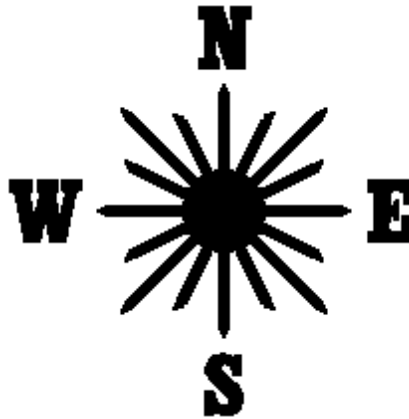


## Mission Statement

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

# CENTRAL DARLING



# SHIRE COUNCIL

## Agenda

For the Ordinary Meeting

**9:00am Tuesday 25<sup>th</sup> September 2012**

at

**Wilcannia**

**Council dedicated to serving its Communities.**

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

The above-mentioned Meeting of Council will be held in the Council Chamber, Wilcannia on Tuesday 25<sup>th</sup> September 2012 commencing at 9:00am.

Morning Tea is scheduled to be served at 11:00am and Lunch at 1:00pm. Refreshments will be served in the Council Chambers.

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

***RECOMMENDATION***

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

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

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

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

**SECTION 3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****RECOMMENDATION**

*That the minutes of the Ordinary Meeting of the Council held on the 21<sup>st</sup> August 2012, copies of which were circulated to all Councillors, be taken as read and confirmed as a correct record of the proceedings of the meeting.*

**3.1 BUSINESS ARISING FROM MINUTES****3.2 STATUS OF COUNCIL RESOLUTIONS – SEPTEMBER 2012**

Status of Council Resolutions - September 2012					
Minute #	Required action from Resolution	Responsible Officer	Secondary Support	Due Date	Action Taken
13-9-11	Inform Councillors and Staff of the changes and Council's new policy "Public Interest Disclosures Act: Internal Reporting Policy".	GM	EA	18/11/2011	To be completed
15-9-11	Oversee the flood restoration works behind the Wilcannia Post Office	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12. Further follow-up with CDEP required.
	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. Further follow-up with CDEP required.

	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. Further follow-up with CDEP required.
	Present designs and locations of graffiti boards to Council	MES			Correspondence sent 27/9/2011, No action from CDEP. Letter re-sent 02/05/12. Further follow-up with CDEP required.
21-9-11	Web Accessible Disclosure Log and Register of Contracts be developed.	GM	IT		To be completed.
4-12-11	Playground proposal in Mallee	GM	MES		In progress. Playground construction completed. Land transfer almost finalised.
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			Report to Council in September 2012
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.



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			In progress.
16-3-12	That Council allocate the remaining \$914,345 of the 2011/12 Regional Road Block funding to the Ivanhoe - Balranald Rd	MTES			In progress.
29-3-12	That Council investigate responsibility for nature strip maintenance with a view to developing a policy.	MTES			Draft policy in progress
	That Council as the Trust Manager of the Menindee Common consider any submissions that are received on the Draft Menindee Common Management Plan in consultation with the Department of Primary Industries and make any changes as necessary; that the final plan be submitted to the Minister for Primary Industries for final approval after the public exhibition period and consideration of any submissions received.	MES			Comments received from DPI, report to Council September 2012
43-4-12	Approval given for the acquisition of three new garbage compactor trucks	MTES			In progress

23-5-12	Councils commits \$540,000 per annum from its regional roads block grants, roads to recovery funding and the supplementary component of the regional road block grant over the next 3 years for the reconstruction and sealing of the Ivanhoe-Balranald Road (MR67) and seek additional funding of \$200,000 from the State Government, \$200,000 from Roads and Maritime Services and \$200,000 from Bemax, per annum for 3 years.	MTES/ GM			Letters sent to Bemax and John Williams MP, advising of Council decision.
29-5-12	Council adopt the document titled Draft Sale of Council land policy and the draft policy be places on public exhibition for 28 days, and further a report be presented to Council after the 28 day exhibition period regarding any submissions received during the exhibition period.	GM			Draft policy complete, procedures drafted, to be placed on public exhibition.
30-5-12	That the Knox and Downs development and implementation of a proposal for cleanup of the site in conjunction with local employment services and agencies with funding being sought through by these groups and through government agencies.	GM			Quotes for asbestos removal being sought. Contact with services and agencies in progress
28-06-12	That Council approve the concept of establishing new housing in the form of transportable buildings in a set of six detached dwellings in Woore Street, Wilcannia	MES			Considered under 2012/13 Operational Plan

45-06-12	That Council prepare a detailed submission to the Minister for Roads in relation to the sealing of Pooncarie Rd.	MTES	GM		Quote sought for detailed submission
20-07-12	1.That Council confirm that the previous commitment of \$540,000 per annum for the Ivanhoe- Balranald Rd be sourced from the 201/13 Regional Road Block Grant. 2. That the 2012/13 Roads to Recovery work schedule submission identify the replacement of Papenpabinbilla Creek bridge and Talyawalka Creek bridge on the Wilcannia-Tilpa East Rd.	MTES			In progress
11-08-12	Advise the NSW SES Commissioner that it will transfer those SES vehicles purchased by Council at market value, and those SES vehicles not purchased by Council at nominal value.	GM			In progress
14-08-12	That Council reappraise the cross subsidy of services and negotiate with HACC for full recovery of costs for HACC Services.	FM			Report to September 2012 meeting
28-08-12	That Council provide in principle support for the proposed improvements and that the proposal be advertised for 28 days to seek comments from the Menindee Community for the Menindee playground improvement.	GM			On public exhibition

29-08-12	That Council undertake consultation with local school children on the design of the playground, and that the Wilcannia community be invited to comment on the proposal for a 28 days with any submissions being reported back to Council for the Baker Park playground.				In progress
30-08-12	That amendments be made to the draft employee housing policy and that the draft policy be returned to the September Council Meeting.	MES			Report to September 2012 meeting
35-08-12	That Council adopts the draft Long Term Financial Plan for the 10 year period 1 July 2012 to 30 June 2022 for the purposes of a 28 days public consultation period.	FM			On public exhibition
39-08-12	That Council advise the Committee that if they were to submit an application under Council's Financial Assistance Grant Program for the Arts Festival it would be considered and placed on public exhibition for 28 days with a further report to Council in September 2012.	GM			Application submitted, advertised for 28 days and report to Council prepared.

**SECTION 4. MAYORAL MINUTES OR REPORT**

***RECOMMENDATION***

***That the Mayoral Report be received and noted.***

## SECTION 5. ELECTION OF MAYOR AND DEPUTY MAYOR

### 5.1 ELECTION OF MAYOR

Provision 231 of the Local Government Act provides for the election of the Mayor for one year. Schedule 7 of the regulation provides for the General Manager to be the Returning Officer and to conduct the election.

If an election is necessary it has been past practice to conduct an ordinary secret ballot.

Nominations for Mayor must be in writing, signed by two or more councilors (one of whom may be the nominee) and is not valid until the nominee has indicated consent to the nomination in writing.

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.

### 5.2 ELECTION OF DEPUTY MAYOR

Provision 231 of the Local Government Act provides for the election of the Deputy Mayor for one year. Schedule 7 of the regulation provides for the General Manager to be the Returning Officer and to conduct the election.

If an election is necessary it has been past practice to conduct an ordinary secret ballot.

Nominations for Mayor must be in writing, signed by two or more councilors (one of whom may be the nominee) and is not valid until the nominee has indicated consent to the nomination in writing.

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.

## SECTION 6. COMMITTEES

### 6.1 APPOINTMENT OF STANDING COMMITTEES

Council may, at any time, appoint or elect Standing Committees as it may consider necessary.

Council's policy is to appoint the following Standing Committees:

#### **Works Committee**

Objectives: To investigate, report and liaise with local communities over matters.

Quorum: Two members of Council.

Meetings: As requested by two or more members of Council, the Mayor or Council.

Delegations: To investigate and report to Council on matters relating to the provision of community works and services.

#### **C.D.S.C. Water Advisory Committee**

Spokesperson: vacant

Location: Throughout Shire

Council Representatives: General Manager; Manager Technical and Engineering Services; Mayor; vacant; Cr Page; Cr Reid

#### **Internal Audit Committee**

Chairperson:

Location: Wilcannia

Representatives: Mayor, General Manager, Finance Manager, Cr Reid (as alternate delegate), Mr Vern Hembrow, UHY Haines Norton

### ***RECOMMENDATION***

***That there be four works committees, one for each Town, one water committee and the Internal Audit Committee.***

### 6.2 STATUS OF SECTION 355 COMMITTEES AS AT 25TH SEPTEMBER 2012 – DELEGATES

#### **Ivanhoe Sale Yards Committee**

##### Function and Purpose of Committee

Management and operation of the Ivanhoe Sale Yards including the collection of income from the users;

##### Committee Members

Chairperson – David Butcher, Mossgiel

Vice Chairperson – John Vagg, Ivanhoe

Vice Chairperson – Ian Edson, Darnick via Ivanhoe  
Secretary/Treasurer – Trudy Edson, Darnick via Ivanhoe  
Shire Representative – Cr Clive Linnett

**Ivanhoe Swimming Pool Committee**

**Functions and Purpose of Committee**

Supporting Council's operational activities and having input into the running of the Ivanhoe Swimming Pool;

Running the kiosk at the Ivanhoe Swimming Pool;

To plan, organize and conduct Carols by Candlelight;

To plan, organize and conduct Family Fun Nights.

**Committee Members**

Chairperson – Irene Murphy, Ivanhoe

Secretary – Karyn Truman, Ivanhoe

Treasurer – Kirsty Skene, Ivanhoe

Council Representative – Cr Clive Linnett

**Ivanhoe Hall Committee**

**Functions and Purpose of Committee**

Management and operation of the Ivanhoe Community Hall including the collection of income from users;

To plan, organize and conduct functions and events from time to time at the Ivanhoe Community Hall.

**Committee Members**

Chairperson – Ray Longfellow, Ivanhoe

Secretary/Treasurer – Fay Linnett, Ivanhoe

Council Representative – Cr Clive Linnett

**Ivanhoe Revival Committee**

**Functions and Purpose of Committee**

Submit recommendations and advice, articulated by community opinion, to Council and the Community, in respect of the economic, social, tourism and the development of Ivanhoe and its environs;

To plan, organize and conduct functions and events from time to time within Ivanhoe to promote the town.

**Committee Members**

Chairperson – Ray Longfellow, Ivanhoe

Secretary – Fay Linnett, Ivanhoe

Treasurer – Fay Linnett, Ivanhoe

Council Representative – Cr Clive Linnett

Committee Member – Lyn Howard, Ivanhoe

**Darnick Hall & Sports Committee**

**Functions and Purpose of Committee**

Management and operation of the Darnick Community Hall including the collection of income from users;



To plan, organize and conduct functions and events from time to time at the Darnick Community Hall.

Committee Members

Chairperson – Ian Vagg, Ivanhoe  
Secretary – Trish Palmer, Ivanhoe  
Treasurer – Trish Palmer, Ivanhoe  
Council Representative – Cr Clive Linnett

**Wilcannia Cemetery Committee**

Functions and Purpose of Committee

Support Council's operational activities and having input into the running and future development of the Wilcannia Cemetery;

To seek and lobby for the ongoing maintenance and improvements to the Wilcannia Cemetery.

Committee Members

Chairperson – Dulcie Evans, Wilcannia  
Secretary – John Pineo, Wilcannia  
Treasurer – John Pineo, Wilcannia  
Council Representative – Cr Paul Brown

**White Cliffs Hall Committee**

Functions and Purpose of Committee

Management and operation of the White Cliffs Community Hall including the collection of income from users;

To plan, organize and conduct functions and events from time to time at the White Cliffs Community Hall.

Committee Members

Chairperson – Ron Dowton, White Cliffs  
Secretary – Belinda White, White Cliffs  
Treasurer – Belinda White, White Cliffs  
Council Representative – Cr Graham Wellings

**White Cliffs Community Association**

Functions and Purpose of Committee

Management and operation of the Opal Pioneer Tourist Park (White Cliffs Caravan Park) including the collection of income from users;

To plan, organize and conduct the Australia Day activities within White Cliffs;

To plan, organize and conduct the Senior Citizens Week activities within White Cliffs;

To plan, organize and conduct functions and events from time to time within White Cliffs.

Committee Members

Chairperson – Diana Hoffman, White Cliffs/Broken Hill  
Vice Chairperson - Bill Watson, White Cliffs  
Secretary – Diana Hoffman, White Cliffs/Broken Hill  
Treasurer – Irma Bacot, White Cliffs  
Council Representative – Cr Graham Wellings

**White Cliffs Swimming Pool Committee**

Functions and Purpose of Committee

Supporting Council's operational activities and having input into the running of the White Cliffs Swimming Pool;

Running the kiosk at the White Cliffs Swimming Pool;

To plan, organize and conduct small functions and small events at the White Cliffs Swimming Pool

from time to time.

Committee Members

Chairperson – Belinda White, White Cliffs

Secretary – Enid Black, White Cliffs

Treasurer – Enid Black, White Cliffs

Council Representative – Cr Graham Wellings

**Menindee Common Committee**

Function and Purpose of Committee

Management and operation of the Menindee Common including the collection of income from the users;

Committee Members

Chairperson – Craig Symonds, Menindee

Secretary/Treasurer – Bob Looney, Menindee

Shire Representative – Cr Moya Reid

Herdsperson/Committee Member – Joanne Looney, Menindee

**Menindee Development Committee**

Functions and Purpose of Committee

Submit recommendations and advice, articulated by community opinion, to Council and the Community, in respect of the economic, social, tourism and the development of Menindee and its environs;

To plan, organize and conduct the Menindee Fishing Challenge.

