draft policy in progress.
31-3-12	That Council purchase a new Kiota tractor from western farm machinery and that council defer disposal of plant 1017 for a min of six months	MTES			Order placed as per Council resolution, Delivery expected late April.

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
6-4-12	That option two is the preferred option of the Central Darling Shire in the review of Local Government engagement with the RFS.	GM			Letter sent. COMPLETE
10-4-12	That the June 2012 Council meeting be deferred from Tuesday 19th June until the Friday 29 June 2012	GM			
	That Council approve the submission of a joint motion to the 2012 National General Assembly from the Central Darling Shire and the City of Ryde on the topic of "plugging the Skills Shortage in Rural Councils".	GM			
12-4-12	Advise the digital switchover taskforce that it will opt to the satellite subsidy scheme				
	Seek grant funding for the upgrade of its self-help television re transmission towers and make representation to State and Federal Governments on this issue.	GM			
26-4-12	That Council as the trust Manager of the Menindee Common advertise the draft Menindee Common Management Plan for a period of 28.	MES			To commence advertisement 2nd week May 2012
	That Council as the Trust Manager of the Menindee Common consider any submissions that are received on the Draft Menindee Common Management Plan in consultation with the Department of Primary Industries and make any changes as necessary; that the	MES			Commence after exhibition period ends

Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
	final plan be submitted to the Minister for Primary Industries for final approval after the public exhibition period and consideration of any submissions received.				
30-4-12	That Council provides in principle support for the rebuild of the Wilcannia Wharf structure to its original state in its original location on the west side bank of the Darling River behind Ray Hunter Park.	GM			
40-4-12	That Council appoint Mr Vern Hembrow and Mr. Gary Mottau as independent members to Councils Audit Committee.	GM			Letters sent. COMPLETE
43-4-12	Approval given for the acquisition of three new garbage compactor trucks	MTES			In progress.
	Council write to the two respondents to its EOI for domestic garbage collection thanking them for their responses.	MTES			COMPLETED

SECTION 4. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

RECOMMENDATION

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

SECTION 5. MAYORAL MINUTES OR REPORT

RECOMMENDATION

That the Mayoral Report be received and noted.

SECTION 6. NOTICE OF MOTIONS

Nil.

SECTION 7. NOTICE OF RESCISSION MOTIONS

Nil.

SECTION 8. GENERAL MANAGER’S REPORT

8.1 INFORMATION ITEMS

8.1.1 PENDING REPORTS

Due to the amount of time and effort required to complete the reports required under the Integrated Planning and Reporting Framework, there have been a number of reports held over until the June Council meeting. These reports include:

- 2012 Local Government Elections - Political Donations
- 2011/12 3rd Quarter Budget Review
- Promoting Better Practice Review

8.1.2 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
11 th April 2012	GM, MES & EHO	Murray Darling Basin Plan Community Meetings in Menindee & Wilcannia
13 th April 2012	GM & Zoe Dobson, Wilcannia	RSD issues
16 th April 2012	GM & Alyson Gainsford, Wilcannia	Community Strategic Plan
	Senior Staff, Wilcannia	MANEX Meeting
17 th April 2012	Wilcannia	Council Meeting
18 th April 2012	Senior Staff & Councillors, Wilcannia	Community Strategic Plan Workshop
19 th April 2012	GM & Brad Smith, Wilcannia	Workforce Management Plan
	GM & Jacqui Hansen, Wilcannia	Assets Management Plans

Date	Meeting participants/location	Subject
	GM, Mayor & Deputy Mayor - Broken Hill	Community Meeting, Cross Border Commissioner Steve Tom
20 th April 2012	GM	ABC Radio Interview
24 th April 2012	GM	2WEB Radio Interview
	GM & MTES	Teleconference with Balranald Shire
	GM, Mayor & Deputy Mayor, Wilcannia	Current Issues
	GM & Wendy Burdis	Temporary Staff
26 th April 2012	GM & Tony Lawson	Records Management Review
1st May 2012	GM, Zoe Dobson & Katrina Hausia	Sport & Recreation

RECOMMENDATION

That the Information Items report be received and noted.

8.2 INTEGRATED PLANNING AND REPORTING FRAMEWORK

ATTACHMENT 1

Summary

The purpose of this report is to advise Council of the progress made in relation to the Integrated Planning and Reporting framework that is due to be implemented by 30 June 2012. All elements of the Framework have been achieved to varying degrees and a set of plans developed that Council can now adopt for the purposes of public consultation.

Commentary

As a category 3 Council, Central Darling Shire Council is required to have adopted a range of planning documents by 30 June 2012, which is a requirement of the new Integrated Planning and Reporting Framework.

Since September 2011, Council has been receiving regular updates on the progress being made in relation to the development of the various plans that are required under the Framework. That work has culminated in this report to Council, which sees Council presented with the following plans for adoption for the purposes of public consultation:

- Community Strategic Plan 2012/13 – 2022/23

- Delivery Program – 2012/13 (incorporating 2012/13 Operational Plan and Budget)
- Resourcing Strategy – Workforce Management Plan, Long Term Financial Plan, Transport Asset Management Plan, Buildings and Land Improvements Asset Management Plan, Stormwater Asset Management Plan

These plans represent a significant body of work that has been undertaken by Councillors, staff, contractors and consultants over the last 9 months. The amount of time, effort and energy required to produce this work cannot be understated, it has taken significant commitment from all parties, who should be congratulated on their achievements in producing these plans.

The plans have been developed following an extensive round of community consultation meetings, that first commenced in August 2009, when Council commenced development of its Community Strategic Plan. The good work undertaken at that time has been followed up with further community consultation in December 2011, which has been used to guide the development of the draft Community Strategic Plan to this point.

As at the date of writing this report, work has not yet commenced on the development of a Water & Sewer Asset Management Plan or a Plant & Equipment Asset Management Plan. These plans are expected to be finalised in time for Council to adopt them for public consultation at its 29 June Council meeting.

This aspect of Council's IPR work has been discussed recently with the Division of Local Government, which is comfortable with the approach taken by Council to date in developing all of its AMPs. The DLG is of the view that the first round of plans under the new IPR framework will mark a significant transition from former planning documents to the new. In this respect, the DLG is understanding of the challenges being faced by Councils that are currently making this transition.

In respect of the content of the draft Plans developed so far, the Plans materially satisfy the legislative requirements. Some aspects of the Plans may require fine-tuning following their adoption to ensure that all requirements have been met.

The Long Term Financial Plan as it has been developed, at this stage, does not reflect the financial implications contained in the draft Asset Management Plans. The financial impact of these plans is likely to be significant and it will require extensive work by Council for it to develop strategies and mechanisms that will allow it to properly manage its assets, as envisaged by the AMPs, but at the same time ensure that this is undertaken in a financially sustainable way.

The Transport AMP highlights some of this challenge that Council will face, as it identifies a gap of \$2.5m *per annum* between the current and required levels of expenditure on its transport assets. To reduce this gap will require a significant amount of re-thinking of either Council's financial strategies, its asset service levels, or both.

Similar expenditure gaps have been identified for buildings and land improvement assets (\$411,000 *per annum*) and stormwater assets (\$21,000 *per annum*).

The Buildings and Land Improvements AMP will also require further development to ensure that all cemetery assets are included.

Key documents developed as part of this IPR work also includes the Delivery Program and 2012/13 Operational Plan and Budget. At the time of writing this report, those documents were still being finalised.

Key aspects of the **draft** 2012/13 Budget that can be highlighted include the following:

Revenue

- Rates increase 3.6% (maximum allowed under the rate peg)
- Domestic waste charge increase 3.6%
- Annual water charges increase 2.9%
- Annual sewerage charge increase 4.3%
- Flood repair grants of \$1.2m

Expenses

- Salaries and wages increase 3.25% (award)
- Costs generally increased by 3%-3.5%
- Energy costs increased by 9.0%
- Maintenance of existing service levels
- Proposed new position of Building Assets Officer to improve service level \$85k

Borrowings

- Proposed borrowing of \$1.25m to fund capital additions (plant, garbage compactors, buildings, I.T upgrades)

Major Projects/Initiatives

- Road grids repair program \$400k to be funded from RTA grant
- Acquisition of new garbage compactors to reduce vehicle maintenance costs, increase service reliability, improve OH&S compliance, increased efficiencies.
- Major sewer and infrastructure works of \$1.7m and \$1.3m respectively
- Water supply works at White Cliffs \$34k
- Extensions at Wilcannia cemetery \$20k
- Capital upgrades
 - Playground equipment \$240k (Wilcannia, Ivanhoe)
 - Water bores \$152k (Ivanhoe, Wilcannia, White Cliffs)
 - Staff housing \$300k
 - I.T server upgrade \$100k
 - Swimming pool upgrades and repairs \$35k
 - Old Wilcannia Bridge \$90k
 - Bridge reconstruction program \$300k
- Filtration plant building repairs all locations.\$40k
- Implementation of required corporate systems \$100k
 - Records management
 - Asset management
 - Customer request management

Financial Outcomes

- Capital expenditure program of \$7.548m
- Deficit from operations of \$469k (2012 adj. comparative \$1.032m)
- Deficit before capital income \$4.137m (2012 adj. comparative \$4,314.0m)
- Net cash inflow \$250k

The income, expenditure, borrowings items and the major projects listed above are subject to Council approval and should not be taken as being a final list of budgetary items for 2012/13. Further information on the budget will be contained in the 2012/13 Operational Plan and Budget.

(a) Policy Implications

This body of work represents the highest level of planning and budgeting documents that Council produces.

(b) Financial Implications

Financial implications are included in the draft 2012/13 Operational Plan and Budget.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Will be undertaken after Council adopts the documents for the purposes of public consultation.

RECOMMENDATIONS

That Council:

- 1 Adopt the Community Strategic Plan for the purposes of public consultation for a 28 day period.***
- 2 Adopt the Delivery Program 2012/13-2016/17, incorporating the 2012/13 Operational Plan and Budget for the purposes of public consultation for a 28 day period.***
- 3 Adopt the 3.6% Ministerial rate pegging limit increase for the 2012/13 year.***
- 4 Adopt the Resourcing Strategy, including the Long Term Financial Plan, the Transport Asset Management Plan, the Stormwater Asset Management Plan, the Buildings and Land Improvements Asset Management Plan and the Workforce Management Plan for the purposes of public consultation for a 28 day period.***

The purpose of this report is to advise Council of the projects suggested by the tourism bodies that have responded to correspondence in relation to a \$5,000 allocation from Council for tourism-related projects and to seek Council’s endorsement of those projects.

Commentary

Council made the following decision in March 2011 following an approach from the White Cliffs Tourist Association in relation to ongoing funding of \$5,000 to assist in the promotion of the Shire:

25-3-11 Resolved On the Motion Of Clr Longfellow, Seconded Clr Wellings “That Council convene a meeting between the tourism and economic development committees and the local tourism associations to work out the terms of reference in relation to possible funding requests.

MOTION CARRIED

Since this decision was made, Council had not been able to convene a meeting of the Tourism and Economic Development Committee and the local tourism associations, primarily because of the logistical challenges posed by the need to assemble a group of stakeholders from long distances in the one place at the one time.

Following the 21 February 2012 Council meeting, a meeting of Council’s Tourism and Economic Development Advisory Group was convened. At that meeting, it was agreed that the TEDAG would continue to operate and that Council would write to all tourist associations in the Shire seeking them to nominate a representative to the Group.

Correspondence was subsequently sent to relevant organisations in Wilcannia and Menindee and responses received from them. Initial contact with White Cliffs in relation to that community’s projects was directed to the wrong community group and it is anticipated that projects for this town will be presented to the June Council meeting for endorsement, once a response to further communication is received. Correspondence has not yet been sent to the Ivanhoe community, but will be sent in May with a request that a response be received so that Council can also consider the matter at its June meeting.

Projects nominated by the Menindee Regional Tourist Association are as follows:

- | | |
|--|---------|
| 1. Website update | \$2,200 |
| 2. Design and printing of local postcards | \$500 |
| 3. Participate in the Wentworth guide | \$600 |
| 4. Menindee tourist brochure 2012/13 | \$700 |
| 5. Formal opening and naming of tourist shop | \$500 |
| 6. Menindee Lakes – important bird area | \$500 |

Projects nominated by the Wilcannia Community Tourism Association are as follows:

- | | |
|---|---------|
| 1. Development of a new and comprehensive brochure | \$3,000 |
| 2. Further development of the Wilcannia Community Tourism website | \$2,000 |

Given that it seemed to be Council's intent from the meeting in March 2011 that an allocation be made in its annual budget for the support of the activities of the local tourism associations in each of its key towns, it is suggested that the projects nominated above and those to be nominated by White Cliffs and Ivanhoe communities be designated as the 2012/13 allocation.

(a) Policy Implications

Nil.

(b) Financial Implications

Council will need to include an allocation of \$20,000 for tourism development in the 2012/13 budget.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Consultation has taken place (or will take place) with the relevant community groups.

RECOMMENDATIONS

That Council approve the following projects for the expenditure of the 2012/13 \$5,000 allocation for tourism-related projects:

1 Menindee Regional Tourist Association:

- | | |
|---|----------------|
| <i>a) Website update</i> | <i>\$2,200</i> |
| <i>b) Design and printing of local postcards</i> | <i>\$500</i> |
| <i>c) Participate in the Wentworth guide</i> | <i>\$600</i> |
| <i>d) Menindee tourist brochure 2012/13</i> | <i>\$700</i> |
| <i>e) Formal opening and naming of tourist shop</i> | <i>\$500</i> |
| <i>f) Menindee Lakes – important bird area</i> | <i>\$500</i> |

2 Wilcannia Community Tourism Association:

- | | |
|--|----------------|
| <i>a) Development of a new and comprehensive brochure</i> | <i>\$3,000</i> |
| <i>b) Further development of the Wilcannia Community Tourism website</i> | <i>\$2,000</i> |

Summary

The purpose of this report is to advise Council of the upcoming NSW Shires Association Conference in early June and to have Councillor attendance at the event approved for the purposes of complying with the Payment of Expenses and Provision of Facilities to Councillors.

Commentary

The NSW Shires Association conference is to be held in Sydney from 4 – 7 June 2012. Councillors have already been contacted to determine who would be interested in attending the conference.

According to the Payment of Expenses and Provision of Facilities to Councillors, attendance at the Local Government Shires Association conference is to be made up of the Mayor or nominated delegate, the General Manager and one Councillor representing each Ward.

The Mayor's attendance has been confirmed and will be in accordance with his role as Mayor, but also as a member of the Executive of the Shires Association. In that capacity, most of the expenses of the Mayor's attendance at the Conference will be borne by the Shires Association.

Cr. Linnett has indicated his intention to attend the Conference, but responses are yet to be received from any other interested Councillors, however this matter can be finalised at this Council meeting.

(a) Policy Implications

Councillor attendance at certain events and the payment of costs for attendance at such events is covered by the Payment of Expenses and Provision of Facilities to Councillors policy.

(b) Financial Implications

The estimated cost of 3 Councillors, the Mayor and the General Manager at the conference is \$5,000.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATIONS

- 1 That Council approve the attendance of Cr. _____, Cr. _____, Cr. _____ at the 2012 Shires Association Conference in Sydney.*
- 2 That costs associated with the attendance of nominated Councillors at the 2012 Shires Association Conference be paid in accordance with the Payment of Expenses and Provision of Facilities to Councillors.*

8.5 FINANCIAL ASSISTANCE GRANTS

ATTACHMENT 4

Summary

The purpose of this report is to advise Council of the applications received for Council's annual financial assistance grants program so that Council can determine which projects and activities will receive funding in 2012/13.

Commentary

Each year, Council allocates an amount in its annual budget for distribution to local community groups and organisations by way of Council's financial assistance grants. Those grants are for a maximum of \$1,000 and are provided by Council for the purpose of supporting local community groups and organisations achieve their goals.

The table below summarises the applications received by Council up until the closing date of applications, Friday 27 April.

ORGANISATION NAME/DETAILS	DESCRIPTION	\$
Wilcannia Boomerangs Rugby League Inc	Funds will be used to pay for electrical work to connect power to facilities upgraded at Bourke Park.	\$1,000
Wilcannia Community Working Party	The funds will contribute to the construction of a shaded area with concrete floor and seating at Wilcannia Cemetery.	\$1,000
Wilcannia Local Aboriginal Land Council	In conjunction with Wilcannia Community Working Party, the funds would contribute to a shaded area with seating at the Wilcannia Cemetery.	\$1,000
Wilcannia Community Tourist Association	The Association seeks to purchase portable "retractor signage" with which to promote and advertise tourism in the community. We would also seek to purchase a portable gazebo to provide shelter at public events.	\$1,000
KILFERA™ Field Day	Funds will be spent on shelter and table and chairs for guests and exhibition on the day. For people to relax and get together as people from across the Shire catch up with each other on an annual basis.	\$1,000
Ivanhoe Golf Club	The funds will be spent repairing the slasher to mow the fairways and also to replace the sand for the greens.	\$1,000

ORGANISATION NAME/DETAILS	DESCRIPTION	\$
Ivanhoe Youth Centre	Funds will be spent with upgrading the septic system, toilets and plumbing.	\$1,000
Menindee Meals on Wheels	Purchase kitchen equipment to be used in our Menindee Meals on Wheels kitchen.	\$1,000
Menindee Children's Centre Inc.	The funds will be spent towards the purchase of a new storage shed for the Centre.	\$1,000
Menindee Branch CWA	CWA is in need of a small fridge.	\$379
Menindee Uniting Church	Replacement of guttering on church and church hall. Replace rainwater tank.	\$1,000
-	-	-
Lake Menindee Landcare Group/Sunset Strip Progress Assn Inc.	To provide tools and materials for landcare volunteers to re-establish community nursery and undertake re-vegetation and land stewardship.	\$927
Menindee Regional Tourist Association	The funds will be used to update older, donated equipment that is past its useby date; namely fridge \$479; Microwave Oven \$99; Kettle \$64; Iron \$49; Ironing Board.	\$759
Menindee Shed	Funds are for buying consumables that are used in the Mens Shed throughout the year. Bandsaw blades, bench saw blades, nails, screws, plywood, nuts and bolts, wood finishes.	\$1,000
Friends of Old Tintinallogy	We intend to erect concrete tables and seating, and associated amenities at the bush cemetery at the site of the former Old Tintinallogy settlement (on Viewmont Station).	\$600
Sunset Strip Progress Association Inc.	Community hall - renovations. Construction of Store Room.	\$1,000
Sunset Strip Golf Club	To redevelop the amenities area (7th Tee) which contains toilet	\$1,000
Sunset Strip Progress Association Inc.	and BBQ area. To erect new shade area and grass area. Upgrade toilets, seating, lights, BBQ.	
Barry J. Fowler (Private Individual Application)	To construct three Icon community art installations to be sited at entrance gate to Sunset Strip Village.	\$900

ORGANISATION NAME/DETAILS	DESCRIPTION	\$
White Cliffs Sporting Club for the White Cliffs Music Festival	To assist with the general running costs of the White Cliffs Music Festival including such activities as the hiring of sound and light equipment and appropriate technicians for the concert, workshops and Poet's Breakfast. Public liability insurance.	\$1,000
	Total funding sought	\$17,565

A total of 19 applications were received by the closing date, to a total value of \$17,565.

One late application was received by Council on Tuesday 8 May, which has not been included in the above table. The application was received from the Ivanhoe Revival Group and was for \$1,000 for the alignment and rebuilding of gardens adjacent to the public facilities in Ivanhoe.