To plan, organize and conduct functions and events from time to time within Menindee to promote the town.

Committee Members

Chairperson –

Secretary – Collin Doyle, Menindee

Treasurer –

Council Representative – Cr Ron Page, Cr Moya Reid, Cr Lorraine Looney

**Wilcannia Weir Committee**

Function and Purpose of Committee

Committee Members

Chairperson – William Bates

Secretary -

Treasurer -

Council Representative -

### 6.3 STATUS OF COMMITTEES AS AT 25TH SEPTEMBER 2012 – DELEGATES

**Barrier District Emergency Management Committee**

Secretary: District Emergency Management Officer (Kelvin Wise)

Location: Broken Hill

Council Representatives: Local Emergency Management Officer (Manager Technical and Engineering Services)

**Broken Hill Regional Tourist Association**

Chairperson: Naomi Schmidt  
Location: Broken Hill  
Council Representatives: General Manager and Manager of Community and Economic Development

**C.D.S.C. Bushfire Senior Management Committee**

Chairperson: General Manager  
Location: Wilcannia  
Council Representatives: Clr Linnett; Clr Sullivan, Manager Technical and Engineering Services and Manager of Environmental Services

**C.D.S.C. Local Emergency Management Committee**

Chairperson: General Manager or his delegate - Clr Wellings  
Location: Wilcannia  
Council Representatives: Mayor; GM; Manager Technical and Engineering Services; Manager of Environmental Services

**C.D.S.C. Tourism and Economic Development Advisory Group**

Chairperson: Clr Brown  
Location: Throughout Shire  
Council Representatives: Clr Longfellow; Clr Reid, Cr Wellings, Clr Page; Manager of Community and Economic Development

**C.D.S.C. Traffic Management Committee**

Secretary: Manager Technical and Engineering Services  
Location: Throughout Shire  
Council Representatives: As per Works Committee (only one Council voting representative)

**Cobb Highway Action Group**

Secretary: Mrs Faye Linnett  
Location: Ivanhoe  
Council Representatives: Clr Linnett

**Western Division of the Shires Association of NSW**

President: Clr Peter Laird  
Location: Throughout Western Division

Council Representatives: Mayor; General Manager; Clr Linnett

**Ivanhoe Corrective Services Consultative Committee**

President: Clr Linnett

Location: Corrective Services Centre

Council Representatives: Clr Longfellow

**Mallee Bush Fire Prevention Scheme**

Secretary: Ms Robyn Martin

Location: Mt. Hope Hall

Council Representatives: Clr Linnett

**Menindee Food & Fibre Business Association**

Chairperson: Paul D’Ettorre

Location: Menindee

Council Representatives: General Manager’s Delegated Representative, Manager  
Community and Economic Development

**Menindee Health Advisory Council**

Secretary: Cheryl Johnson

Location: Menindee

Council Representatives: Clr Reid (member only)

**Menindee Tourist Association**

President: Mr Jack Hanford

Location: Menindee

Council Representatives: Clr Page

**Mid-Darling Water Users Association**

Chairperson: Justin McClure

Location: Wilcannia

Council Representatives: Clr Sullivan; General Manager

**Murray Darling Association**

Secretary: Ray Najjar

Location: Alternate Locations

Council Representatives: Clr Linnett, Clr Page

**Mutawinji National Park Management Committee**

Chairman: Mr William Bates  
Location: Broken Hill  
Council Representatives: Clr Brown, Clr Sammon

**Outback NSW Tourism Organisation**

Chairperson: Mrs Julianne Wutke  
Location: Various locations  
Council Representatives: General Manager, Manager Community and Economic Development.

**West Darling Arts Board**

Chairman Ms Christine Adams  
Location Various  
Council Representatives: General Manager; Manager Community and Economic Development, Clr Reid

**White Cliffs Local Emergency Management Committee**

Chairperson: TBA  
Location: White Cliffs  
Council Representatives: Manager Technical and Engineering Services, Manager Community & Economic Development

**Wilcannia Community Working Party**

Chairperson: Mr William Bates  
Location: Wilcannia  
Council Representatives: Mayor; General Manager

***RECOMMENDATION***

***That Council endorse Central Darling Shire Council's Committee structure as contained and amended in this report.***

## SECTION 7. DISCLOSURES OF INTEREST – PECUNIARY AND NON PECUNIARY

### ***RECOMMENDATION***

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

## SECTION 8. NOTICE OF MOTIONS

Nil

## SECTION 9. NOTICE OF RESCISSION MOTIONS

Nil



## SECTION 10. ACTING GENERAL MANAGER'S REPORT

### 10.1 INFORMATION ITEMS

### ATTACHMENTS 1 & 2

#### 10.1.1 RETURNS DISCLOSING INTERESTS

In accordance with section 449 (3) of the Local Government Act, 1993, all Councillors and designated staff are required to complete a return disclosing interests as at the 30th June each year. These returns are required to be completed and returned to the General Manager within three months of the end of the financial year. The returns are required to be tabled at a Council meeting by the General Manager. Councillors are required to lodge this return with the General Manager before 30th September 2012.

#### 10.1.2 YES I CAN, ADULT LITERACY PROGRAM

On Friday 31st August 2012, the second round of students graduated from the Yes I Can adult literacy program. The graduation ceremony held in the Wilcannia Hall was well attended by the local community. Special visitors for the occasion included the Hon. Sharon Bird, Parliamentary Secretary, Higher Education and Skills and His Excellency Pedro Monzon, Ambassador to Australia, Republic of Cuba. The program has proven to be very successful and likely to be continued into the future.

#### 10.1.3 MODERNISATION OF LOCAL GOVERNMENT LEGISLATION

#### ATTACHMENT 1

The Department of Premier and Cabinet, Division of Local Government has released a circular announcing the commencement of the Local Government Acts (LGA) Taskforce. The taskforce has been appointed to review the Local Government Act 1993 and the City of Sydney Act 1988. The appointment follows the release of the Destination 2036 Action Plan. The taskforce members are as follows:

Mr John Turner (Chair)  
Mrs Gabrielle Kibble AO  
Clr Dan Ian Tiley  
Mr Stephen Blackadder

The taskforce will commence work in September 2012, and will report back to the Minister by September 2013. The Taskforce will work closely with the Independent Local Government Review Panel to ensure that the new legislation supports and facilitates the outcomes of this work. A copy of the circular and terms of reference are attached.

#### 10.1.4 COMMUNITY RELATIONS REPORT

The *Diversity Dividend* (formerly known as the Community Relations Report) has recently been released. This is a report on the status of community relations in NSW during 2011. The initiatives of the Division and local councils feature strongly in the *Diversity Dividend*. The report reflects innovation across councils which support community, provide easier access to libraries and information through multilingual resources, and celebrate cultural diversity through multicultural festivals and community events. A total of 78 programs and services including examples from Broken Hill have been showcased in the report. Councils are encouraged to continue initiatives, programs

and services in the suite of plans prepared under the Integrated Planning and Reporting framework. A planning tool called *Implementing the Principles of Multiculturalism Locally* developed by the Division of Local Government and the Community Relations Commission is available to assist councils to address the needs of diverse communities.

#### 10.1.5 NSW AGEING STRATEGY

ATTACHMENT 2

The NSW Ageing Strategy has been released by the NSW Office for Ageing. The document will be refreshed and renewed on a regular basis. It includes a number of principles and actions relating to older persons and seniors. A copy of the strategy is attached.

#### 10.1.6 ICAC TRAINING

Council officers and Councillors participated in training provided by ICAC on the 18 September 2012. The training was undertaken by ICAC Senior Investigators at no cost to Council, and covered matters such as pecuniary interests, Code of Conduct and conflicts of interest. The half day training was very beneficial and raised awareness of the expectation of employees within the workplace.

#### 10.1.7 LOCAL GOVERNMENT REVIEW PANEL

The Panel's first Discussion Paper: Strengthening your Community has been released and is available for public comment on the review website at [www.localgovernmentreview.nsw.gov.au](http://www.localgovernmentreview.nsw.gov.au). Councils and the community are encouraged to visit the website to 'Have Your Say' on the future of local government.

The Panel is currently reviewing the feedback from the Listening Tour meetings and over the next two months will also review the submissions on Strengthening Your Community. The Panel will also be preparing its Stage 2 'case for change' paper and consultation program, which are scheduled for November this year. There will be three rounds of consultation during the Review. The first which is now complete provided the opportunity for existing Councillors and the community to provide input into the current issues and challenges facing NSW local government and suggest changes for the Panel to consider as it undertakes its review. Stages 2 and 3 will include the opportunity for the newly elected Councillors to provide their input to the Review.

#### **RECOMMENDATION**

***That the Information Items report be received and noted.***

#### 10.2 REQUEST FOR FINANCIAL ASSISTANCE

ATTACHMENT 3

##### **Summary**

The purpose of this report is to inform Council an application for financial assistance has been submitted by the Central Darling Arts Association.

##### **Commentary**

At the August 2012 Ordinary Meeting of Council, it was resolved that the Central Darling Arts Association be invited to submit an application for funding under Council's Financial Assistance Grant. It was also resolved (if submitted) that the application be placed on public exhibition for 28 days. Council received an application from the Central Darling Arts Association on the 22 August 2012 seeking financial assistance to meet the cost of public liability insurance and hire fees for the

Central Darling Arts Festival to be held 7 & 8 September 2012. The amount sought under the grant is \$1,000. Details of the submission were placed on public exhibition on 23 August 2012, closing on 19 September 2012. No submissions from the public were received during this period. On this basis it is recommended that the application be accepted.

**(a) Policy Implications**

Nil at this stage.

**(b) Financial Implications**

\$1000 is requested to assist with costs of public liability and hire fees.

**(c) Legal Implications**

Nil at this stage

**(d) Community Consultation**

Advertised for 28 days as required, no submissions received.

***RECOMMENDATION***

***That the Request for Financial Assistance report be received and noted; and further***

***That Council grant \$1000 to the Central Darling Arts Association as per their application under Council's Financial Assistance Grant program.***

**10.3 DRAFT COUNCIL EMPLOYEE HOUSING POLICY**

**ATTACHMENT 4**

**Summary**

This report provides Council with the draft Council Employee Housing Policy for further consideration after requested changes were made to the policy last month.

**Commentary**

Last month, Council considered the draft Council Employee Housing Policy. Further changes were requested to the document to include the following;

- Contract staff renting Council housing should have their utilities capped at specific levels; these amounts should not be an open ended amount. To satisfy this requirement the following restrictions have been included into the draft policy – Electricity and gas = \$3,000, Telephone/Landline/Mobile/Internet = \$1,500.
- That rental paid is costed against the appropriate department, and provided as income to the Environmental Services department. That all rental income is itemised and recorded as employment costs where applicable.

The above changes have been incorporated into the draft policy. The document has been provided as an attachment for Council's consideration and once adopted in draft form will be required to be placed on public exhibition for a further 28 days due to changes being made.

**(a) Policy Implications**

Once the final draft of the policy has been adopted the current policy under Council Policy register titled Rental Council properties will need to be rescinded.

**(b) Financial Implications**

Nil to report at this stage.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultation**

The draft policy will require a further 28 day exhibition period due to changes being made to the draft document.

***RECOMMENDATION***

***That the Draft Council Employee Housing Policy report be received and noted; and further,***

***That Council adopt the Draft Council Employee Housing Policy and that the policy be placed on public exhibition for 28 days.***

10.4 NSW GRANTS COMMISSION - FINANCIAL ASSISTANCE GRANTS 2011/12

ATTACHMENT 5

**Summary**

This report provides information on the national overpayment of \$52.9 million by the Australian Government to the Financial Assistance Grants scheme in 2011/12.

**Commentary**

Correspondence has been received from the Shires Association of NSW regarding the overpayment of \$52.9 million by the Australian Government to the Financial Assistance Grants. The NSW share of national overpayment in NSW amounts to \$15.7 million. Each Council's overpayment is to be deducted from the second instalment of the 2012/13 payment. The Associations have objected strongly to the Australian Minister for Local Government, the Hon Simon Crean MP about this money being taken from councils 2012/13 budgets as expenditure has already been planned in consultations with communities. The Association has asked Minister Crean to cancel the repayment, as it is not a lot of money in the terms of the Australian Government budget however; it is a lot of money for local communities to lose. To assist representations to the Minister the Association suggests Council writes to Minister Crean indicating the amount that will be withdrawn and indicating the effect it will have on our community programmes.

**(a) Policy Implications**

Nil to report at this stage.

**(b) Financial Implications**

Council will have \$83,616 deducted from the second instalment of the 2012/13 payment.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultations**

Nil to report at this stage.

***RECOMMENDATION***

***That the report be received and noted, and further;***

***That Council write to the Australian Minister for Local Government, the Hon Simon Crean MP objecting to the withdrawal of money from this year's budget.***

## 10.5 EMERGENCY SERVICES LEVY FUNDING REVIEW

ATTACHMENT 6

### **Summary**

This report provides information on a proposal to introduce a property levy to relieve the insurance industry from collecting the Emergency Service Levy from policy holders.

### **Commentary**

Correspondence has been received from the NSW Rural Fire Service Association Incorp. to advise the Government is currently reviewing the manner in which fire and emergency services are funded and recently released a discussion paper identifying a number of options for replacing the current scheme. At present the insurance industry collects the Emergency Service Levy from policy holders to fund fire and emergency services. It is proposed a new property levy be introduced instead to relieve the insurance industry from collecting this levy. The discussion paper suggests two options for collecting the property levy, being Local Councils or the Office of State Revenue.

An assessment of Rural Fire Service costs and funding in NSW has been undertaken by Deloitte Touche Tohmatsu. During the assessment Councils were consulted and provided data which has been incorporated in the report. It concluded that the total cost of providing rural fire services in NSW is estimated at \$1.64bn p.a. The report also concluded that a shift of funding arrangements where total reported costs for emergency services are levied on property holders through Council rates would result in a rate increase of approx. 30% on total NSW Council rates of \$3.1bn.

A copy of the assessment report and covering letter are attached to this report. The NSW RFSA is seeking Council's input on the proposal prior to 8 October 2012.

### **(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 Emergency Services Levy Funding Review report be received and noted.***

## 10.6 2012 COMMUNITY BUILDING PARTNERSHIP PROGRAM

### Summary

This report provides information regarding the availability of funding under the 2012 Community Building Partnership program.

### Commentary

Information has been received regarding the 2012 Community Building Partnership Program. The program, offered by the NSW Government invites applications for funding from local councils and incorporated not-for-profit bodies such as charities, social and sporting groups. Grant funding up to \$200,000 is available for every electoral district. An additional \$100,000 is available for the electorates with higher levels of social disadvantage as indicated by higher comparative unemployment rates. A number of requirements need to be considered;

- Local Councils (including their Section 355 committees) will be required as a minimum to provide matching (cash) funding, must be in the form of cash, not in-kind.
- Organisations may submit more than one application, although generally only one project proposal for each local council within an electorate will be considered in the electoral area.
- The applicant will cover any administration costs incurred with the project.
- Projects should provide community benefits through construction of new capital works; or refurbishment, repairs and maintenance to existing capital facilities; or the purchase of capital equipment with a life expectancy of 15+ years that enables the delivery of new or enhanced community services.
- Projects that have commenced prior to 31 October 2012 will not be considered.
- Projects that seek funding for the organisations operating recurrent expenses (eg staff, consumables etc) will not be funded.

On this basis, it is likely Council could submit an application for funding to assist with infrastructure works providing the works have been budgeted in the current financial year. MANEX considered the funding program at the MANEX meeting held on the 31 August 2012 and offers the following projects that could be considered –

- Playgrounds – White Cliffs playground requires urgent attention and matching funding maybe allocated through the Works Committee. It is noted this project has been mentioned within the minutes of the June Works Committee meeting. Contact has been made by the White Cliffs Hall S355 Committee supporting such a proposal.
- Boat ramp – through the CDSC Emergency Management Committee it has been identified a dedicated boat ramp is required for Wilcannia. No budget allocation has been set aside for this project at this stage.
- Amenities – The amenities at most of our sporting ovals require attention, however the Ivanhoe Oval amenities are of the most urgent. No budget allocation has been set aside for this project at this stage.

Funding applications need to be submitted prior to 30 October 2012. Successful applications will be announced in March 2013, with successful projects due for completion by end of March 2014.

### (a) Policy Implications

Nil to report at this stage.

**(b) Financial Implications**

Nil to report at this stage.

**(c) Legal Implications**

Capital works may require development consent from Council.

**(d) Community Consultations**

Nil to report at this stage.

***RECOMMENDATION***

***That the 2012 Community Building Partnership Program report be received and note; and further***

***That Council lodge an application for funding under the program to renew the playground at White Cliffs Community Hall.***

10.7 2012 COUNCILLOR WORKSHOPS

ATTACHMENT 7

**Summary**

The purpose of this report is to advise Councillors of workshops being held by the Division of Local Government following the September 2012 elections.

**Commentary**

The Division of Local Government has announced it will be holding a series of Councillor Workshops for all Councillors. These workshops are designed to help Councillors understand their role following the September elections. The workshops are being rolled out across the State, and all Councillors and General Managers are strongly encouraged to attend. The one day workshop is designed to give information to new Councillors as well as provide crucial information for all Councillors on the model Code of Conduct, Integrated Planning & Reporting framework and the support available to Councillors during their term.

It is strongly recommended that all Councillors attend the workshop. The closest venue for Central Darling will be at Cobar on Thursday 15 November 2012, commencing at 9.30am to 3.15pm.

**(a) Policy Implications**

Nil to report at this stage

**(b) Financial Implications**

The workshops are free and provided by the Division of Local Government. Some travel costs will be incurred. Accommodation for Menindee Councillors may or may not be required.

**(c) Legal Implications**

Nil to report at this stage, however the workshops will provide valuable knowledge for all Councillors.

**(d) Community Consultations**

Nil to report at this stage.

**RECOMMENDATION**

*That the 2012 Councillor Workshops report be received and noted; and further,*

*That all Councillors and the General Manager attend the Cobar workshop to be held on Thursday 15 November 2012.*

10.8 REGIONAL ORGANISATION OF COUNCILS (ROC'S)

ATTACHMENT 8

**Summary**

The purpose of this report is to provide Councillors with information on Regional Organisations of Council's (ROC's) and identify those ROC's that adjoin Central Darling.

**Commentary**

For considerable time, ROC's have been formed across NSW to align similar Council's together to assist with numerous issues that confront individual Council's on a daily basis. At this point in time, Central Darling has not joined any ROC. It is interesting to note that our neighbouring Councils are members of two different ROC's, these being the Orana Regional Organisation of Council's (OROC) to the east and the Riverina and Murray Regional Organisation of Councils (RAMROC) to the south. The OROC and RAMROC consist of the following member Councils;

OROC – Bourke, Brewarrina, Walgett, Cobar, Bogan, Warren, Coonamble, Gilgandra, Warrumbungle, Narromine and Dubbo.

RAMROC –Albury, Balranald, Berrigan, Carrathool, Conargo, Corowa, Deniliquin, Greater Hume, Griffith, Hay, Jerilderie, Leeton, Murray, Murrumbidgee, Narrandera, Urana, Wakool, Wentworth.

Attached to this report is information on the abovementioned ROC's for Councillors information. Information has also been provided from the Department of Local Government in relation to partnerships within Council's and how resources can be shared across a region. It maybe timely for Council to consider becoming part of a ROC and further information on such a commitment could be sought and provided back to Council in a future report.

**(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 Regional Organisation of Councils (ROC's) report be received and noted.***

**10.9 ORGANISATIONAL STRUCTURE**

**ATTACHMENT 9**

**Summary**

The purpose of this report is to advise Council of adjustments required to the Staff Organisational Structure.

**Commentary**

Council's current Organisational Structure was reviewed in 2011. Some changes were made to the structure at this time, particularly relating to the Community Development and Corporate Services area and the Finance area. One change in particular was the amalgamation of positions in the MANEX team relating to the role currently titled Manager Corporate & Community Services. Under this role, three main roles in the MANEX team were rolled into one. Attempts by the General Manager to recruit to the Manager Corporate & Community Services position were unsuccessful, therefore it is necessary to reconsider this position and the responsibilities assigned to it.

After considering this matter it is recommended that the administration of Council would be more effective if the following changes were made to the staff structure;

1. Manager Community and Economic Development role to be abolished, and replaced with the two positions being Finance Manager and Manager Corporate & Community Services. These changes would reinstate the makeup of the MANEX team prior to the 2011 changes.

The Finance Manager would manage Council's finance team and the Customer Service Centre in Wilcannia.

The Manager Corporate & Community Services would manage risk, OH&S, human resources, community and economic development, IT and corporate matters. As noted in the Promoting Better Practice Review Council's corporate area requires considerable attention.

2. HR/WHS/Risk Officer – Previously advertised with no applicants applying as it is difficult to attract suitable persons with expertise in all three areas. Recommend the HR component be removed and the position deal with Risk and WHS only. Council's existing Payroll Clerk has sufficient time to undertake training in HR processes, and could be assisted through training and HR personnel at Broken Hill City Council to take on aspects of this role.

3. Community, Tourism & Economic Development Officer – Role to be scaled back to Community Development Officer to deal with tourism and community matters only. Economic development to be undertaken by the Manager Corporate & Community Services, and managed at the MANEX level as opposed to being managed at the officer level.

No other significant changes are recommended to the Staff Organisational structure at this time. It is important to recruit to these new positions as soon as possible, as the administrative section of Council is extremely short staffed due to positions not being filled over the past 12 months. It is necessary for Council to recruit empty positions immediately to alleviate the excessive workloads on current staff and avoid the inevitable burn-out of staff that is clearly becoming evident. Stabilisation of the MANEX team is required to provide sufficient levels of supervision and management of staff in

the above departments. A copy of the newly proposed organisational structure is attached for Councillors information.

**(a) Policy Implications**

Nil to report at this stage.

**(b) Financial Implications**

Savings made from scaling back the above three positions will fund the majority of the cost for the recruitment of the Finance Manager position as per the 2012/13 budget. It is also worth to note that the previous Finance Managers car prior to 2011 still remains as part of Council's fleet and is available for use by the new Finance Manager. As the General Managers sedan was sold in 2012, the vehicle used by the General Manager is the vehicle that was originally assigned to the Manager Corporate and Community Services. It may be necessary in the future to replace the General Manager's sedan.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultations**

Nil to report at this stage.

***RECOMMENDATION***

***That the Organisational Structure report be received and noted; and further,  
That Council adopt the new Organisational Structural attached to this report.***

## SECTION 11. MANAGER TECHNICAL AND ENGINEERING SERVICES REPORT

### 11.1 INFORMATION ITEMS

ATTACHMENT 10

#### 11.1.1 GRADING PROGRAM

ATTACHMENT 10

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

#### 11.1.2 2012 FLOOD UPDATE

Council has received correspondence from the Roads and Maritime Services confirming grant amounts for Regional and Local roads.

\$936,127.38 is available for Regional Roads restoration works

\$1,644,003.71 is available for Local Road restoration works. This amount is inclusive of \$29,000 of Council contribution as per the Natural Disaster Arrangements January 2012.

Council will be updated on flood damage restoration expenditure on a monthly basis as part of the Manager Technical and Engineering Services Roads Report.

### ***RECOMMENDATION***

***That the Information Items report be received and noted.***

### 11.2 ROADS REPORT

#### **Summary**

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

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

#### **Commentary**

##### **State Roads:**

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

	Original Budget	Remaining Budget	% Expended
<b>RMCC</b>	\$514,000	\$484,000	6%
<b>Flood Damage 2012</b>	\$217,142	\$8,903	96%
<b>SH21 Capital Works</b>	\$1,000,000	\$1,000,000	0%

**Regional Roads:**

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

	Original Budget	Remaining Budget	% Expended
<b>MR67 Balranald Rd (2011/12)</b>	\$2,015,000	\$976,525	52%
<b>Regional Road Block Grant</b>	\$2,459,000	\$2,074,362	16%
<b>Flood Damage 2012</b>	\$936,157	\$663,192	30%
<b>Regional Road Repair Program</b>	\$396,000	\$396,000	0%

**Local Roads:**

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

	Original Budget	Remaining Budget	% Expended
<b>Local Roads Component (FAG)</b>	\$1,374,991	\$830,510	40%

<b>Flood Damage 2012</b>	\$1,644,003	\$1,585,401	4%
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**(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.

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

**(a) Policy Implications**

Nil to report at this stage.

**(b) Financial Implications**

Various as displayed in the above table.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultation**

Nil to report at this stage.

***RECOMMENDATION***

***That the Roads Report be received and noted.***

**11.3 SERVICES REPORT**

## Summary

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

## Commentary

### Town Maintenance:

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

	Original Budget	Remaining Budget	% Expended
<b>Parks &amp; Gardens</b>	\$94,000	\$52,200	45%
<b>Ancillary Works</b>	\$102,000	\$73,240	28%
<b>Street Cleaning/ Bins</b>	\$113,500	\$83,986	26%
<b>Aerodromes</b>	\$53,000	\$40,518	23%
<b>Public Conveniences</b>	\$37,250	\$27,322	27%

### Water & Sewerage Maintenance:

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

	Original Budget	Remaining Budget	% Expended
<b>Wilcannia Water</b>	\$308,250	\$257,523	17%

<b>Wilcannia Sewer</b>	\$93,500	\$83,639	11%
<b>White Cliffs Water</b>	\$108,500	\$83,208	23%
<b>Ivanhoe Water</b>	\$145,500	\$98,265	32%

**(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.*

**11.4 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**

<b>Project</b>	<b>Comments</b>	<b>Original Budget</b>	<b>Remaining Budget</b>	<b>% Expended</b>
Remote Communities Water & Sewer Project	Tenders in progress.	\$3.03 Mil	\$3.03 Mil	0%
Wilcannia Weir	S355 Committee held 31-7-12	N/A	N/A	N/A
Aboriginal Communities Water	Ongoing. Interim arrangements have been extended for a further 12 months.	\$243,000	\$125,489	48%

	An additional \$59k has been approved for filtered water pipeline over the Old Wilcannia Bridge.			
Integrated Water Management Plan	GPS equipment purchased. Dept Public Works Engagement in progress. Community consultations completed in July. Report due Oct 2012	\$167,000	\$8,354	95%
Warrali Mission Footpath Upgrade	Formation complete, lighting in progress	\$121,000	\$8,795	93%
Old Wilcannia Bridge	Timber received. Works scheduled for Sep/ Oct 2012	\$90,000	\$36,089	60%
MR67 Ivanhoe-Balranald Rd Reconstruction	In progress	\$2,015,000	\$976,525	52%
MR416 Ivanhoe-Cobar Rd Repair Program	Not started	\$792,000	\$792,000	0%

**(a) Policy Implications**

Nil to report at this stage.

**(b) Financial Implications**

Various as displayed in the above table.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultation**

As required



## **RECOMMENDATION**

***That the Projects Report be received and noted.***

### 11.5 REGIONAL ROADS REPAIR PROGRAM

#### **Summary**

The purpose of this report is to update Council of the status of the Regional Roads Repair Program (RRRP) 2012/13.