The application was sent from the Ivanhoe Post Office on 26 April, but not received by Council until 8 May. Given that other organisations which contacted Council in relation to the submission of late applications were told that were not going to be considered in this funding round, Council should determine whether it wants to consider this submission.

Council has been provided with a copy of all applications received by the due date, in full, so that it can consider which of the projects and activities it wishes to support.

In 2011/12, the total amount of the projects supported under this scheme totalled \$13,015.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

The total value of the projects selected by Council will need to be included in the 2012/13 budget.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That Council approve the following applications for funding under its Financial Assistance Grants program for 2012/13:

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

Project: _____

8.6 AUDIT COMMITTEE

Summary

The purpose of this report is to advise Council of the need to appoint Councillors to the Audit Committee.

Commentary

The Central Darling Shire Council first established its Audit Committee in mid-2010, with an initial membership of 2 independent members, the Mayor and two other Councillors.

At the time of establishment, the Mayor was Cr. Longfellow and the two Councillors appointed to the Committee were Cr. Brown and Cr. Sullivan.

Since that time, there have been a number of changes within Council that have seen both Councillor seats on the Committee become vacant, although Cr. Reid has been attending meetings as an alternate delegate for Cr. Sullivan.

The Committee's charter has also been amended, with Council's membership to be limited to 2 Councillors, with the Mayor's role reverting to observer status only. Council's representation on Committee needs to be re-determined to ensure that all roles are filled prior to the Committee's next meeting.

At its April meeting, Council appointed two independent members to its Audit Committee, Vern Hembrow and Gary Mottau, leaving only the Councillor roles to be determined. Due to the Council election in September, it is appropriate that the Council members be appointed until that time.

The next meeting of the Audit Committee is scheduled for 10am on Friday 22nd June in Wilcannia.

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That Council appoint Cr. _____ and Cr. _____ to the Audit Committee for the remainder of the current term of Council.

8.7 ROAD NAMING – REOLA ROAD

ATTACHMENT 5

Summary

Council has received a request to review the naming of Reola Road from White Cliffs to the Cut Line (Tibooburra to Wanaaring road). This request follows Council's decision in October 2009 to rename the road from Monolon Road. Council should determine whether it is willing to re-consider the matter.

Commentary

Following a request from the Geographical Names Board, Council considered the matter of the naming of the Monolon Road from White Cliffs north to the property 'Reola'. At its October 2009 meeting, Council made the following decision:

"That Council submit the proposal to rename Monolon Road north of White Cliffs to Reola Road, for a period of twenty eight days and refer any submissions to the Geographical Names Board."

It is understood that a public consultation process was then undertaken, but it is not clear exactly what form the consultation took or who was consulted either directly or indirectly. Councillors may have some recollection of this process and whether or not it was adequate in the circumstances.

The General Manager was contacted by Mr. Greg Taylor of Borrona Downs in October 2011, who made clear his objections to the renaming of the road to Reola Road. Mr. Taylor then wrote to the General Manager and a meeting held on the matter.

Mr. Taylor objects to the changed name on the basis that the consultation process was not adequate, because Borrona Downs is the last inhabited property on the road, because there are existing road signs referring to the road as Borrona Downs, and because Borrona Downs has been the common usage name for the road for many years and is relied upon by emergency services in this form.

In addition to the complaint from Mr. Taylor, Mr. Peter Finch from Monolon station has also objected to the name change. A copy of all relevant correspondence and photographs supplied by Mr. Taylor have been included as attachments to this agenda.

Mr. Finch's complaint is similar in nature to Mr. Taylor's, with particular emphasis given to potential threats to human life should emergency services experience confusion as to road names or localities as a result of this road name change.

As the road extends beyond the boundary of the Central Darling Shire Council area to the north, the Western Lands Commission is an interested party in the issue. The Western Lands Commissioner, Mr. Andrew Bell, met with the General Manager in early 2011, where they discussed the matter and how it may be resolved. No clear solution was found that would be agreeable to all parties, therefore it was agreed that the matter would be put back to Council for consideration as a first step.

The General Manager has since discussed the matter in brief with Cr. Wellings, to gauge his view of the situation and the need to re-visit the issue. Cr. Wellings expressed the view that the road name was appropriate and had been undertaken after due consideration.

Council may wish to deal with this matter at this Council meeting, however, it may be a more appropriate course of action for further information to be sought from the RMS, Geographical Names Board, the Western Lands Commission, the RFDS and other relevant agencies.

(a) Policy Implications

Council does not have a road naming policy.

(b) Financial Implications

Nil.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

May be required should Council decide to review its previous decision.

RECOMMENDATION

For Council's consideration.

**8.8 MURRAY DARLING ASSOCIATION 68TH ANNUAL CONFERENCE & AGM
ATTACHMENT 11**

Summary

The purpose of this report is to advise Council of the upcoming National Conference and AGM of the Murray Darling Association from 22 to 28 August and to have Councillor attendance at the event

approved for the purposes of complying with the Payment of Expenses and Provision of Facilities to Councillors.

Commentary

The Murray Darling Association, in conjunction with the Mildura Rural City Council in Victoria, is holding its 68th National Conference and AGM in Mildura from Wednesday 22 to Friday 24 August 2012.

The Hon Tony Burke, Minister for Sustainability, Environment, Water, Population and Communities will address the conference by video linkup and The Hon Peter Walsh, Minister for Water, Victoria will officially open the conference on 23 August.

Other speakers include Dr Rhondda Dickson - Chief Executive Officer, Murray-Darling Basin Authority and Mr David Harriss - Commissioner, NSW Office of Water. The dinner guest speaker on Thursday evening will be The Hon Tim Fischer AC.

The MDA Annual Conference and AGM is an important event that attracts local government delegates from councils in all the Murray-Darling Basin states. It is the only opportunity for those delegates to convene in the one location at the one time to discuss matters of importance relating to the Murray Darling Basin.

The expected benefits to Council from the attendance of Council delegates to the Conference are increased awareness of current issues relating to the Basin; the ability to liaise directly with decision-makers in relation to Basin policy and management matters; and through voting on motions at the AGM, being able to ensure Council's position on water and other associated issues in the Murray Darling Basin is promoted at the AGM.

Cr. Linnett is Council's delegate to the MDA, with Cr. Page as his alternate. Cr. Linnett has indicated his intention to attend the conference and arrangements have been made for his registration and accommodation.

The Murray Darling Association's Annual Conference is not specifically listed in the Payment of Expenses and Provision of Facilities to Councillors Policy as a conference to which delegates' attendance is automatically granted. This situation should be corrected by way of an amendment to the policy.

(a) Policy Implications

Councillor attendance at certain events and the payment of costs for attendance at such events is covered by the Payment of Expenses and Provision of Facilities to Councillors policy.

(b) Financial Implications

The estimated cost of the attendance of the Mayor and Council's delegate(s) to the MDA at the conference is \$2,500.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATIONS

- 1** *That Council approve the attendance of the Mayor, Cr. Linnett and Cr. Page at the 68th Annual Conference and AGM of the Murray Darling Association in Mildura from 22nd – 24 August 2012.*
- 2** *That costs associated with the attendance of nominated Councillors at the 68th Annual Conference and AGM of the Murray Darling Association be paid in accordance with the Payment of Expenses and Provision of Facilities to Councillors.*
- 3** *That the Payment of Expenses and Provision of Facilities to Councillors policy be amended to include the attendance of the Mayor, Council's delegate to the Murray Darling Association and Council's alternate delegate to the Murray Darling Association as a specified conference for attendance at which Council approval will no longer be required.*

8.9 LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS WATER MANAGEMENT CONFERENCE ATTACHMENT 12

Summary

The purpose of this report is to advise Council of the upcoming Local Government and Shires Associations 2012 Water Management Conference and to have Councillor attendance at the event approved for the purposes of complying with the Payment of Expenses and Provision of Facilities to Councillors.

Commentary

The Local Government and Shires Associations of NSW are hosting the 2012 Water Management Conference in Wagga Wagga from Sunday 22 July to Tuesday 24 July. The LGSA Water Management Conference is an annual event providing Local Government with a broad range of information on water management and issues associated with water supply and sewerage services provided by water utilities and discuss emerging issues in the water portfolio from a Local Government perspective.

As water supply and sewerage systems are two of the most critical services that Council provides to its communities, it is likely that Council will derive a number of benefits from being in attendance at the conference. In particular, being aware of emerging issues will give Councillors and Council staff in attendance at the Conference a heightened awareness of future actions that may need to be taken to ensure that its water and sewerage systems are of the highest standard able to be afforded.

(a) Policy Implications

Councillor attendance at certain events and the payment of costs for attendance at such events is covered by the Payment of Expenses and Provision of Facilities to Councillors policy.

(b) Financial Implications

The estimated cost of the attendance of one Councillor delegate to the conference is \$1,200.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATIONS

- 1 That Council approves the attendance of the Cr. _____ at the Local Government and Shires Associations' 2012 Water Management Conference in Wagga Wagga from 22 – 24 July 2012.***

- 2 That costs associated with the attendance of nominated Councillors at the Local Government and Shires Associations' 2012 Water Management Conference in Wagga Wagga from 22 – 24 July 2012 be paid in accordance with the Payment of Expenses and Provision of Facilities to Councillors.***

SECTION 9. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

9.1 INFORMATION ITEMS

9.1.1 FLOOD UPDATE

Far West Final Flood Bulletin No. 97 and Management of Menindee Lakes Communiqué Issue 9

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

Tilpa – peaked at 12.9m around 17-3-12 with major flooding

Friday 30th March the All Clear was issued.

Tilpa is now accessible through the west side Tilpa-Louth Rd. The Shires River Roads remain closed.

Wilcannia – peaked 10.65m mid-April with moderate flooding

All river roads are currently closed. The Waralli Reserve and St Theresa's School levees repair works have been completed and remain in good condition. All river properties were affected.

Menindee – reach 9.5m around end-April with major flooding

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

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 Four grading crews operating with priorities being on the completion of emergency works to enable closed roads to be opened, flood damage works, reconstruction 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.
- Eight works order received for the year to the value of \$1,149,897. Four of these have now been completed.
- Heavy Patching and resealing works have commenced on the Barrier Highway and Cobb Highway
- Flood Damage assessments for 2012 event have been completed and submitted to RMS for approval.

	Original Budget	Remaining Budget	% Expended
RMCC	\$540,000	\$0	100%
Flood Damage 2010	\$298,000	\$0	100%
Flood Damage 2011	\$176,571	\$45,050	75%

Regional Roads:

- 2010/2011 Pooncarie Rd Bridge replacement and approach roads Reconstruction in progress.
- 2011/2012 Balranald Rd Reconstruction programmed for May 2012.
- All Regional Road 2010 Flood Damage works completed
- All Regional Road 2011 Flood Damage works completed
- Regional road 2012 Flood Damage assessments are in progress
- Heavy Patching and Resealing works on Regional roads have been completed. White Lining works to be done in conjunction with Highway and reconstruction works.

	Original Budget	Remaining Budget	% Expended
MR428 Kayrunnera Rd (2009/2010)	\$1,100,000	\$4,335	97%
Talyawalka Bridge	\$2,040,000	\$244,300	88%

(2010/2011)			
MR67 Balranald Rd (2011/12)	\$2,015,000	\$2,015,000	0%
Regional Road Block (including Supplementary and Traffic)	\$2,323,000	\$1,084,289	54%
Flood Damage 2010	\$643,000	\$0	100%
Flood Damage 2011	\$1,365,419	\$0	100%

Local Roads:

- 2010 Flood Restoration works completed
- 2011 Flood Restoration works completed
- 2012 Flood Damage Assessments are in progress
- 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	\$508,576	64%
Flood Damage 2010	\$2,833,281	\$2,833,281	100%
Flood Damage 2011	\$786,778	\$786,778	100%

(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	\$41,931	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	-\$28,043	100%
Ancillary Works	\$102,000	-\$16,323	100%
Street Cleaning/ Bins	\$113,500	\$19,629	83%
Aerodromes	\$53,000	-\$5,161	100%
Public Conveniences	\$37,250	\$4,187	89%

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 = 5.2 m, Tank 2 =5.6m, Tank 3 (Wakefield) 8.75m
- Ivanhoe town water supply is currently being sourced from the underground bore fields. Morrison's Lake storage is currently 400 megalitres, town storage dam 50 megalitres.

- Ivanhoe Filtration Plant is undergoing necessary repairs and maintenance prior to the utilisation of the storage water from Morrison’s Lake. \$70,799 spent to date on the plant. The NSW Office of Water was scheduled to be in Ivanhoe on February 29th to assist in initial treatment of Morrisons Lake Storage Water. Due to weather the NSW Office of Water could not attend on that day and will now visit in the last week of May.
- Amendment to original budget figures below have been made due to budget confirmation from Finance Manager.

	Original Budget	Remaining Budget	% Expended
Wilcannia Water	\$308,250	\$75,869	75%
Wilcannia Sewer	\$93,500	\$26,321	72%
White Cliffs Water	\$108,500	\$18,743	83%
Ivanhoe Water	\$145,500	\$16,056	91%

(a) Policy Implications

Nil to report at this stage.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That the Services Report be received and noted.

9.4 PROJECTS REPORT

Summary

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

Commentary

Project	Comments	Original Budget	Remaining Budget	% Expended
Remote Communities Water & Sewer Project	Tenders in progress. DPW pre tender meeting 14-3-12	\$3.03 Mil	\$3.03 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	-\$2,283	100%
Talyawalka Bridge	Structure 95% complete. Joint grouting outstanding Road works in progress.	\$2,040,000	\$173,406	91%
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%

Project	Comments	Original Budget	Remaining Budget	% Expended
Old Wilcannia Bridge	Timber ordered	\$90,000	\$36,089	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 STREET VERGE MAINTENANCE

Summary

The purpose of this report is to promote the development of a suitable Council protocol concerning maintenance of urban street/road verges within Wilcannia, Menindee, Ivanhoe and White Cliffs which clearly articulates the maintenance intervention by Council concerning verge mowing.

Background

Central Darling Shire Council has recently considered the issue of verge maintenance and specifically mowing of footpaths within the urban areas of the LGA, and sought advice with respect to Council's responsibilities.

Commentary

Central Darling Shire Council is the Road Authority for local roads under the Roads Act 1993 and has default responsibility for most road reserves in the Central Darling LGA. Road reserves contain numerous assets such as footpaths, street trees, street furniture (seating, bins) and bus shelters, and also access points for private driveways.

As a general rule, however, Councils throughout NSW do not undertake maintenance mowing in urban areas between the back of kerb, the edge of bitumen or drainage (as applicable) and adjacent property boundary. In these cases property owners generally undertake mowing of the "footpath area" as part of their own property maintenance and out of a sense of civic pride.

In circumstances where adjacent property owners do not mow their footpath areas, Council's maintenance intervention level will be generally determined by hazard and/or safety considerations, not appearance.

Many existing property owners within the Shire undertake this maintenance on this basis, notwithstanding the fact that Council does not currently require owners to undertake these works.

(a) Policy Implications

Council's consideration of this matter should inform a Council resolution to develop a maintenance protocol for footpath mowing in urban areas.

(b) Financial Implications

The extent of maintenance undertaken by Council, and the intervention level for this maintenance has significant budget implications. Existing budget provision does not allow comprehensive weekly or fortnightly mowing of footpath areas.

(c) Legal Implications

Council has the discretion to determine the extent of mowing of footpaths in urban areas subject to satisfactory intervention maintenance levels with respect to safety and hazard considerations.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATION

That Council resolves to adopt an urban street/road verge maintenance protocol/policy which stipulates that CDSC does not generally mow footpath areas in urban areas unless there are safety/hazard reasons to do so.

9.6 2012/2013 ROADS TO RECOVERY PROJECTS

Summary

The purpose of this report is to provide Council with information relating to the federally funded Roads to Recovery program to enable Council to make an informed decision on the allocation of this funding for the next financial year.

Background

Council's formal resolution from its October 2004 meeting in relation to Roads to Recovery funding was as follows:

24-10-04 Resolved On the Motion Of Clr Wellings, Seconded Clr Arandt that the Repair Program submission be prepared for reconstruction of MR428, White Cliffs - Kayrunnera Road with projected commencement 2008/09 and that each year one year's available funds (\$1,137,000) be allocated to MR68C Menindee -

Pooncarie, MR67 Ivanhoe - Balranald, MR416 Ivanhoe - Cobar and MR68B Wilcannia - Menindee to upgrade generally and to extend bitumen lengths with available funding.

MOTION CARRIED

CR VAGG RECORDS AGAINST

Since the resolution was made in October 2004, the subsequent years have seen all 5 roads receive the \$1,137,000 upgrade works completed.

This current year will see the completion of MR67 Ivanhoe-Balranald Road reconstruction/ sealing works. With the addition of allocated Regional Road Block Grant funds this project totals approximately \$2million and will see approximately 10km of unsealed pavement reconstructed and sealed.

Commentary

Council is required to submit at least 12 months of rolling program works to the Roads to Recovery Infrastructure Management System. In light of recent developments and discussions with Balranald Shire Council and Bemax mining group it is proposed to submit MR67 Ivanhoe-Balranald Rd again next year and the year after that. It is anticipated that in 3 years the Ivanhoe to Balranald Road will be sealed.

Balranald Shire Council is aiming to seal the remaining length of road within their Shire boundary in the same timeframe. Discussions / negotiations with Bemax, State and Federal bodies for additional funds to expedite this project are still being pursued.

The Ivanhoe-Cobar Rd, MR416, that was due for reconstruction works next year will still receive the \$400k Regional Roads Repair Program funding allocation if the application is granted. This funding cannot be transferred to other roads without losing accrued points once submitted.

(a)Policy Implications

Nil

(b)Financial Implications

\$1,140,000 in total per year comprised of Roads to Recovery Funding allocation (\$703k), Regional Road Block Grant allocation (\$300k) and Ex 3x3 allocation (\$137k) to MR67 over the next 3 years.

(c)Legal Implications

Nil

(d)Community Consultation

Nil

RECOMMENDATION

That Council commits the Roads to Recovery funding (\$703,000), a portion of the Regional Roads Block Grant (\$300,000) and the Ex 3x3 Grant (\$137,000) to the reconstruction and sealing of MR67 Ivanhoe to Balranald Rd over the next 3 years.

9.7 GRANT FUNDING - WATER SUPPLY AND SEWERAGE PROJECTS

Summary

The purpose of this report is to inform Council of the status of three (3) NSW Office of Water Grant Funded Emergency Drought Works for Wilcannia, Ivanhoe and White Cliffs, and advise Council of works which have been identified to expend remaining funds.

Background

The NSW Office of Water assisted Council with assistance for emergency drought works during the 1999-2009 drought period to ensure Wilcannia, Ivanhoe and White Cliffs would not run out of potable water.

The financial assistance was provided on the basis of a 50%:50% contribution split between the state government (NSW Office of Water) and Central Darling Shire Council.

The emergency drought works included establishment of bore fields at Union Bend, Wilcannia and "Tooralee Station", Ivanhoe and pumps/WTP improvements at White Cliffs.

The NSW Office of Water have requested Council to identify suitable works for the remaining unexpended funds (shown below) and finalise the scheme,

Wilcannia	\$30k (Council share \$15k)
Ivanhoe	\$88k (Council share \$44k)
White Cliffs	\$34k (Council share \$17k)

Commentary

Additional electricity reticulation transformers have been identified as the priority works for the Union Bend and "Tooralee" Station bore fields at Wilcannia and Ivanhoe respectively to assist with bringing additional established bores on-line at these locations.