#### **Background**

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

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

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

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

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

#### **Commentary**

At the 2012 August Council meeting it was resolved "*that Council agrees in principal to support the 50/50 offer of the Regional Roads Repair program 2012/13*".

The Manager Technical and Engineering Services, Works Engineer, Overseer and Mayor met with interested property owners in Ivanhoe on Tuesday 4 September. Responses received from that workshop included two confirmed grid removals and a further two pending confirmation.

The Regional Road Block Grant allocation for 2012/13 is \$2,459,000. Previous resolution from Council included the allocation of \$540,000 from the block grant to MR67 Balranald Rd sealing completion. The additional \$396,000 allocation for the Repair program will leave a remaining \$1,523,000 to complete maintenance and resealing works on Council's Regional Road network. Resources will be allocated to the flood damage restoration works for a minimum six months of this financial year in order to complete these works in the timeframe specified.

**(a) Policy Implications**

Council's Public Gates, Grids, Ramps and Stock Races Policy has been adopted and works planned are in accordance with this policy.

**(b) Financial Implications**

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

**(c) Legal Implications**

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

**(d) Community Consultation**

Consultation with all property owners on MR416 Ivanhoe – Cobar Rd has been undertaken.

**RECOMMENDATION**

- 1. That Council source \$396,000 from the allocated \$2,459,000 Regional Roads Block grant 2012/13 to fund Councils share of the 50/50 funding for the Regional Roads Repair Program 2012/13.*
- 2. That Council purchase fencing materials to the value of \$20,000 per grid for the elimination of existing grids as per Council's Public Gates, Grids, Ramps and Stock Races Policy.*

**11.6 PEDESTRIAN ACCESS MOBILITY PLAN (PAMP)**

**Summary**

The purpose of this report is to provide Council with information relating to the Pedestrian Access Mobility Plan (PAMP) in order for Council to make an informed decision in regards to a resolution.

**Background**

Together with the Roads and Maritime Services (RMS), all local councils in NSW have a responsibility to provide safe, convenient and connected pedestrian routes which will encourage people to walk rather than use their cars.

In 1998 the RTA began a new program to assist planning for pedestrians. The program was developed to ensure better planning for pedestrians. Since that time more than a dozen PAMPs have been commissioned using a partnership approach. PAMPs help to link State and Local Government planning instruments (e.g. Local Environment Plans (LEPs), Development Control Plans (DCPs) and Councils' requirements under Sections 79C and 94 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

A PAMP is a comprehensive strategic and action plan to develop pedestrian policies and build pedestrian facilities. PAMPs aim to co-ordinate investment in safe, convenient and connected pedestrian routes. A PAMP provides a framework for developing pedestrian routes or areas

identified by the community as important for enhanced, sustainable safety, convenience and mobility. PAMPs are developed through partnerships between State and Local Governments, developers and other stakeholders.

### **Commentary**

Recent Traffic Committee meetings have identified the need for Council to prepare a PAMP. Recommendations from the PAMP may lead to further funding for improvements to Councils pedestrian facilities.

Funding is necessary for all stages of a PAMP: Council will need initial funding to undertake the PAMP, then further funding to implement its actions and monitor progress.

Councils may apply to their Regional RMS office for funding. The RMS provides funds to successful PAMP applications on a 50/50 basis with local councils. These two main sources for funding, the RMS and local councils are applicable to the first two stages of a PAMP, Objectives and Preparation.

Staff reviewed PAMP's completed by other Councils in the Western region and have obtained a quote from ABD Accessible Public Domain to complete Central Darling Shire Councils PAMP. The quoted amount to complete the work is \$14,685. Councils 50% contribution would be \$7,342.50.

A resolution from the June 2011 Council meeting is as follows:

#### ***23-6-11 resolved***

***That Council resolves to increase funding (minimum \$25,000/year) for footpath repairs and maintenance to address high and medium hazard defects over the short to medium term (1-5 years)***

It is proposed to source Councils contribution for the PAMP from the increased footpath budget.

#### **(a) Policy Implications**

No direct policy implications however information gathered for this process may well be useful in preparation of an accessibility policy should Council see the need.

#### **(b) Financial Implications**

Council contribution of \$7,342.50 is proposed to be sourced from Footpath repair budget and is referenced in the resolution below.

#### **(c) Legal Implications**

Nil

#### **(d) Community Consultation**

The PAMP process will directly involve community consultation in the communities of Wilcannia, Ivanhoe and Menindee.

### **RECOMMENDATION**

- 1. That Council applies for funding from the RMS for the preparation of Councils PAMP.***

***2. That Council source Councils 50/50 share of the cost from the Footpath repair budget.***

**11.7 VERGE AND STREET TREE POLICY**

**ATTACHMENT 11**

**Summary**

The purpose of this report is for Council to adopt draft policies concerning urban street trees and verge maintenance and place on exhibition the draft policies for public comment for a period of no less than 28 days.

**Background**

Council has previously considered reports concerning planting of trees within the road reserve and verge maintenance expectations and resolved to prepare a draft policy for each of these matters.

**Commentary**

Draft verge maintenance and street tree policies are attached.

These draft policies are recommended for adoption and exhibited for public comment for a period of no less than 28 days. The draft reports shall than be represented for adoption with consideration of any comments received.

**(a)Policy Implications**

The ultimate adoption of a Council policy following adoption of the draft policies and exhibition for public comment is the objective of this report.

**(b)Financial Implications**

Nil.

**(c)Legal Implications**

Nil to report at this stage

**(d)Community Consultation**

The draft policies are to be exhibited for no less than 28 days for public comment. The public consultation submissions will be considered and re-presented to Council for adoption as a formal Council policy.

***RECOMMENDATION***

***That Council adopts the draft Street Tree policy and draft Verge Maintenance Policy and resolve to place the draft policies on exhibition for a period of no less than 28 days for public comment.***

## SECTION 12. MANAGER ENVIRONMENTAL SERVICES REPORT

### 12.1 INFORMATION ITEMS

#### 12.1.1 WHITE CLIFFS POOL

Council's Inspections Officer has been busily seeking quotes to replace the White Cliffs Pool. Further consultation is occurring between Insurance Broker JLT and Council regarding the quotes and the excess payable on the claim. Current workloads within Environmental Services have been prioritised to ensure the pool is constructed as a matter of urgency in an attempt to have the structure functional as soon as possible.

#### 12.1.2 ROAD GAZETTAL PROCESS – WHITE CLIFFS

Council is in receipt of advice from our solicitor regarding the gazettal process of roads around the dugouts at White Cliffs. The documents are before the Crown Lands Division of the Department of Primary Industries in Dubbo, awaiting their approval. Nothing further can be done by Council at this stage until approval from the Department is granted.

#### **RECOMMENDATION**

***That the Information Items report be received and noted.***

### 12.2 ENVIRONMENTAL SERVICES DEPT STATISTICS FOR AUGUST 2012

#### **Summary**

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

#### **Commentary**

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

<b><u>Statistics for August 2012</u></b>	
Number DA'S Approved for August 2012	4 – broken down into the following categories; Commercial = 0 Residential = \$432,690
Total Value of DA's approved for August 2012	\$432,690
Food Premises Inspected in August 2012	Nil
Animal Control Activities for August 2012	Impounded = 4, Rehomed = 3, Returned to Owner = 2 Micro-chipped = 6, Registered = 3
Water Sampling for August 2012	Microbiology Samples Collected = 7 Chemistry Samples Collected = 1 Disinfection By Products = 0 Non-compliant Samples = 0

#### **(a) Policy Implications**

Nil to report at this stage.

**(b) Financial Implications**

Nil to report at this stage.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultations**

Nil to report at this stage.

***RECOMMENDATION***

***That the Environmental Services Department Statistics for August 2012 report be received and noted.***

## 12.3 SWIMMING POOL REVIEW OF OPERATIONS

### Summary

This report outlines a review of swimming pool operations across the Shire as requested by Councillors during early 2012.

### Commentary

Over the past years, there have been comments made by various community groups about the operation of Council's swimming pools. Most of these comments related to extending the opening hours including opening longer and earlier, as well as infrastructure complaints generally relating to lack of ancillary structures such as seating, shade and BBQ's.

To gain the most current views of community groups, contact was made with community groups across all towns. The following information was provided:

#### Wilcannia

- Casual labour not working, should be permanent employees
- Morning opening period on a pay basis to suit employed people who wish to swim "in relative peace"
- Revenue would offset wages
- Rope off one lane during normal opening times for swimmers
- Some community members prepared to do necessary training
- Re-opening of a nutritional snack facility providing healthy snacks and beverages for sale
- Potential for a partnership with both schools – NO SCHOOL NO POOL Policy
- Earlier opening hours on weekends and extended hours
- Improved seating and shade facilities
- Improved related health partnerships – aqua aerobics, water based therapies, mums and bubs learn to swim

#### Menindee

- Designated lane roped off for daily training.
- Extend pool hours for training purposes

#### Ivanhoe

- Pool remains open later
- Extend opening hours
- Dates of opening should be consistent
- Needs to operate smoothly
- Should open long weekend in October
- Seems too difficult for council to maintain
- BBQ facilities available to public

- Seating and tables around BBQ area within pool grounds, more seats around both pools
- Open on all public holidays during the summer months

**White Cliffs**

- Shade cloth around pool fence needs to be halved in width to allow sun to naturally heat the pool
- Left over shade cloth can be retained and used for extra shade on caravan park end of the pool in front of toilets etc.

Currently, all Council owned and operated swimming pools open between the hours of 3.30pm – 7.00pm (school term) and 3.00pm to 8.00pm (weekends and holidays). Two casual pool attendants are employed at each pool, this allows each attendant to have days off and work on a roster system. It also enables Council to have the appropriate levels of supervision at the pools when excess numbers of patrons are present at any one time.

Outdoor staff remain responsible for the chlorination and water balancing at Council pools. This arrangement has been in place for approximately the past 7-8 years. Outdoor staff undertake this role due to the fact that often the same casual pool attendants do not apply and are not employed on a permanent basis. It would be exceedingly difficult and costly to undertake formal training in pool dosing each year to train casual staff members. The outdoor staff tend to remain in the same positions for a number of years.

Budget allocations have remained steady over the past 3-4 years. Capital works have been undertaken as required and as funds permit, such as painting, upgrades to chlorine dosing plants, amenities upgrades etc. and other maintenance work as it becomes necessary.

Last year the following amounts were incurred as a result of swimming pool operations;

Wilcannia – \$86,812

Ivanhoe – \$92,788

Menindee – \$82,603

White Cliffs – \$54,211

These costs include wages for outdoor staff, wages for casual pool lifeguards (pool attendants), chemical purchases, water testing equipment, freight costs, maintenance of pool structures, amenities and all ancillary structures, maintenance staff wages, plant and vehicle costs, rates, water charges, electricity, telephone, first aid equipment, signage, repairs to vandalism etc such as busted taps, stolen shower roses, broken doors and door locks, plumbing repairs from deliberate blockages (whole toilet rolls down toilets) and any other item of expenditure that may be incurred at the swimming pools over the year, not just the swimming season but for the 12 month period.

Income from swimming pool entry fees is very limited and lucky to be \$1,000 for the season across the whole Shire.

The pools generally remain open for a period of 4 to 5 months depending on season conditions and opening times.

It is noted above the main suggestion from each town was the need for longer opening hours, also the need for better ancillary structures such as seating, shade and BBQ's. To provide the above suggested changes it would be necessary for Council to budget additional funds to swimming pools. To double the opening hours so the pools are open longer it could safely be suggested that the pool budgets would need to be doubled. At this point in time, Council does not have the funds in the current budget to implement this request. Likewise with the improved ancillary structures, additional funding to install these structures would be required.

One option that could be encouraged to meet community expectations regarding longer opening hours could be the following;

Each October Council is required to undertake pool lifeguard training to train pool attendants to industry standards. Without the pool lifeguard training, Council is not covered by insurance in the event of a drowning; hence the pool cannot open as Council cannot afford to take the risk of utilising unqualified supervisors during opening hours. This training is undertaken in-house by the NSW Royal Lifesaving Society. There is capacity for more persons to be trained as pool lifeguards in-house, and perhaps this could be offered to our community groups and S355 pool committees. This would enable trained volunteers and committee members to open the pools outside the usual opening hours to the general public to provide longer opening hours as requested by the majority of the community groups.

In the event a group wishes to use the facility for private purposes in isolation from the general public it is necessary for a Casual Hirer's Agreement to be entered into, thereby requiring the hirer to provide their own public liability insurance. If the pool was open to the general public for longer hours, the demand for private hiring maybe reduced.

Council's insurance broker has been queried as to whether Council would or would not be covered in the event of a drowning or accident incurred under the watch of a volunteer or committee member. Their advice is as follows:

The issue of opening a pool out of hours is a matter for Council. Volunteers and Committee members are both covered under our various insurances, provided they have been inducted into Council.

**(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 Swimming Pool Review of Operations report be received and noted; and further,***

***That Council invite members of community groups across the Shire to participate in Pool Lifeguard training to be held in October 2012.***

***That Pool Lifeguard trained Volunteers and Committee members be invited to supervise Council owned and operated swimming pools during the swimming season to enable opening hours to be extended to the general public in accordance with the advice provided by Council Insurance Broker JLT.***



12.4 NATIVE TITLE CLAIM NSD 415/2012

ATTACHMENT 12

**Summary**

This report notifies Council of a Native Title claim over an extensive part of Central Darling Shire.

**Commentary**

Correspondence has been received from the National Native Title Tribunal regarding an application to the Federal Court under the *Native Title Act 1993* by Ngemba, Ngiyampaa, Wangaaypuwan and Wayilwan to have their native title rights and interests recognised within the area described below.

The application area is located within central NSW and covers areas of Crown land and water in the vicinity of the town of Cobar, extending from Walgett and Bourke in the north to Hillston and Ivanhoe in the south. The application falls within the LGA's of Bourke, Bogan, Brewarrina, Carrathool, Central Darling, Cobar, Coonamble, Gilgandra, Lachlan, Walgett and Warren Shire Councils. Not all land can be claimed and freehold land is excluded.

As the Registrar of the National Native Title Tribunal has accepted this claim for registration, the Registrar is required to advise that a native title determination application has been made. The notification period runs from 5 September 2012 until 4 December 2012. Council is invited to register as a party to the application, as it has already been identified that the claim will affect some areas of Crown land under Council's control, such as Trida Public Hall and Ivanhoe Reserve. Other areas are expected to be affected but yet to be identified.

Bourke Shire Council have sought their own legal opinion on the matter, and General Manager - Mr Geoff Wise has provided advice as per the attached letter advising that Council should nominate to become a party to the application.

It would be in Council's best interest to register to become a party because it will give Council the opportunity to participate in the process if required.

**(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 Native Title Claim NSD 415/2012 report be received and noted; and further,***

***That Council complete the relevant forms to become a party to the application.***

## 12.5 KNOX & DOWNS, ASBESTOS REMOVAL

### **Summary**

This report provides Council with information on the estimated costs for the removal of friable asbestos at Knox and Downs.

### **Commentary**

Estimated costs have been received for the removal of friable asbestos from the fire damaged Knox and Downs site by a licenced contractor. The costs are in the vicinity of \$6,000 including necessary air monitoring required during the removal process. The works should proceed as soon as possible to enable the remainder of the site to be cleaned up as per resolution 30-05-12 being -

*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.*

### **(a) Policy Implications**

Nil to report at this stage

### **(b) Financial Implications**

Approximately \$6,000 to be made available under current budget. Savings in Environmental Services staffing levels are available to cover this amount.

### **(c) Legal Implications**

Nil to report at this stage.

### **(d) Community Consultations**

Nil to report at this stage

### ***RECOMMENDATION***

***That the Knox and Downs, Asbestos Removal report be received and noted; and further,***

***That Council proceed with the removal of asbestos at Knox and Downs as soon as possible.***

## 12.6 NETWASTE ANNUAL REPORT 2011-2012

## ATTACHMENT 13

### **Summary**

This report provides Council with an overview of the activities undertaken by Netwaste throughout 2011/2012.

### **Commentary**

NetWaste and participating member Councils have been undertaking a range of waste management projects during 2011/12 with a focus on regional contract maintenance and establishment, targeted education initiatives, development of the new 3 year Strategic Waste Plan and regional initiatives to improve handling of asbestos related issues.

A general summary of some of the main activities is included below, with the complete report available at [www.netwaste.org.au](http://www.netwaste.org.au).

### **REGIONAL CONTRACTS**

NetWaste has a number of regional contracts in place for services such as collection of used motor oil, processing of garden organics and a domestic waste and recycling contract, however two specific contracts of particular interest include:

**Collection of Scrap Metal for Councils in the NetWaste region** – 21 NetWaste Councils participate in a regional contract for the Collection of Scrap Metal, with Sims Metal Management providing this service across the region. This contract in particular provides significant benefit to participating Councils given the volatility of the market and providing certainty of service especially for the western members.

**Regional environmental monitoring of licensed landfills** – NetWaste facilitated establishment of this new service contract in conjunction with 5 member Councils. The result is a 3 year contract arrangement with Meinhardt Infrastructure and Environment Pty Ltd, which offers significant financial savings to the Councils as a collective group. The contract will result in consistent reporting and monitoring activities with respect to the landfill Environment Protection Licenses and alignment of contract periods into the future.

### **WASTE MANAGEMENT AND RESOURCE RECOVERY PROJECTS**

A range of projects have been implemented, with specific projects of interest including:

**E-Waste Collection Program** – NetWaste again partnered with Sims Metal Management to provide a collection service to the region, with over 55 tonnes of material collected by 11 Councils. This is by far the biggest response to any collection campaign that has been run, which highlights the growing issue of e-waste in our communities and the need to explore other possible collection and recycling options.

**Development of the 2012-15 NetWaste Strategic Waste Plan** – NetWaste is funded by the NSW EPA on three (3) year cycles, with the group required to submit a 2012-15 Regional Waste Strategy outlining the group's priorities and focus areas for that period. Given the changing nature of the waste industry and recent State Government policy and legislative changes, the NetWaste members participated in significant workshop activities to help frame the document to ensure the focus of the coming 3 years was reflective of the Councils needs and delivering on their expectations.

The focus areas for the group have been recognised under six categories, being Enablement, Financial Systems, Infrastructure, Engagement, Resource Recovery and Problem Wastes, with the complete Strategy and Summary document available on the NetWaste website at

[www.netwaste.org.au](http://www.netwaste.org.au)

**Mobile Glass Crusher Project** – Through an external funding opportunity and in partnership with the Australian Food and Grocery Council (AFGC), NetWaste and 5 member Councils secured funding to purchase a Mobile Glass Crusher, to allow on-site crushing of glass beverage containers with the intent of using the product in local civil applications. This is the first time the group has explored the sharing of mobile infrastructure which offers a significant learning opportunity for future consideration. The group is currently working through quality requirements and sampling regimes with the EPA.

### **EDUCATION ACTIVITIES**

NetWaste has also been implementing a range of education focused activities across the region, ranging from school based workshops to general promotional activities. An overview of a selection of activities is as follows:

**Targeted school and community workshops** – Environmental education workshops continue to be held across the region focused on litter reduction, worm farming and composting, smart shopping and recycling. Workshops have been delivered in a number of centres including Grenfell, Gilgandra, Mudgee and Nyngan and through the joint recycling contract for Orange, Blayney, Forbes, Parkes and Cabonne. NetWaste also has a monthly radio spot with ABC radio called Smart About Waste which is now in its fourth year.

**Waste 2 Art Exhibition** – This project challenges people’s perception of ‘rubbish’ and encourages the concept of Reduce, Reuse and Recycle. This year was the eighth year of Waste 2 Art in the region, with 20 Councils participating. The ongoing support for this project from councils and communities highlights the importance of the waste message that the exhibition represents. The Regional Exhibition was hosted by Forbes Shire Council in June 2012, with 160 artworks on display, attracting over 1,000 visitors. Next year’s regional exhibition moves west to Bourke.

**Used tyre demonstration project** – Narromine Shire Council recently worked with Ecoflex to construct a retaining wall at their waste depot from used truck tyres. The wall is a working example of how used tyres can be reused in a beneficial way as the management of tyres continues to be an issue for our NetWaste member Councils.

**(a) Policy Implications.**

Nil to report at this stage.

**(b) Financial Implications**

Not yet known.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultations**

Nil to report at this stage.

### ***RECOMMENDATION***

***That the NetWaste Annual Report 2011/2012 be received and noted***

12.7 CROWN LAND (R88474) - MENINDEE

ATTACHMENT 14

**Summary**

This report provides information on an area of Crown land at Menindee that requires an alteration to its purpose of use.

**Commentary**

Contact has been made by Department of Primary Industries, Catchment and Lands Division regarding a small area of Crown land adjoining the Menindee Common on the west side of the Darling River of which Council is Trust Manager. Many years ago, dating back to the 1970's, Council requested the Department of Lands extract a small portion of land from the Menindee Common as it was deemed to be surplus to the Common requirements. At the time Council advised that the land would be suitable for future expansion for horticultural development pending availability of water. Council requested that the land be reserved for regeneration until that time. The availability of water for horticultural expansion in the area had become scarce and the proposed development did not occur.

The area was utilised under licence for grazing purposes for the past 20 years. At the time the licence was issued, Council agreed to the licence and no objections were forthcoming, therefore the Department issued the licence subject to the area being fenced. The licensee complied with the fencing condition and to the best of the departments knowledge has complied with all of the licence conditions to date.

The Department is of the opinion that the purpose of the licence for grazing is not consistent with the reserve purpose of regeneration. In order to rectify this situation it is advised that the purpose of use for the land be changed to be consistent with the current and desired use of the land, such as Rural Services, Access and Future Public Requirements. The Department have indicated they wish to leave the existing licence for grazing purposes in place with the licensee. A plan of the area is attached for Councillors information.

**(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 Crown Land (R88474), Menindee report be received and noted, and further;***

***That Council request an alteration to the purpose of use of R88474 to Rural Services, Access and Future Public Requirements.***

12.8 FOOD REGULATION PARTNERSHIP

ATTACHMENT 15

**Summary**

This report provides Council with an evaluation of the Food Regulation Partnership with the NSW Food Authority.

**Commentary**

The Authority has completed the Evaluation of the NSW Food Regulation Partnership. In summary, the evaluation found that the Partnership is working as intended in improving the regulatory system for the retail food sector in NSW, it is well-regarded by stakeholders (councils and retail food businesses) and many foundational program activities are well established.

Evaluation findings indicate that under the Partnership there has been:

- Improved compliance rates for retail food businesses
- Improved levels of cooperation between the Authority and councils
- Low levels of duplication of regulatory services (but examples where duplication of regulatory resources exists)
- Increased EHO efficiency across councils and
- Some improvement in food surveillance and enforcement consistency; but more is needed.

The Evaluation of the Partnership has also provided valuable information about what has been working and what still needs improving.

The findings inform the development of a second phase of program initiatives focused on improving how the Authority assists the Partnership in achieving:

- increased regulatory consistency across councils
- improved regulatory issues resolution processes and
- better communication processes for both councils and retail businesses.

A copy of the report is attached for Councillors information.

**(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 Food Regulation Partnership report be received and noted.***

12.9 DRAFT MENINDEE COMMON MANAGEMENT PLAN

ATTACHMENT 16

### Summary

The Draft Menindee Common Management Plan has been placed on public exhibition and requires consideration for adoption.

### Commentary

At the April 2012 Ordinary Meeting of Council the Draft Menindee Common Management Plan was considered. The draft plan was adopted and placed on public exhibition for a period of 28 days as required. As a result of the exhibition period one submission was received. A copy of the submission is attached for Councillors reference.

The submission strongly opposes the zoning of part of the land within the Common for grazing, and considers that the area indicated in the submission should be protected from grazing. The area in question raised in the submission continues to be held under licence by a licensee for shade for stock. The licence has been issued by Council for approximately the past 2-3 years for this purpose.

The resolution from the April meeting in relation to the draft plan states *That Council as 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.* On this basis, a copy of the submission was forwarded to the Department for their comments and recommendations. The Department has responded and indicates the following *“The Department’s position continues to be that the land in question remains both capable and suitable for grazing, and the Department would support Council’s determination that this area remain as ‘grazing’ if it chooses to do so.”*

Council has always worked closely with the Department in relation to matters pertaining to Crown land. The area mentioned in the submission has been inspected by the Department’s Rangeland Management Officer who has extensive experience in assessing native vegetation and determining land use suitability and stocking rates. This officer has determined that the area remains capable and suitable for grazing. The Department remain the state agency responsible for Crown land; Council remains the Trust Manager of the Menindee Common responsible for the care and management of the reserve.

The draft plan has relevant clauses relating to the issuing of licences over parts of the Common where acceptable under the zoning. The plan states that before Council (as the Trust Manager) issues any licences or renews existing licences the Department must be contacted to concur with the proposed licence request.

A couple of options exist that could be considered to progress this matter forward –

1. That Council exclude the area mentioned in the submission from grazing purposes, however experienced Departmental officers indicate that the area is both capable and suitable for grazing.
2. That Council adopt the draft management plan in its current form and not make any changes.
3. That Council consider the submission, and consult closely with the Department when licence requests are received (either renewal of existing licences or new licences), and that the area in question be reviewed every six months with relevant conditions on the licence stating it must be destocked if vegetation appears unhealthy as deemed by the Department.

4. That the area noted within the submission be temporarily utilised for grazing with relevant rest periods between each episode. The temporary grazing period is to be no longer than 3 months at a time, followed by a rest period of 3 months, continuing on this cycle with reviews by Council in conjunction with the Department every 6 months.

At this stage the draft plan does not support the exclusion of the land area in question from grazing.

**(a) Policy Implications.**

Nil to report at this stage.

**(b) Financial Implications**

Nil to report at this stage.

**(c) Legal Implications**

Nil to report at this stage.

**(d) Community Consultations**

Nil to report at this stage.

**RECOMMENDATION**

***That the Draft Menindee Common Management Plan be received and noted; and further,***

***That the Draft Menindee Common Management Plan be amended to include the provisions noted at Option 4 above, and subject to these changes,***

***That Council adopt the Menindee Common Management Plan.***

**12.10 SOLAR POWER STATION, WHITE CLIFFS**

**ATTACHMENT 17**

**Summary**

This report provides Council with information on a proposal from Essential Energy regarding the White Cliffs Solar Power Station.

**Commentary**

For the past 12 months some discussions have occurred regarding a proposal by Essential Energy to assign the White Cliffs Solar Power Station to Council. A number of reports have been presented to Council over this period with the concept being support by council initially through the following resolution 49-12-11 from the December 2011 Council Meeting – *That Council progress the matter of the future ownership of the White Cliffs Solar power station.* Essential Energy are seeking further commitment from Council for the transfer.