The remaining unexpended funds of \$30k and \$88k for Wilcannia and Ivanhoe respectively will be utilized for these transformers and ancillary works to the extent funding allows.

The equipping of these bores with bore head, electrical/mechanical switchgear is subject to further funding provision.

With respect to unexpended funds for White Cliffs Emergency Drought Works improvements to control panel operation including provision of air conditioning.

(a) Policy Implications

Nil to report at this stage

(b) Financial Implications

A positive Council resolution will involve a commitment of \$76,000 of Council funds.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultation

Nil to report at this stage

RECOMMENDATION

That Council note the proposed expenditure and consider priority in budget deliberations.

SECTION 10. MANAGER ENVIRONMENTAL SERVICES REPORT

10.1 INFORMATION ITEMS

ATTACHMENT 6

10.1.1 DRAFT COMPREHENSIVE LEP

Council's Draft Comprehensive (Standard Instrument) LEP and associated documents are currently on public exhibition. Submissions close on 22nd June 2012. Public information sessions will be held at Wilcannia and Menindee around the first week of June 2012. Further information will be provided and the sessions advertised closer to the date.

10.1.2 LEP FUNDING

ATTACHMENT 6

Further funding of up to \$10,000 has been allocated by the Department of Planning to assist Council with the exhibition of the draft plan and associated documents. The scope of exhibition tasks can include preparation of a communications strategy; drafting and printing of exhibition materials, and attendance at information sessions and public meetings. The funded work is to be completed prior to 30 June 2012.

10.1.3 RANGER/ANIMAL CONTROL OFFICER

Mr Paul Everett has been recruited to the position of Ranger/Animal Control Officer. During the recent RSPCA Animal Health Clinic Council's Ranger/Animal Control Officer and Environmental Health Officer received training in micro-chipping. Further training through Ryde City Council is planned in the coming months to assist the new Ranger/Animal Control Officer.

10.1.4 WASTE TO ART WINNERS

The winners of the 2012 Central Darling Shire Council Waste to Art competition are as follows:

CATEGORY	NAME OF ARTIST	NAME OF ARTWORK	ADDRESS
PRIMARY – 2D	Menindee Children's Centre	Echidna	Menindee
PRIMARY – 3D	Menindee Children's Centre	Sounds of Silence	Menindee
PRIMARY – FUNCTIONAL	Emma Dowton	Favourites	White Cliffs
COMMUNITY – 3D	Joe Muscat	Sally, Florence, Billy & Halm	Menindee
COMMUNITY – FUNCTIONAL	Gil Wheadon	Bushman's Long Range Wheelbarrow	Menindee

CATEGORY	NAME OF ARTIST	NAME OF ARTWORK	ADDRESS
OPEN – 2D	Lorraine Looney	Labels	Menindee
OPEN – 3D	Lorraine Looney	Delight	Menindee
OPEN – FUNCTIONAL	Lorraine Looney	Once More	Menindee
SUSTAINABLE BUILDING – 2D	Cree Marshall	Wire-O-Glyphics	White Cliffs
SUSTAINABLE BUILDING – 3D	Lindsay White	Lindsay’s Kitchen	White Cliffs
SUSTAINABLE BUILDING – FUNCTIONAL	Gil Wheadon	Bushman’s Bath	Menindee

RECOMMENDATION

That the Information Items report be received and noted.

10.2 ENVIRONMENTAL SERVICES DEPARTMENT STATISTICS - APRIL 2012

Summary

This report provides a statistical summary of legislative activities undertaken by Environmental Services during April 2012.

Commentary

These statistics are provided to Council on a monthly basis. The table below demonstrates achievements and results for April 2012.

<u>Statistics for April 2012</u>	
Number DAs approved	Commercial = 1 Residential =0
Total value of DAs approved	\$1,500
Food premises inspected	1 inspections
Animal control activities	Nil – no Ranger/Animal Control Officer

Water sampling	Microbiology Samples Collected = 2 Chemistry Samples Collected = 0 Disinfection By Products = 0 Non-compliant Samples = 0
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(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 - April 2012 report be received and noted.

10.3 NATIONAL TREE DAY 2012

Summary

This report provides Council with information on National Tree Day.

Commentary

As in previous years, Council will once again be participating in National Tree Day. This year Planet Ark will be holding National Tree Day on Sunday 29th July 2012, with Schools Tree Day on Friday 27th July 2012. Approximately 3000 trees and shrubs will be purchased and distributed across each town and all schools in the Shire. Each household will be allowed two trees until stock is depleted. Pick up points for trees will be as follows:

- Wilcannia – In front of Council Chambers
- Ivanhoe – Ivanhoe Post Office
- Menindee – Menindee Rural Transaction Centre
- White Cliffs – White Cliffs General Store
- Tilpa – Tilpa Hotel
- Sunset Strip – Sunset Strip Post Office

Collection dates and times will be advertised closer to the event.

(a) Policy Implications.

Nil to report at this stage.

(b) Financial Implications

Trees are purchased from budgetary allocations.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

Collection points and dates will be advertised during July 2012.

RECOMMENDATION

That Council participate in National Tree Day 2012 Sunday 29th July 2012 and provides trees to all communities and schools in the Shire as per budgetary allocations.

10.4 DRAFT SALE OF COUNCIL LAND POLICY

ATTACHMENT 7

Summary

This report presents the draft Sale of Council Land Policy for Councillors to review.

Commentary

The draft Sale of Council Land Policy has been prepared to provide an outline of dealing with sale of Council owned land. The draft policy has been kept relatively simple and allows each parcel of land to be considered for sale if Managers and Council are of the opinion that the land is not required for future Council purposes. In summary the draft policy deals with the following areas:

Principles – sets the framework for Council’s decision making processes and actions.

Area to which policy applies – outlines applicable land.

Sale of council land – states when land may be considered for sale, and how this is achieved. Also considers sale of surplus road reserves where applicable.

The policy does not dictate the uses of all Council owned land, but rather deals with sale of land as a “one on one” basis. This may also allow requests from the general public to purchase Council land to be considered by Council on an ad hoc basis, or as required.

(a) Policy Implications

The policy is in draft form, and requires review by Council and adoption.

(b) Financial Implications

Nil to report at this stage.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultation

The draft policy should be placed on public exhibition for 28 days prior to the final draft being adopted by Council.

RECOMMENDATION

That Council adopt the document titled Draft Sale of Council Land Policy and the draft policy be placed on public exhibition for 28 days, and further,

That a report be presented to Council after the 28 day exhibition period regarding any submissions received during the exhibition period.

10.5 KNOX & DOWNS, WILCANNIA

ATTACHMENT 8

Summary

This report provides options for consideration for the future management of the fire damaged former Knox and Downs building located at 44 Reid Street, Wilcannia.

Commentary

As Council is aware, the former Knox and Downs building was extensively damaged by fire in September 2002. Over the past ten year period there have been extensive discussions and proposals on the subject site, however very little action to improve the situation has been forthcoming or implemented. The property belongs to Council and is classified as operational land.

The site is located in a key location on the Barrier Highway within the main street precinct of Wilcannia. The remains of the building consist of large sandstone walls with burnt remnant materials in the bottom of a large cellar that spans across the majority of the building floor. The remnant structure is untidy and unsightly, and poses considerable liability risks to Council.

The site has been reviewed by Council's Heritage Adviser and Structural Engineer on a number of occasions over the past years. A number of reports have been presented to Council since 2002. Some quotes for clean ups have been sought, but need updating to provide a true reflection of expected costs.

The site contains asbestos as noted by soil hygienists from Regional EnviroScience during their inspection undertaken on 29th March 2012, as per the attached report. Sampling of materials located within the site indicated that friable and damaged asbestos material is present. From their inspection Regional EnviroScience recommends the following actions;

- asbestos to be removed under controlled conditions utilising a friable licenced asbestos removal contractor.
- that airborne asbestos air monitoring is undertaken during the friable asbestos removal works using a reputable laboratory during the removal and an independent Occupational Hygienist to undertake a visual clearance inspection, coupled with air monitoring and site contamination assessment at the end of the removal process.

- that the licenced contractor prepare a safe work method statement including wet removal methods using particulate respirators and appropriate personnel decontamination procedures and appropriate disposal methods.

- that asbestos signage be erected.

At present, no firm quote has been sought to implement these actions.

The local community, in particular the Wilcannia Community Tourist Association, has voiced concerns in regards to the site for considerable time. The attached letter from the Wilcannia Community Tourist Association includes a proposal from Mr David Russell from Landmark Russell regarding a proposal for sale of the site. Other parties have also raised concerns about the state of the site (as per the attached letters presented by Cr. Sammon) including the Wilcannia Community Working Party and Ms Zoe Dobson – Remote Service Delivery Coordinator.

The future of the building has been passionately considered by the local community of Wilcannia for a number of years. The community has often been divided on what the final outcome for the site should be as it is situated in a key location, forms an important part of the streetscape and is part of Wilcannia's history.

Before the matter can be resolved, it is important for Council to consider and decide on a way forward to deal with the future management of the site. To work through this process two options have been generated by Council officers for Council's consideration.

Option 1: Staged clean-up and redevelopment – This option consists of two stages being an initial short term clean-up of the site, with a longer term view for redevelopment of the site. The first stage of the proposal would see the asbestos cleaned up and removed from the site by licenced contractors.

The remainder of the site could then be cleared through training programs delivered by service providers and employment agencies with local participants such as CDEP and similar organisations, such as Murdi Paaki Regional Enterprise Corporation. This project would provide these groups and local community members with a valuable opportunity for training, skill development and work experience.