Interim discussions with Essential Energy indicate that pending approval from their Board of Directors, it is envisaged an arrangement maybe struck whereby the property is assigned to Council in recognition of the sites significance to the local community including council utility, community leisure and local tourism. It is also considered that under a Licence Agreement of nominal value, Essential Energy would retain a small area of the site and two containers which are currently utilised by their staff when in the area, the retained site would be separately fenced and gated by Essential Energy; it would seem there are to be no shared amenities. It would also be necessary for



recognition of Essential Energy’s assignment of the site to Council and the community via a suitable sign erected in a visible location (entrance)”.

As noted above Essential Energy is seeking to retain a small area of the land however the remainder of the land may be assigned to Council. At this stage, Essential Energy are considering the concept, but no firm decision has been made as a formal resolution of Council is required for the proposal to proceed. Essential Energy are still considering whether the area will be subdivided and transferred to council, or if a long term lease at nominal value is offered to Council. The site has been surveyed and a copy of the plan is attached for Councillors information.

**(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 Solar Power Station, White Cliffs report be received and noted, and further;***

***That Council inform Essential Energy that Council accepts the proposal offered regarding the White Cliffs Solar Power Station and will negotiate further the method of transfer.***

**12.11 DEVELOPMENT APPLICATION – LOT 4 JOHNSON STREET, WHITE CLIFFS  
ATTACHMENT 18**

**Summary**

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

**Commentary**

**Lot 4 Johnson Street, White Cliffs – Local Development Application for Demolition DA 15/12**

**1. Report Summary**

**Applicant: Office of Environment and Heritage**

**Owner: NSW Government**

**Date lodged: 31/05/12**

This report considers a proposal to demolish an old building containing several old shops at Lot 2 Johnson Street, White Cliffs. The proposed demolition will see an old building with major structural and safety issues removed to prevent injury to the general public and adjacent residents. The building is in a state of collapse and the structure has been eaten out by termites.

**Reason for Referral to Council:** The proposal is before Council for demolition of a an old building of a heritage nature.

**Public Submissions:** No submissions received.

**SEPP1 Objections:** No SEPP 1 Objections were received.

**Value of works:** \$20,000

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

**Address:** Lot 4, Johnson Street, White Cliffs being Lot 4 DP1112614

**Site Area** Total Site Area: 2,757m.<sup>2</sup>  
Total Building Area: 335.8m.  
Frontage : 25.49m.  
Depth: 13.21m.

**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.

**Existing Buildings:** The subject land is occupied by the Office of Environment and Heritage and includes the Visitors Information Centre and other ancillary development associated with the centre. The building in question for removal is an old white ant infested corrugated structure that fronts directly onto Johnston Street and Keraro Road, White Cliffs.

**Planning Controls**

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

RU5 Village Zone under draft Central Darling LEP 2012

**3. Representations**

**Councillor:** Nil

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

heritage significant on the LEP or State Register. The building was also inspected by Structural Engineer – Mr Jim Wilson from Adelaide. Mr Wilson has indicated that the buildings fixtures and timbers are in a bad state of decay. The building no longer meets the minimum strength requirements for the Building Code of Australia.

Date: 5<sup>th</sup> June, 2005.

Form of the representation: Site inspection and written report.

#### **4. Political Donations or Gifts**

Any political donations or gifts disclosed: Nil received.

#### **5. Proposal**

The proposal is for the demolition of the building. The site is located at Lot 4 Johnson Street, White Cliffs. The building is constructed of iron cladding and timber. It is infested with termites and very little solid timber is left to support the existing structure. The structure represents a hazard to the public as the iron cladding has no support and fixings to the framework to keep it stable.

#### **6. Background**

DA was lodged on 31 May 2012.

#### **7. Submissions**

The proposal was advertised and notified in accordance with Council policy Notification of Development Applications. The application was advertised on 24/07/2012 for a period of 14 days. Notification of the proposal under Council's policy was from 24/07/2012 for 14 days.

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

#### **8. Policy Implications**

##### **Relevant Provisions of Environmental Planning Instruments etc:**

##### **(a) Central Darling Draft LEP 2004**

###### **Zoning 2(t) Township Zone**

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

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

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

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

## **9. Likely impacts of the Development**

### **(a) Built Environment**

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

The amenity of the area is expected to remain unchanged. The development is likely to have a significant effect on the immediate area, through creating a safe environment. The demolition of the building will improve the visual and safety aspect of the area. The streetscape will alter as the building will be removed. However, the applicant has indicated they are willing to reinstate a structure back to the site for tourism purposes. This matter is to be explored at a later date.

### **(b) Natural Environment**

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

Adjoining land uses comprise commercial areas with landscaped gardens.

## **10. Suitability of the site for the development**

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

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

## **11. The Public Interest**

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

## **12. Consultation**

### **External Referrals**

The proposal has been considered by Council's Heritage Adviser; her comments are as follows:

*“The White Cliffs Hilton is a simple single storey building, in very poor condition, which has been extensively altered and rebuilt over its history. Historical research has not been able to uncover any important associations of local identities with the building, and it is considered that the building does not have significance in relation to its built form. Whilst the building is typical of early structures in White Cliffs, which have generally been removed or replaced, the degree of alteration, and the level of deterioration is such that its conservation is considered not feasible in relation to the resources required to upgrade the building for an appropriate use. The building would need to be essentially rebuilt to be used as a commercial outlet, and this would continue to remove early building fabric, removing any heritage value that it may possess”.*

**13. Critical Dates**

None.

**14. Financial Impact**

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

**16. Conclusion:**

It is recommended that the proposed demolition of Lot 4, Johnson Street, White Cliffs be supported on the following grounds:

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

***RECOMMENDATION***

***That Local Development Application DA 15/12 at Lot 4 Johnson Street, White Cliffs being Lot 4 DP1112614, be approved subject to the following draft conditions;***

1. The conditions of this Development Consent issued under the Environmental Planning and Assessment Act 1979, are to be complied with. These conditions are attached to this approval and must be given to the builder and contractors to ensure this development is carried out as per the approval given.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and compliance with the development consent).*
2. Two days before any site work, building work or demolitions begins, the applicant must forward the “notice of commencement and appointment of Principal Certifying Authority” form to Council; and notify adjoining owners that the work will commence.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
3. Before any site works, building or demolition is started, the applicant or builder must notify council of the name, address, phone number and license number of the builder; erect a sign at the front of the property with the builder’s name license number, site address and consent number; provide a temporary on site toilet; protect and support any neighbouring building; protect any public place

from obstruction or inconvenience of the carrying out of the consent; prevent any substance from falling onto a public place.

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

4. Install runoff and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows: divert uncontaminated runoff around cleared or disturbed areas; erect a silt fence to prevent debris escaping into drainage systems or waterways; prevent tracking of sediment by vehicle onto roads; stockpile, excavated material, construction and landscaping supplies and debris within the site.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
5. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the approved building area.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
6. The land surrounding any structure must be graded to divert surface water to the street and clear of existing and proposed structures and adjoining premises.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
7. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any pollution discharge.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
8. The owner, developer or builder shall be responsible for repairing any damage resulting to Councils infrastructure, land or assets in the vicinity of the subject site as a result of construction works, deliveries to the site or processes carried out with the site development.  
*(Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979).*
9. The owner, developer or builder must consult with the local electricity authority to ensure clearances to overhead powerlines are maintained, and underground power-cables are located.  
*(Reason: To ensure safety from overhead powerlines and limit disturbance of underground cables.)*
10. The vehicular crossing to the kerb and guttering and access to the allotment is to be constructed in accordance with the requirements of the Engineering Department. The applicant is required to contact Councils engineers prior to any work commencing.  
*(Reason: To ensure design and installation is adequate for vehicular and pedestrian traffic).*
11. The contractor must take all necessary precautions before and during demolition works strictly in accordance with AS 2601 'Demolition of Structures'.  
*(Reason: To ensure compliance with relevant Australian Standards).*
12. Prior to works commencing the demolition contractor shall carry out an investigation of the building and site and advise the Council of any matters relating to hazardous materials, interference of services or other matters which may influence the proposed demolition procedures.  
*(Reason: To ensure any dangers are identified before works proceed)*
13. The site shall be fully fenced off at the allotment boundaries to prevent unauthorized and unobstructed public access to the addressed allotment.  
*(Reason: To ensure public safety)*
14. All electrical cables and the like shall be disconnected prior to the commencement of demolition works.  
*(Reason: To isolate electricity supply from the building)*
15. Unless otherwise approved, demolition works shall commence at the roof and be executed storey by storey working downwards.  
*(Reason: To prevent unnecessary collapse and protect contractors)*
16. Notices displaying 'Danger Demolition Works In Progress' or similar are to be fixed to the site.  
*(Reason: To notify public of demolition for safety reasons)*

17. No wall, chimney or other similar structure shall be left unsupported in such a dangerous condition it may collapse due to wind or vibrations.  
*(Reason: To ensure public safety)*
18. All asbestos on site shall be removed by an accredited asbestos removalist registered with Occupation Health and Safety Authority..  
*(Reason: To ensure OH&S requirements are met)*
19. Dust creating material, unless thoroughly dampened shall not be thrown or dropped from the building but shall be lowered by hoisting apparatus.  
*(Reason: To limit undue dust pollution)*
20. Buildings located close to allotment boundaries are to be reduced by hand. The demolisher must not carry out any works on, over or in the air space of an adjoining property without the prior approval of Council.  
*(Reason: To prevent impacts on adjoining properties)*
21. Upon completion of the work notification shall be given to the relevant building surveyor for a final inspection.  
*(Reason: To ensure conditions of consent have been met)*
22. All demolished materials shall be removed from the site. All hazardous materials to be disposed of in a proper and safe manner according to relevant legislation. Materials acceptable for placement at Council's Waste Depot must be done in a satisfactory manner with material segregated into recyclable waste lines where able, with asbestos disposed of as per Workcover requirements.  
*(Reason: To ensure correct disposal of demolished materials)*

**SECTION 13. FINANCE MANAGER’S REPORT**

**13.1 INVESTMENTS**

**Schedule of Investments – August 2012**

DATE	TIME PERIOD	INTEREST RATE	DUE DATE	TOTAL (\$)				
<b>Deposits at Call</b>								
Westpac		4.55%		\$ -				
<b>Australian Corporate Mortgage Backed Securities (Face Value)</b>								
<table border="0"> <tr> <td style="padding-left: 20px;"><i>Castlereagh Trust 90 Points over 3mth BBSW</i></td> <td style="padding-left: 100px;">6.05%</td> <td style="padding-left: 20px;">21-Jun-13</td> <td style="padding-left: 20px;">\$1,500,000.00</td> </tr> </table>					<i>Castlereagh Trust 90 Points over 3mth BBSW</i>	6.05%	21-Jun-13	\$1,500,000.00
<i>Castlereagh Trust 90 Points over 3mth BBSW</i>	6.05%	21-Jun-13	\$1,500,000.00					
Capital Value - 31 <sup>st</sup> August, 2012				\$1,295,265				
<b>Total Investments as at 30<sup>th</sup> July, 2012</b>								
11 am Call Account				\$ -				
Mortgage Backed Security				<u>\$1,295,265</u>				
				<u>\$ 1,295,265</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 August 2012 be received and adopted*



13.2 RATES COLLECTIONS STATEMENT

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

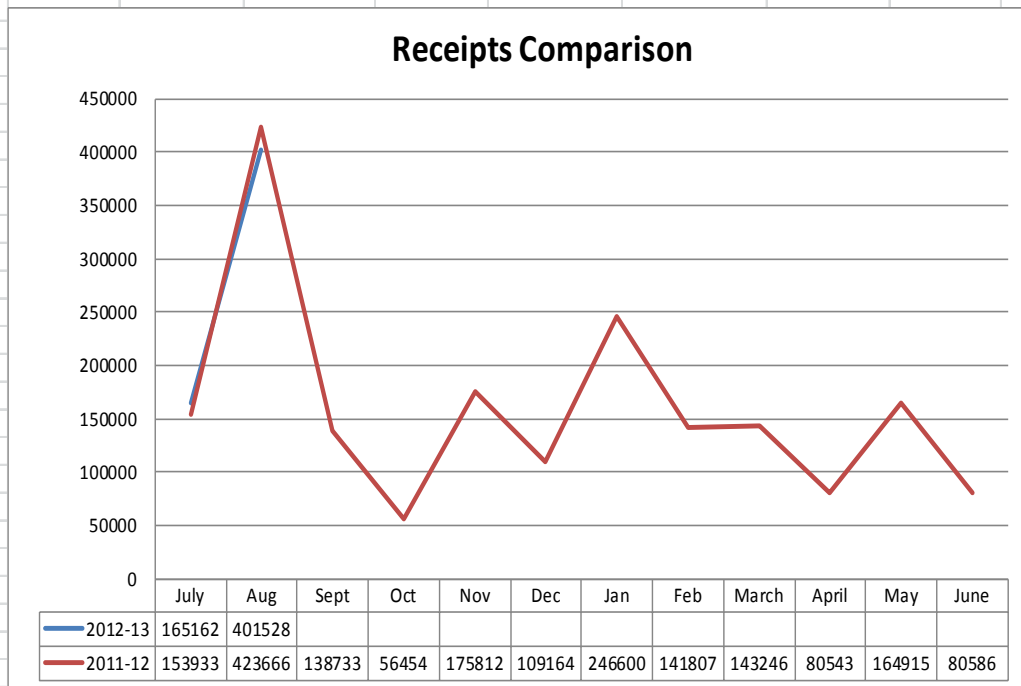
**STATEMENT OF RATES and CHARGES as at 1st September 2012**

Fund	Current Levies	Current Interest	Arrears Incl Interest	TOTAL	Receipts	Adjustments W/offs & Credits	Pensioner Subsidy	Rates in Credit	BALANCE
General	\$ 675,308	\$ 3,624	\$ 272,810	\$ 951,741	\$ 256,630	\$ 1,661	\$ 15,493		\$ 677,958
Special	\$ 32,549	\$ 329	\$ 24,640	\$ 57,517	\$ 11,595	\$ 242	\$ -		\$ 45,680
Water	\$ 293,979	\$ 2,572	\$ 197,112	\$ 493,663	\$ 95,337	\$ 3,344	\$ 4,856		\$ 390,126
Sewer	\$ 103,625	\$ 639	\$ 50,621	\$ 154,885	\$ 29,903	\$ 583	\$ 788		\$ 123,611
Garbage	\$ 336,011	\$ 3,218	\$ 238,051	\$ 577,279	\$ 127,294	\$ 2,859	\$ 13,182		\$ 433,944
Excess Water	\$ -	\$ 2,467	\$ 210,671	\$ 213,138	\$ 45,094	\$ 123	\$ -		\$ 167,922
Charge on Land	\$ -	\$ -	\$ 27,365	\$ 27,365	\$ 837	\$ -	\$ -		\$ 26,528
Rates in Credit								-\$ 41,120	-\$ 41,120
<b>TOTALS</b>	<b>\$1,441,472</b>	<b>\$ 12,848</b>	<b>\$ 1,021,269</b>	<b>\$2,475,589</b>	<b>\$ 566,690</b>	<b>\$ 8,811</b>	<b>\$ 34,319</b>	<b>-\$ 41,120</b>	<b>\$ 1,824,650</b>

Receipts in August were slightly down on the same month last year - \$401,528 vs \$423,666, reversing a trend which has seen increased receipts in 8 of the last 12 month Adjustments were high - \$7,346 - primarily due to exemptions on vacant land required under the ALRA. Interest raised was high - \$12,848 - due to no interest being raised in July. The overall position improved by \$399,010.

<b>Previous Balance</b>	<b>\$ 2,223,660</b>
<b>This Period</b>	
Interest raised	\$ 12,848
<b>Water Levies Raised</b>	\$ -
Supplementary Levies	\$ -
<b>Receipts</b>	<b>\$ 401,528</b>
W/Offs & Adjustments	\$ 7,345
Pensioner Rebates	\$ -
Rates in Credit	\$ 2,985
<b>Current Balance</b>	<b>1,824,650</b>
<b>Net Movement</b>	<b>-\$ 399,010</b>

Aged Balances	Current	1 Year	2 Years	3 Years	4 Years	5 Years & Over	Interest	Rates in Credit	
1/08/2012	\$1,301,005	\$226,675	\$132,273	\$106,556	\$71,936	\$183,649	\$239,700	-\$38,135	<b>\$2,223,660</b>
1/09/2012	\$944,220	\$195,715	\$126,710	\$102,098	\$70,506	\$178,439	\$248,082	-\$41,120	<b>\$1,824,650</b>
<b>Net Movement</b>	<b>-\$356,785</b>	<b>-\$30,960</b>	<b>-\$5,563</b>	<b>-\$4,458</b>	<b>-\$1,430</b>	<b>-\$5,211</b>	<b>\$8,382</b>	<b>-\$2,985</b>	<b>-\$399,010</b>



**RECOMMENDATION**

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

**13.3 HACC SERVICES FUNDING AGREEMENTS**

**ATTACHMENT 19**

**Summary**

A report (Section 8.7 page 28 of the August Council Meeting Agenda) concerning funding of the Ivanhoe Multi Service Outlet was presented to Council at its meeting of 21 August 2012 but was not accepted by Council after some discussion, given concern as to the extent of the apparent reduced level of funding of HACC services. This report includes new information that will enable Councillors to more fully understand the situation.

**Commentary**

Up until 30 June 2012 HACC services have been funded through the NSW Department of Family and Community Services. A new arrangement has been established in that as from 1 July 2012 the provision of funding is to be apportioned from two sources, roughly 50:50 – Ageing, Disability and Home Care (ADHC) provided by the NSW Government Department of Family and Community Services for younger people (those under age 65) and; Home and Community Care services (HACC) provided by the Commonwealth Department of Health and Ageing for older people (those 65 and older).

The report in Council's August agenda referred to only the funding being provided from the Commonwealth rather than the combined Commonwealth/State funding. Together, the total funding receivable from both sources will equate with that which Council is currently receiving. At a recent meeting with the NSW Service Support and Development Officer for the Department of Family and Community Services, we were assured that Council will not be disadvantaged by this new arrangement.

**(a) Policy Implications**

Nil

**(b) Financial implications**

Council will continue to receive funding equivalent to that being currently received

**(c) Legal implications**

Nil

**(d) Community Consultation**

Nil

**RECOMMENDATION**

*That Council agree to enter into contracts with the NSW Government Department of Family and Community Services and the Australian Government Department of Health and Ageing for the funding of HACC services for the Ivanhoe Multi Service Outlet for the period 1 July 2012 to 30 June 2015.*

*That the Mayor and General Manager sign relevant documents as required, and the Council seal be attached if required.*

**13.4 AMENDMENT TO S355 COMMITTEES OPERATIONAL MANUAL**

**Summary**

In September 2011 Council adopted the draft Section 355 (S355) Committees Operational Manual. The Manual outlines in some considerable detail the roles and responsibilities of delegated Committees which manage facilities or functions on behalf of Council. This report address an issue which, if resolved will facilitate an easier approach to be taken by Treasurers of those committees.

**Commentary**

Section 5 of the Manual under the title Financial Management includes specific detail on such things as banking, receipting, making payments, petty cash handling, keeping the cashbook, bank reconciliations, annual reporting and budgeting and Goods and Services Tax (GST).

Sub-section 5.7 deals specifically with GST and outlines the responsibilities of the Treasurer with regard to accounting for input and output GST and the residual amount to pay or claim as refund. The Manual notes that payments or refunds due must be channelled through the Shire's books.

While the Committees are established by Council, they are in essence stand alone entities. Current examples are the White Cliffs Hall Committee and the White Cliffs Community Association. In the Australian Tax Office Guide to GST overview, it is stated "If you carry on an enterprise and have a GST turnover of \$75,000 or more (\$150,000 or more for non-profit organisations) ..... you must

*register for GST*". Given the relative autonomous nature of Council's Section 355 committees and their size in terms of activity, it is doubtful that any will ever in the short to medium term, reach or exceed the \$75,000 let alone the \$150,000 threshold.

Two of three sets of Committee accounts that have so far been submitted to Council for audit have disregarded GST – one on the grounds of complexity and not being fully aware of GST requirements and the other never acknowledging the GST requirements as set out in the Manual. The third Committee has diligently accounted for and has paid GST in this last financial year, possibly needlessly, but in compliance with the Manual.

For clarification and guidance, staff contacted Council's auditors who advise that although the Manual was originally prepared in good faith taking cognisance of other like documents, the requirements in respect to GST are a little excessive and that in their opinion there is no need for Committees to account for GST either independently or through the Shire.

It now seems appropriate to remove from the Manual the requirements relating to GST and to modify the sample forms which are included in the Manual to assist Treasurers.

#### **RECOMMENDATION**

***That the requirements of S355 Committees in respect of Goods and Services Tax as detailed in Clause 5.7 of the Section 355 Committees Operational Manual be deleted and that a note is added stating that all amounts in the financial accounts of Committees are, where applicable, to include GST.***

## SECTION 14. CORRESPONDENCE

### RECOMMENDATION

*That the Correspondence for Council be received and noted.*

#### 14.1 MEDIA RELEASES

Date	Sender	Contents
22/08/2012	Department of Primary Industries	Updated flow advice for Lower Murray Darling
27/08/2012	Member for Murray-Darling	Applications now open for 2012 Community Building Partnership program:
28/08/2012	Member for Murray-Darling	Submissions called for Construction inquiry
31/08/2012	Member for Murray-Darling	State Government funding for wool track upgrade shows support for Bemax Atlas/ Campaspe mineral sands project.
04/09/2012	Minister for Regional Infrastructure and Services.  Andrew Stoner MP	Broken Hill Heavy Vehicle Bypass
07/09/2012	Member for Murray-Darling	Carbon Tax Hurting Small Business: Williams

#### 14.2 CIRCULARS/NEWSLETTERS

Sender	Date	Contents
NSW Government Premier& Cabinet	21/08/2012	End of Year Financial reporting 2012
NSW Government Premier& Cabinet	27/08/2012	Modernisation of Local Government Legislation
NSW Government	31/08/2012	Graffiti Removal Day

NSW Government Premier& Cabinet	04/09/2012	2012 Councillor Workshop
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## SECTION 15. THE RECEIPT OF REPORTS FROM COMMITTEES

### **RECOMMENDATION**

*That the MANEX Minutes dated 27<sup>th</sup> August 2012 be received and noted.*

### **RECOMMENDATION**

*That the White Cliffs Hall AGM Minutes dated 27<sup>th</sup> August 2012 be received and noted.*

### **RECOMMENDATION**

*That the White Cliffs Hall Minutes dated 27<sup>th</sup> August 2012 be received and noted.*

### **RECOMMENDATION**

*That the MANEX Minutes dated 3<sup>rd</sup> September 2012 be received and noted.*

### **RECOMMENDATION**

*That the MANEX Minutes dated 10<sup>th</sup> September 2012 be received and noted.*

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## **Minutes of MANEX Meeting held Monday 27<sup>th</sup> August 2012**

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*Meeting Commenced at 10:04am*

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### **Present**

Leeanne Ryan -Acting GM

Reece Wilson -MTES

Paul Gavin -FM

Adelaide Elliott- EA

### **Apologies**

Tim Drew -GM

David Cumming -FM

### **Outstanding Council Resolutions**

As per Council agenda, MANEX team encouraged to continue working through outstanding Council resolutions.

### **Questions with Notice from Councillors**

Mr Bob Looney's questions asked in public access at the June Council meeting require an answer. MTES to provide a response for the next council meeting.

### **Governance**

Calendar of compliance from the DLG issued to all members of MANEX team.

Pecuniary interest forms will be required for new councillors and also current Councillors.

### **Financial Management**

Nil to report

### **Risk Management**

Rates Officer to attend risk management conference in Sydney next week.

To service equipment correctly, the MTES noted that there will be a need to have a mechanic on hand every few months if the only mechanic in town is closing his business.

### **Incident/Accident Reports**

Nil to report

### **Work Health & Safety**

Nil to report



**Human Resource Management:**

MTES noted that the two labourer positions close on the 31<sup>st</sup> August for Menindee and White Cliffs.

Need to find casual to fill in for reception whilst Receptionist is on annual leave.

**Business Arising from Previous Minutes**

Nil to report

**Other Business:**

Council Meeting of 21<sup>st</sup> August – 8.7 HACC Services Funding Agreement. Further discussions with HACC required and meeting to be held. FM to provide a further report to Council.

Section 355 Committees Operational Manual needs some amendments to GST statements. FM to recommend amendments with a further report to go back to Council.

Rubbish on vacant blocks and some blocks are a fire hazard, to be investigated.

Garbage Truck tenders have closed and MTES to provide a report to the September Council Meeting.

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*Meeting Concluded at 10:49am*

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**WHITE CLIFFS HALL COMMITTEE**

**AGM**

Monday 27<sup>th</sup> August 2012

**OPENING**

President Ron Downton welcomed everyone and opened the meeting at 5:20pm

**PRESENT**

**Current Committee Members**

Belinda White, Ron Downton, Sue Downton, Bill Hoskins, Rod Cook, Sue Cook, Enid Black, Barbara Gasch, Anne Baker, Irmhild Bakker, Peter Indermuhle

**Community Residents**

Claire Inness

**APOLOGIES**

Jenny Hoskins, Donna-Lee Wynen, Brett Brown, Jenny Brown, Doug Brook, Barbara Mohler, Roger Mohler, Gunnell Hecht, Jurgen Hecht,

**MINUTES OF PREVIOUS AGM HELD ON 5/11/11**

**MOVED** – Sue Cook    **SECONDED** – Sue Downton

That the minutes from the previous AGM, held on 5<sup>th</sup> November 2011, were read and found to be true and correct.

**BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**MOVED** – Bill Hoskins    **SECONDED** – Enid Black

**TREASURERS REPORT**

Belinda White advised that CDSC Accountant, Paul Gaven had audited the 2011/2012 financial year with balance being \$6710.00 as at 30/06/2012.

**MOVED** – Barbara Gasch    **SECONDED** – Bill Hoskins

That the Treasurer presented and tabled the 2011/2012 financial year audited statement.

**CORRESPONDANCE IN**

NIL

President Ron Downton thanked the committee for all their help and enthusiasm over the past year and stated that due to roof and ceiling repairs, electricity upgrade and general maintenance in and around the hall that the hall is in the best condition it has been in for a long time.

Ron declared all committee positions open for nominations.

## **ELECTIONS**

Bill Hoskins took the chair and called for nominations.

### **President**

Anne Baker nominated Ron Dowton

Barbara Gasch seconded

Ron Dowton accepted

### **Vice President**

Ron Dowton nominated Rod Cook

Peter Indermuhle seconded

Rod Cook accepted

### **Secretary/Treasurer**

Sue Cook nominated Belinda White

Enid Black seconded

Belinda White accepted

Incoming President, Ron Dowton, thanked Bill Hoskins and resumed the chair.

### **Committee**

Ron Dowton

Rod Cook

Belinda White

Sue Dowton

Sue Cook

Bill Hoskins

Enid Black

Jurgen Hecht

Gunnell Hecht

Barbara Gasch

Jenny Hoskins

Donna-Lee Wynen

Anne Baker

Brett Brown

Jenny Brown

Doug Brook

Irmhild Bakker

Peter Indermuhle

Barbara Mohler

Roger Mohler

President Ron Dowton welcomed the new committee.