Funding for the project may be sourced through these agencies and providers, as well as the Department of Education Employment and Workplace Relations. By undertaking the clearing of the site in partnership with these organisations, Council has a more realistic chance of commencing work on the site, than it would if it were to attempt to undertake this aspect of the work in its own right.

The second long-term stage of this option could occur after the site was cleared, and would see facilitation of further public consultation to discuss redevelopment on the site and the views of the local community for its preferred use. Once cleared, it is likely the site may attract potential developers for redevelopment.

Option 2: Sale of the property – This option would see the property (in its current state) placed on the market for sale to the highest bidder. This could undertaken by either auction or tender. The site could be sold to a future developer for redevelopment pending lodgement of a development application with Council. The site remains listed as a heritage item on Council's Local Environmental Plan and any development application for demolition or redevelopment requires public consultation and input from Council's Heritage Adviser. It is preferred that any redevelopment on the site is consistent with the existing streetscape. As noted from the letter from the Wilcannia Community

Tourist Association, Mr David Russell is able to facilitate sale of the property via auction and possibly tender.

Should Council seek to undertake to sell the property it should firstly seek expressions of interest from real estate agents in the region interested in assisting Council with the sale, to ensure that the most competitive and most suitable agent is chosen.

At this stage, there are no other identified options for the site and no other suggestions have been provided by either the elected body or the community for consideration. Council's ability to undertake any extensive redevelopment work on the site is limited through lack of funding. Previous attempts to source external funding have failed. This leaves a restricted range of options that can be considered for the future management of the site.

(a) Policy Implications

Council needs to adopt a Sale of Land policy before sale of the site could be undertaken. Council's draft Community Strategic Plan and 2012/13 Operational Plan include an action item "Progress Knox and Downs site in Wilcannia to finalisation".

(b) Financial Implications

Option 1 – Clean-up costs for asbestos removal are unknown at this stage. Further clean-up costs after the asbestos is removed are expected to be in the vicinity of \$200,000 - \$250,000 if external contractors are utilised. Use of local labour may substantially reduce the cost to clear the site. Detailed costings and proposals would need to be developed in partnership with employment providers and government agencies.

Option 2 – As quoted by David Russell – advertising for site is \$1500 plus GST and the commission rate is 3.5% of the sale price plus GST.

(c) Legal Implications

Contracts for sale of land may need to be prepared if Council elects Option 2.

(d) Community Consultation

Nil to report at this stage.

RECOMMENDATIONS

That the Knox & Downs, Wilcannia report be received and noted, and further;

That Council undertakes a staged Option 1 redevelopment of the Knox and Downs site in Wilcannia consisting of:

Stage 1 - the development and implementation of a proposal for clean-up of the site in conjunction with local employment services and agencies with funding being sought through by these groups and through government agencies, and;

Stage 2 - undertake further public consultation regarding the long-term future use of the site after Stage 1 has been completed.

10.6 WHITE CLIFFS WASTE DEPOT

Summary

This report advises Council that Expressions of Interest have been called for the White Cliffs Waste Depot to assist manage landfill activities.

Commentary

Over recent weeks, changes in routines regarding management of landfill activities at the White Cliffs Waste Depot have caused changes to be made to the future management of the facility.

The lack of suitable machinery in White Cliffs means that Council is currently unable to push and cover the landfill on a weekly basis, which is the level of activity needed to properly maintain the site. As a result, Council now has no means of managing the onsite wastes using its own resources.

In order to overcome this matter, expressions of interest to push and cover the wastes on a weekly basis have been advertised around White Cliffs and in the Wilcannia News. The closing date for expressions of interest is 25 May 2012. A further report will be presented to Council in June 2012 on this matter.

(a) Policy Implications

Nil to report at this stage

(b) Financial Implications

Under the user pays system, garbage and waste charges for White Cliffs ratepayers may need to be revised to cover the costs of onsite management by an external contractor.

(c) Legal Implications

Nil to report at this stage

(d) Community Consultations

Nil to report at this stage.

RECOMMENDATION

That the White Cliffs Waste Depot report be received and noted.

Summary

This report presents the draft Employee Housing Policy for Councillors to review.

Commentary

It has been noted for considerable time that Council's current Rental Council Properties policy has required reviewing and updating. Over the past month this task has been undertaken and a draft policy is included with this agenda.

The revised policy provides considerable information outlining Council's renewed position on Council owned employee housing. Some items that have been addressed and included in the draft policy include:

- Allocation of housing – makes statements about subsidised housing for senior officers and staff who own housing in Wilcannia. Also deals with staff tenure issues, external allocations and contract staff.
- Quality and grade of housing – Six different grades of housing have been identified, and each house has been placed into one of these six grades depending on the style of house, condition and configuration. Also outlines the staff positions allocated to each housing grade.
- Financial information – provides recommendations on rental values as per rental valuation undertaken by Mr Jim Hickey from LJ Hooker, Broken Hill (see attached rental valuation report). Also stipulates regularity of rental value appraisals, CPI adjustments, expenditure of rental income, utility costs and yard maintenance responsibilities.
- Tenancy – provides information on tenants, how to commence a tenancy with Council, bond payable, and how to end a tenancy with Council.
- Inclusions and furnishings – provides information on general inclusions that can be expected in each house. Also suggests the furnishings that can be expected in each grade of housing and responsibilities for carpet cleaning.
- Environmental responsibility – provides a statement about environmentally sustainable fixtures.

The draft policy provides an extensive number of changes in comparison to the existing policy. Many of the items included in the draft policy clarify areas of uncertainty with current housing arrangements, and provide sufficient detail for management to make informed decisions as to the management of Council's housing stock when the need arises.

One of the key issues that arises with the new policy relates to the rental value of the properties and the consequent impact on amounts of rent charged to employees and managers as part of the terms and conditions of their employment or their contract of employment.

For those staff currently employed by Council on either a permanent or contractual basis, it is not realistic to expect that they will be subject to the increased rental proposed in the new policy, as they have been employed on an agreed set of terms of conditions.

It is therefore recommended that this policy be applied to new employees of Council following the adoption of this policy, or to existing employees who are allocated or re-allocated housing as a result of the operation of the new policy.

It is also recommended to Council that it approve the concept of establishing new housing in the form of transportable buildings in a set of six detached dwellings. Council currently owns two vacant allotments in Woore Street, Wilcannia, which is suitable for this purpose.

The addition of this form of housing will greatly expand the current housing stock available for Council employees and increase the flexibility of Council's housing portfolio, at a reasonable cost. It is anticipated that the addition of this type of housing would serve Council's housing needs for the next 10 years. Provision has been made in the 2012/13 budget for this project to commence.

(a) Policy Implications

The policy is in draft form, and requires review by Council and adoption. Upon adoption of the final draft document after the usual public exhibition period, Council will need to rescind the existing policy and replace it with the new policy.

(b) Financial Implications

The rent paid by Council employees will be applied to the maintenance costs of the housing. The new transportable housing may cost up to \$500,000, with the project to be staged over a two year period.

(c) Legal Implications

Nil to report at this stage.

(d) Community Consultations

The draft policy will need to be placed on public exhibition for 28 days prior to the final draft being adopted by Council.

RECOMMENDATIONS

- 1 That Council adopt the draft Employee Housing Policy and place it on public exhibition for 28 days.***
- 2 That a report be presented to Council after the 28 day exhibition period regarding any submissions received in relation to the draft Employee Housing Policy during the exhibition period.***
- 3 That when adopted, the Employee Housing Policy be applied to new employees of Council, or to existing employees who are allocated or re-allocated housing as a result of the operation of the new policy.***
- 4 That Council approve the concept of establishing new housing in the form of transportable buildings in a set of six detached dwellings in Woore Street, Wilcannia.***

10.8 45 MENIDEE STREET, MENINDEE – LOCAL DEVELOPMENT APPLICATION FOR
SUBDIVISION DA 01/12 ATTACHMENT10

Report prepared by: Leeanne Ryan – Manager Environmental Services

Report dated: 5 May 2012

File No. DA01/12

1. Report Summary

Applicant: Graham F Howe

Owner: H. Seddon

Date lodged: March 19 2012

This report considers a proposal to undertake an internal boundary adjustment through subdivision at 45 Menindee Street, Menindee. The proposed subdivision will see a small allotment incorporated into adjoining land to make a larger allotment. The smaller allotment has an older building that has been used for previous business undertakings. The proposal has been assessed and displays no obvious impacts that would preclude the subdivision from occurring. The proposal is suitable for the setting and streetscape. It is recommended that Council consent be granted for this development application.

Reason for Referral to Council: The proposal relates to a subdivision and therefore requires a resolution of Council.

Public Submissions: No submissions received.

SEPP1 Objections: No SEPP 1 Objections were received.

Value of works: \$3,500

2. Site (*Refer to attached map.*)

Address: 45 Menindee Street, Menindee being Lot 4 Section 15 in DP758669 and Lot A in DP438437

Site Area Total Site Area: 2405.0m²

Frontage: 40.38m

Depth: 50.38 m

Topography

and Vegetation The topography of the site is flat to slightly sloping. The site has minimal vegetation (grasses and weeds) and soils are stable. Soil surfaces have been previously disturbed with previous urban development on this site.

Existing Buildings The subject land has an older building previously used for business purposes located on the south western side of the land area. There is also an old shed located towards the centre of the land parcel.

Planning Controls

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

RU5 Village Zone under Draft SI LEP 2012

Other Draft DCP applies to this development.

3. Councillor Representations

Nil

Any other persons (e.g. consultants) involved in or part of the representation: Nil

4. Political Donations or Gifts

Any political donations or gifts disclosed: No

5. Proposal

The proposal is for subdivision to alter an internal boundary between two adjoining land parcels. The site is located at 45 Menindee Street, Menindee, being Lot 4 Section 15 in DP758669 and Lot A in DP438437, Parish of Perry, County of Menindee in the 2(t) Township Zone. It is envisaged that the subdivision will see the smaller Lot A in DP438437 being incorporated into part of the adjoining allotment of Lot 4 Section 15 in DP758669. Two new allotments are then proposed being 1020m² and 1385m² respectively.

The purpose of the subdivision will see the site continue to be utilised for local business purposes. No obvious new uses have been defined at this stage. Water supply is obtained through the reticulated system and is already connected to the property. Effluent disposal is currently addressed through an onsite sewerage management system. Stormwater drains towards Menindee Street, and eventually into the Darling River.

6. Background

DA was lodged on 19th March 2012.

7. Submissions

The proposal was notified in accordance with Council policy Notification of Development Applications. Notification of the proposal was from 02/04/12 for 14 days.

No submissions were received.

8. Policy Implications

Relevant Provisions of Environmental Planning Instruments etc:

(a) Central Darling LEP 2004

Zoning 2(t) Township Zone

Requirements The subject land is currently in the 2(t) Township Zone pursuant to the Central Darling LEP 2004. The proposed subdivision is for urban uses within an existing urban area, demonstrating a lawful use of the site. The new proposed allotments have basic utility services already connected, or readily available from Menindee Street. The development meets the objectives of the 2(t) zone.

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

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

(d) Any draft LEPs Draft Local Environmental Plan 2012 was first adopted by Council on 5 May 2009. Under this Draft LEP, the zoning of the property is RU5 Village Zone. The proposed subdivision is permissible with consent within this zoning under the Draft LEP, and it is considered that the proposal is not contrary to the objectives of the Draft LEP or those of the proposed zoning. The minimum lot size of 1000m² has been considered.

(e) Any DCP (e.g. dwelling house, villa) Draft Development Control Plan 2012 permits the proposed subdivision.

9. Likely impacts of the Development

(a) Built Environment

The proposed subdivision is to be carried out on land within an existing urban area. The current pattern of development is that of commercial and some residential development on along Menindee Street, with all appropriate services and utilities.

The amenity of the area is expected to remain unchanged, with urban activities dominating the landscape. The development is unlikely to have a significant effect.

An increase in traffic is not expected from the subdivision.

The proposed subdivision area is already connected to the reticulated system for water supply. Effluent disposal would be provided through on site septic systems.

The site is highly disturbed and it is unlikely that any Aboriginal heritage items or sites exist on the subject site.

(b) Natural Environment

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

Adjoining landuses comprise residential and commercial areas with limited landscaped gardens.

10. Suitability of the site for the development

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

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

11. The Public Interest

The proposal is considered to have minimal impact on the local community.

12. Consultation

External Referrals

No external referrals were required.

13. Critical Dates

No specific critical dates have been specified by the applicant.

14. Financial Impact

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

16. Conclusion:

It is recommended that the proposed subdivision of 45 Menindee Street, Menindee be supported on the following grounds:

- The proposal supports the relevant provisions of the Central Darling Local Environmental Plan 2004 and the draft (SI) LEP.
- The proposal is considered acceptable in terms of Section 79C of the Environmental Planning and Assessment Act 1979;
- The proposed development is not anticipated to generate significant adverse impacts in the locality.

RECOMMENDATION

That Local Development Application DA 01/12 for subdivision of 45 Menindee Street, Menindee being Lot 4 of Section 15 in DP758669 and Lot A in DP438437 be approved subject to the following draft conditions

1. The development shall be implemented in accordance with the details set out on the following plans:

Plan 1,

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

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

3. The applicant is to obtain a Subdivision Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, from either Council or an Accredited Certifier.

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

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

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

5. Access to the created allotments is to be provided at full cost to the applicant to the satisfaction of Council’s Engineering Department as required.

(Reason: To ensure adequate and safe access to the newly created allotments.)

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

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

SECTION 11. FINANCE MANAGER’S REPORT

11.1 INVESTMENTS

Schedule of Investments – April 2012

DATE	TIME PERIOD	INTEREST RATE	DUE DATE	TOTAL (\$)
Deposits at Call				
Westpac		4.55%		\$1,205,000
Australian Corporate Mortgage Backed Securities (Face Value)				
<i>Castlereagh Trust 90 Points over 3mth BBSW</i>				
		6.05%	21-Jun-13	\$1,500,000.00
Capital Value - 31 st March, 2012				\$ 1,102,860
Total Investments as at 30th April, 2012				
11 am Call Account				\$ 1,205,000
Mortgage Backed Security				<u>\$ 1,102,860</u>
				<u>\$ 2,307,860</u>

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

The Mortgage Backed Security is a longer term investment with a floating interest rate on the Notes.

The rate is adjusted every 3 months. Council classifies this facility as 'available for sale' which requires measurement at fair value at the end of the Period.

Commercial Bills and Term Deposits are short term investments issued by a bank with a promise to pay a specified amount on settlement (being the face value plus interest).

RECOMMENDATION

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

11.2 RATES COLLECTIONS STATEMENT

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

STATEMENT OF RATES and CHARGES as at 1st May 2012

Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/offs & Credits	Pensioner Subsidy	Rates in Credit	BALANCE
General	\$ 656,829	\$ 17,494	\$ 276,324	\$ 950,647	\$ 560,773	\$ 5,814	\$ 16,414		\$ 367,646
Special	\$ 29,410	\$ 1,558	\$ 25,865	\$ 56,832	\$ 26,942	\$ 1,728			\$ 28,162
Water	\$ 284,556	\$ 13,947	\$ 234,622	\$ 533,125	\$ 287,191	\$ 6,185	\$ 5,819		\$ 233,930
Sewer	\$ 98,753	\$ 4,795	\$ 91,191	\$ 194,739	\$ 126,266	\$ 3,546	\$ 788		\$ 64,139
Garbage	\$ 320,578	\$ 16,397	\$ 261,431	\$ 598,406	\$ 299,247	\$ 4,991	\$ 14,590		\$ 279,578
Excess Water	\$ 380,707	\$ 14,098	\$ 251,096	\$ 645,901	\$ 366,606	\$ 98,634			\$ 180,660
Charge on Land	\$ 644		\$ 31,750	\$ 32,393	\$ 3,592	\$ 432			\$ 28,369
Rates in Credit								-\$ 57,908	-\$ 57,908
TOTALS	\$ 1,771,476	\$ 68,288	\$ 1,172,278	\$ 3,012,042	\$ 1,670,617	\$ 121,331	\$ 37,610	-\$ 57,908	\$ 1,124,576

Summary

Receipts in April were significantly up over the same month last year - \$80,543 vs \$20,106. Comparing year-on-year (2011/12 - 2010/11) the amounts collected are \$1.67 million against \$1.34 million. In spite of this it is anticipated the carry-over balance of rates and charges owed at the end of the financial year will be in excess of \$1 million. This is due to the current year overdues (\$185,789 on instalments 1,2 & 3, plus the as yet unknown figure on instalment 4) being added to the existing overdues (over 12 months). Including water arrears this amount is \$769,803 as at the 1st May, 2012.

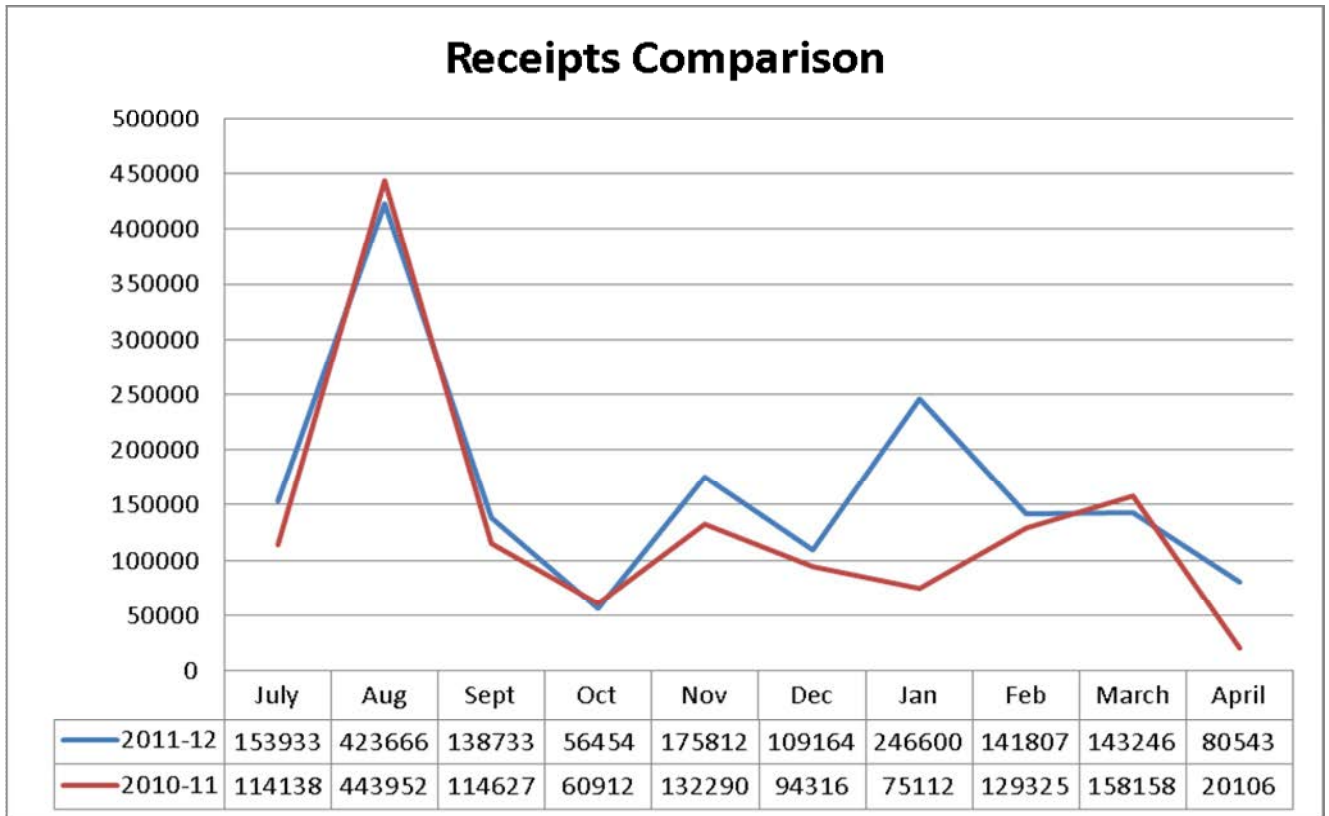
Previous Balance	\$ 1,208,390
This Period	
Interest Raised	\$ 6,592
Water Levies Raised	\$ -
Supplementary Levy	\$ -
Receipts	\$ 80,543
W/Offs & Adjustments	\$ 657
Pensioner Rebate	\$ 1,842
Rates in Credit	\$ 7,364
Current Balance	\$ 1,124,576
Net Movement	-\$ 83,814

Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit	
1/04/2012	\$485,834	\$149,240	\$118,865	\$79,086	\$58,796	\$137,415	\$229,698	-\$50,544	\$1,208,390
1/05/2012	\$414,138	\$147,325	\$117,583	\$77,350	\$57,581	\$135,865	\$232,642	-\$57,908	\$1,124,576
Net movement	-\$71,696	-\$1,915	-\$1,283	-\$1,736	-\$1,215	-\$1,550	\$2,944	-\$7,364	-\$83,814

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	\$ 26,159
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	60 assessments have made payments to the value of	\$ 60,758
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 April 2012 be received and adopted.

SECTION 12. CORRESPONDENCE

RECOMMENDATION

That the Correspondence for Council be received and noted.

12.1 MEDIA RELEASES

Date	Sender	Contents
5/04/2012	Member for Murray-Darling	Proposed plan raises more questions than answers: Williams
5/04/2012	Member for Murray-Darling	A total \$1.72 million on offer for projects to help your environment.
11/04/2012	Member for Murray-Darling	Murray – Darling gets its share of the \$35 million Community building partnerships program.
11/04/2012	Member for Murray-Darling	Tocumwal, Moama, Wentworth and Broken Hill to hold Cross Border Community meetings.
16/04/2012	The Hon Andrew Stoner MP	Cross Border Commissioner visits Murray-Darling to help tackle border issues.
16/04/2012	Member for Murray-Darling	Williams urges residents to sign petition for container deposit levy.
17/04/2012	Local Government & Shires Association	Heritage highlighted by NSW Councils
19/04/2012	Local Government & Shires Association	Appointment of Local Government experts to review panel welcomed.
20/04/2012	Member for Murray-Darling	Anzac spirit is alive in the Murray-Darling communities.
24/04/2012	Western Division Councils of NSW	National Parks inquiry welcomed.

Date	Sender	Contents
26/04/2012	Member for Murrumbidgee	Work starts to upgrade Sturt Highway west of Hay.
27/04/2012	The Hon Nicola Roxon MP & The Hon Michael Gallacher MLC	Additional flood assistance for New South Wales.
30/04/2012	Department of Primary Industries, Office of Water	Two weeks left to submit Murray-Darling Basin water saving ideas.
02/05/2012	Clubs NSW	Time running out to apply to walk Kokoda track for 70 th Anniversary.

12.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
Local Government Association of NSW and the Shires Association of NSW	5/04/2012	Local Government Weekly 14/12
Local Government Association of NSW and the Shires Association of NSW	13/04/2012	Local Government Weekly 15/12
NSW Government Premier& Cabinet	19/04/2012	2012 Councillor Development Strategy
Local Government Association of NSW and the Shires Association of NSW	20/04/2012	Local Government Weekly 16/12
NSW Government Premier& Cabinet	24/04/2012	Responsible Accounting Officer
NSW Land & Property Information	30/04/2012	Proposed fees for land title related products and services from 1 July 2012
NSW Government Premier& Cabinet	1/05/2012	Review of the Model Code of Conduct for Local Councils request for submissions on consultation draft.

SECTION 13. THE RECEIPT OF REPORTS FROM COMMITTEES

RECOMMENDATION

That the Audit Committee Meeting Minutes 16th December 2011 be received and noted.

Central Darling Shire Council
Audit Committee
Minutes of informal meeting held day Friday, 16 December 2011
Council Chambers, Reid Street, Wilcannia



Meeting opened at 10.25am

Members Present

Vern Hembrow	Independent Member
Cr. Ray Longfellow (Mayor)	
Cr. Moya Reid (Deputy Mayor)	Alternate for Councillor Sullivan

Attendees

Tim Drew	General Manager
Allen Bolaffi (UHY Haines Norton)	Internal Auditor

1 Welcome

Due to the lack of a quorum, it was agreed that the proceedings would constitute an informal meeting of the Committee.

As a result of the earlier resignation of the Chair of the Committee, it was agreed that Vern Hembrow would chair the meeting.

2 Apologies

Nil.

3 Declaration of Conflicts of Interest

Nil.

4 Confirmation of minutes

The minutes of the meeting held on 17 October 2011 were reviewed and were amended to correct the date of the previous meeting and the next meeting and were then agreed as being correct.

5 Business arising from minutes

Vacant independent member role – discussion took place regarding the possibility of an independent member coming from the City of Ryde.

Airstrip safety review - the General Manager advised that this review could not be undertaken before the first quarter of 2012.

Legislative compliance audit – the General Manager advised that the management feedback on this review is yet to be finalised.

Payroll review – scope for the review is be finalised and review to be undertaken in January 2012.

Risk register development – no further progress to report at this stage, work to commence in 2012.

Central Darling Shire Council
Audit Committee
Minutes of informal meeting held day Friday, 16 December 2011
Council Chambers, Reid Street, Wilcannia



Audit committee performance review – templates for the review to be sent to the General Manager by Allen Bolaffi. General Manager to review templates and provide to Vern Hembrow.

6 Review of Audit Committee Charter

A revised Audit Committee Charter was presented to the Committee for discussion.

The Mayor, Cr. Longfellow suggested that there should be more than two independent members on the committee and that the Mayor and General Manager should be observers. Discussion then took place about the independence of the committee and the intent of the guidelines in relation to this aspect of audit committees.

The Mayor spoke of community perceptions that committee had powers over and above those of Council, and the need to better communicate the purpose of the committee to the community.

Independent member, Vern Hembrow spoke of the role that the committee plays in relation to governance and risk issues.

It was agreed that the Mayor be added as a non-voting attendee of the Committee under section 3.2 of the committee's charter.

It was agreed that a new section, 4.8 Public Interest Disclosures, needed to be added to roles and responsibilities.

It was agreed that the term of the committee members be extended to six months beyond the term of the Council to ensure retention of corporate knowledge.

It was agreed that secretariat services, as identified in section 6.3 be undertaken by Council rather than the internal auditors.

MOVED CR REID/SECONDED CR LONGFELLOW

That the revised Audit Committee Charter be presented to Council for consideration.

CARRIED

7 Policy Development

The General Manager provided an overview of the policy development work underway as part of addressing Recommendation 1 from the Promoting Better Practice Review.

Discussion took place in relation to the timeframes for completion of the policy development work and the need for an audit program and plan.

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. How much money has been saved by carting from the Menindee Common gravel pit for Talyawalker Bridge Roadworks?

This question will require some research and investigation, therefore an answer will be provided at the next Council meeting.

2. Burke & Wills gateway sign was sandblasted in 2010 ready to be erected next to the gateway of Burke & Wills Reserve. This was promised for the 150 year re-enactment in 2010 any further development?

This matter is to be listed for consideration at the next meeting of the Menindee Works Committee, which will be held in June. It is expected that the final location of the sign will be decided at this meeting and that it will be re-instated soon after that.

3. Has Shire received the financial statements from Menindee Fishing Challenge yet?

Financial statements have not been received from the Menindee Fishing Challenge at this point in time, however there is currently an amount of \$6,096 being held in trust by Council from the Challenge.

4. To keep the local Community informed about its activities I am asking once again for Minutes & Agendas to be sent to Menindee Post Office. They are on Council's website but not everyone, especially older people, do not have computers.

Agendas and minutes will be provided to the Menindee Post Office from this month.

SECTION 16. URGENT BUSINESS

SECTION 17. CONFIDENTIAL MEETING

CLOSED COUNCIL

Confidential Reports

(Section 10A (2) of the Local Government Act 1993)

Where it is proposed to close part of the Meeting, the Chairperson will allow members of the public to make representation to or at the meeting, before any part of the meeting is closed to the public, as to whether or not that part of the meeting should be closed to the public. The Chairperson will check with the General Manager whether any written public submissions or representations have been received as to whether or not that part of the meeting should be closed to the public.

The grounds on which part of the Council meeting may be closed to public are listed in Section 10A(2) of the Local Government Act 1993 and are as follows:

- (a) personnel matters concerning particular individuals other than Councillors,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
- (h) during the receipt of information or discussion of information concerning the nature and location of a place or an item of Aboriginal significance on community land.

Section 10A(3) of the Act provides that if a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is matter referred to in section 10A(2) of the Act).

Section 10B(1) of the Act provides that a meeting is not to remain closed to the public during the receipt of information or the discussion of matter referred to in section 10A(2):

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and

(b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

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

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

Resolutions passed in Closed Council

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

Reports to be Considered in Closed Council

RECOMMENDATION

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

17.1 WILCANNIA WATER SUPPLY FLUORIDATION

17.2 PROPOSED MINE DEVELOPMENT

SECTION 18. DATE AND VENUE FOR NEXT MEETING

The next meeting of Council will be held on Friday 29th June 2012 in Menindee commencing at 9:30am.