AGM closed 5:45pm

## WHITE CLIFFS HALL COMMITTEE

### ORDINARY MEETING

Monday 27<sup>th</sup> August 2012

**OPENED:** 5:50pm

**PRESENT:** Ron Downton, Belinda White, Sue Downton, Bill Hoskins, Sue Cook, Rod Cook, Enid Black, Anne Baker. Barbara Gasch, Irmhild Bakker, Peter Indermuhle, Claire Inness

**APOLOGIES:** Donna-Lee Wynen, Jenny Hoskins, Brett Brown, Jenny Brown, Doug Brook, Gunnell Hecht, Jurgen Hecht, Barbara Mohler, Roger Mohler

### MINUTES FROM PREVIOUS MEETING

Moved: Irmhild Bakker    Seconded: Sue Cook

That the minutes from the previous committee meeting, held on 11/07/2012, were read and accepted.

**CARRIED**

### BUSINESS ARISING FROM MINUTES

1. **Repairs and Maintenance:**

- Repairs to roof – completed
- New ceiling partially completed, waiting for new lighting to be fully installed
- New lighting being installed along with new powerboards
- Fridge has been repaired and is on its way back

2. **Mutawintji Land Council** – Meeting went well

3. **Cookies money** – Has been paid

4. **Air conditioner instructions** – Belinda to make signs

5. **Hall Keys** – Have been returned

6. **Arts Festival** – See correspondence

### TREASURERS REPORT

Bank Balance as at 30<sup>th</sup> June is \$ 6710.00  
audited.

No Treasurers Report as books were in being

Moved: Sue Downton    Seconded: Irmhild Bakker

That the Auditors Report be acknowledged and accepted.

**CARRIED**

### CORRESPONDANCE OUT

1. Letter has been sent to The Arts Festival Committee regarding confirmation of dates the hall will be needed, Public Liability Insurance, Risk Assessment, Hall Hire Checklist

### CORRESPONDANCE IN

1. Electricity Account
2. Letter from Arts Festival Committee confirming dates hall is needed for the festival, Risk Assessment has been sent to CDSC, Public Liability Insurance being organised. Letter is attached.

Moved: Sue Cook      Seconded: Rod Cook

### CARRIED

### GENERAL BUSINESS

1. Donna-Lee would like to hire some chairs and tables for Raeah's 18<sup>th</sup> on 29<sup>th</sup> September
2. Claire Inness has expressed an interest in becoming a member
3. Bingo in the supper room on Saturday 1<sup>st</sup> Sept. All funds to Graham Leckie's bike ride for the RFDS
4. A suggestion was made about having paper towel rolls in the toilets for your hands instead of individual sheets. The sheet holders are broken & are annoying as you need a key to unlock them to change the paper.
5. Hall acoustics need to be looked at. Very hard to hear. A suggestion was made to have some artworks done on canvas (or something similar) to hang around the hall walls to act as a sound buffer. Could include the students at the school as well as community members. Doesn't need to be a lot of them, just a few to absorb some of the sound.
6. Hall Hire Fees were discussed. Fees haven't changed since 2000. Committee would like fees to be kept to a minimum so hall is accessible to all. Due to an increase in electricity charges and the fact that it's been 12 years since a fee review, the committee would like the CDSC to look at accepting the below fee recommendations.
  - **FULL HALL HIRE (supper room + main hall) : Currently \$50, increase to \$55**  
If kitchen used: currently \$10 extra, increase to \$15 extra
  - **SUPPER ROOM ONLY: currently \$15, increase to \$20**  
If kitchen used: currently \$10 extra, increase to \$15 extra
  - **TREKS/RALLIES/FESTIVALS: currently \$100, increase to \$110**  
(used for all day/night OR all day/part night OR part day/all night etc)

MEETING CLOSED: 6:30pm

## **Minutes of MANEX Meeting held Monday 3rd September 2012**

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*Meeting Commenced at 10.09 am*

---

### **Present**

Leeanne Ryan – Acting GM

Reece Wilson –MTES

Paul Gavin –Acting FM

Tamara Kessell –AO-ES

### **Apologies**

Adelaide Elliott –EA

Tim Drew – GM

David Cumming – FM

### **Minutes from Previous Meeting**

Discussed.

### **Outstanding Council Resolutions**

MANEX team encouraged to deal with outstanding resolutions.

### **Questions with notice from councillors**

Query from Cr Looney regarding roads around Menindee.

### **Governance**

Pecuniary interest returns due for Councillors who held office at 30 June 2012 - EA to follow up.

### **Financial Management**

Acting GM requested Managers to monitor and limit expenditure where possible, including overtime. To be reviewed again in October.

Draft financials being prepared by FM.

### **Risk Management**

Rates Officer currently at Risk Conference, will bring back some useful information relating to risk.

Draft Drug/ Alcohol Policy was tabled by AGM. This policy requires further discussion and input from Managers and SCC.

### **Incident/ accident Reports**

Nil

**Work Health and Safety**

Nil

**Human Resource Management**

Work About Australia has contacted Council about becoming an employment location for travellers. The cost is \$3,300 for 3 years to register. MANEX team to further consider.

Union members approached MANEX about the annual Union Picnic Day to be held on 2nd October 2012. Non-union members are encouraged to take leave, however this is not compulsory.

MTES queried when Engineering staff appraisals will be finalised. The GM had all the documentation for each appraisal. Acting GM to investigate.

MTES queried the status on the 9 day fortnight. GM was investigating, Acting GM to follow up.

SCC meeting to be convened shortly. MANEX reps to be MTES and FM.

FM to look over funding agreement for Ivanhoe Meals on Wheels.

**Other Business**

FM raised queries on Meals on Wheels in Ivanhoe. FM to check with Uniting Care.

FM raised query on website funding. FM to investigate.

Acting GM informed MANEX the 2012 Community Building Partnership Funding closes 30th October 2012. MANEX flagged possible projects for funding being playgrounds, boat ramp in Wilcannia, amenities for sporting ovals.

Kilfera Field Day to be attended by Rates Officer at this stage.

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*Meeting Concluded at 11.02 am*

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## **Minutes of MANEX Meeting held Monday 10th September 2012**

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*Meeting Commenced at 10:05am*

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### **Present**

Leeanne Ryan -Acting GM

Reece Wilson -MTES

Paul Gavin -AFM

David Cuming - FM

### **Apologies**

Tim Drew –GM

Adelaide Elliott - EA

### **Minutes from Previous Meeting**

MTES discussed RMS Regional Road Block grant with MANEX team.

Acting GM to forward documents from last meeting to MANEX team.

### **Outstanding Council Resolutions**

EA to seek MANEX to update status of resolution table prior to Agenda preparation

### **Questions with Notice from Councillors**

Nil to report

### **Governance**

Council election is in progress with counting not finalised until end of the week.

### **Financial Management**

RMS Regional Block grant was raised by MTES for MANEX's information. Further discussion on this matter between FM and MTES is to occur on Wednesday.

Funding for Porters Crossing was raised by MTES.

Finance team are working on Annual Financials.

### **Risk Management**

White Cliffs pool – insurance claim still in progress.

### **Incident/Accident Reports**



Nil to report

**Work Health & Safety**

OH&S training is required for all staff, to be organized.

Human Resource Management:

Casual Risk/WHS Officer to commence with Council shortly, Rowan Lawn returning in a casual position.

**Business Arising from Previous Minutes**

Nil to report

**Other Business:**

AFM queried whether airport landing fees could be introduced in CDSC.

FM raised the matter of bus contracts between operators and Council.

FM queried when swimming pools were opening. Acting GM advised mid November 2012, apart from White Cliffs.

MTEs gave an update on garbage truck tenders. FM to assist with report preparation for Council meeting on options for finance.

Sewer and water project was discussed. Tenders to be considered by Council at the September meeting. It was noted that the community have raised concerns with the project. There will be a Wilcannia Local Aboriginal Land Council meeting on 18/9/12 regarding the project.

AFM brought up weed spraying around Wilcannia.

AFM to prepare a report to September meeting about amendments to the Operating Manual for S355 Committees relating to GST.

MTEs advised mechanic is leaving Wilcannia end of September and plans in place to use a travelling mechanic to service council's equipment on a 3 monthly basis.

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*Meeting Concluded at 11:32am*

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## SECTION 16. DELEGATES' REPORTS

### Cr LINNETT

#### DELEGATE'S REPORT - LONG PADDOCK

Fay & I attended the AGM and Committee Meeting of the Long Paddock which was held at the Conargo Shire Chambers at Deniliquin on the 6th September.

All 5 councils were represented and I was re-elected as Central Darling Shire's representative and Fay was re-elected as the community representative of Central Darling Shire.

Following a large advertising campaign on the Website, many potential tourists are using this to get information for their travel movements which is proving positive with the status as well as the committee attendances at the Caravan & Camping Shows in our capital cities. The promotion with statistics is certainly working as tourism had increased in Western NSW travelling the long paddock through Ivanhoe to distances in Central Darling Shire to Menindee, Wilcannia, White Cliffs & beyond. One of the main information on the Website is Copi Hollow Resort at Menindee.

Regrettable the feedback from travelling tourist is not good for Ivanhoe as they have a problem at times with the availability of accommodation, fuel & food, hopefully this can be rectified encouraging tourists to stay overnight and spend some time at Ivanhoe.

I raised a concern with the lack of infrastructure projects in Central Darling Shire in the last two years, however it was explained that matching funding is required for the majority of grant applications, so Infrastructure projects can be difficult to source funding for. The product development phase of the Long Paddock is slowing as the route is now established.

The primary role of the committee is now to attract visitors to travel the Long Paddock and Central Darling Shire.

While product development is still a focus of the committee, limited funding restricts the amount that can be undertaken.

Another matter raised was access to National Parkes by tourists. A prime case was Booligal Station National Park where three padlocks has to be removed by National Parks staff to give an executive of the Hay Shire to visit the homestead and gardens with a visiting delegation.

The meeting decided to seek support from the five shire councils to support the Long Paddock committee in the push to have National Parkes open up to visitors. I will raise the matter with the Regional Director of National Parkes & Wildlife for the Western Region at the Western Lands Advisory Council meeting in Cobar in October.

#### **RECOMMENDATION**

***That the Delegates' reports be received and noted.***

## SECTION 17. QUESTIONS WITH NOTICE

### *RECOMMENDATION*

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

#### 17.1 CR LOONEY

**1. If the proposed gymkhana at Menindee eventuates considerable time will be needed for people to repair and install infrastructure, who is responsible during this time with public liability as the racecourse is currently being used with a holder of a temporary licence issued by Council.**

Answer.

The group of persons responsible would require their own public liability insurance, it would also be considered appropriate that a temporary licence could be entered into during this period.

**2. The Barnson report on the Yampoola Crossing on Menindee to Pooncarie road showed option 1 with a causeway with piped causeway is it legal to use pipe on causeways.**

Answer.

Any options for improvement works to Yampoola Watercourse will need to be submitted to the NSW Department of Primary Industries for assessment and permit granting. The use of piped culverts is not illegal, however, Council should be aware that with respect to the Woytchugga culvert upgrade works piped culverts were specifically rejected because of fish passage issues. Based on this experience Council can anticipate a similar position by NSW Department of Primary Industries.

**3. There are plans to lift the lower section of Irrigation road by 330mm, as the road flooded at 9.21m this will mean the road will be now 9.54m by my calculations. It will get flooded every two out of three floods using levels of previous recorded records since 1890. What section of the 2.7kms will receive polycom? Due to the homes on the flood prone areas required to be built up above flood levels. Does the road legally need to be built up to the level of the houses?**

Answer.

At the lowest point on Irrigation Rd it is proposed to lift it 330mm. The road may well still be inundated by flood waters after this work has been completed. At no time has staff reported to Council that the road will be lifted above any flood levels. The works allocation from the local roads grant added to the flood damage restoration grant will allow 1 period of the grading crew, scrapers and Polycom to substantially improve the road formation. To provide a flood proof Irrigation Rd the road would have to be lifted at least half a meter above the 1in 100 design flood level. The same applies to the Old Pooncarie Rd. Both Irrigation Rd and Old Pooncarie Rd will receive a 500m treatment of Polycom these areas have not been finalised yet. There is no legal obligation on Council to raise Irrigation Road to a level which provides continuous access during flooding events. Habitable areas of new dwellings are required to be built to the design flood level (1 in 100) plus 0.5m freeboard whereas access provision to new dwellings has NO such mandatory requirement. Interruption to access during flooding events is part of life living on a flood plain. Notwithstanding Council is entitled to deal with the issue of access during flooding events but it should be in the context of a comprehensive Floodplain Management Plan which considers all aspects of flooding behaviour in Menindee and which should identify priority works which are costed along with possible funding sources.

**SECTION 19. URGENT BUSINESS**

## SECTION 20. 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.***

#### **20.1 GARBAGE TRUCKS**

#### **ATTACHMENT 19**

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

#### **Summary**

The purpose of this report is to provide Council with information relating to the recent Local Government Procurement Tenders in order for Council to make an informed decision when considering the recommendation.

#### **20.2 GRANT FUNDING - WATER SUPPLY AND SEWERAGE PROJECTS**

#### **ATTACHMENT 20**

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

#### **Summary**

The purpose of this report is to inform Council of the status of the Wilcannia Water Supply and Sewerage Augmentation with respect to proposed Wilcannia WTP Upgrade, Wilcannia Water Supply and Sewerage Works and Reservoir Relining Works.

#### **20.3 PERSONNEL MATTER RELATING TO THE GENERAL MANAGER'S CONTRACT OF EMPLOYMENT.**

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

**SECTION 21. DATE AND VENUE FOR NEXT MEETING**

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*The next meeting of Council will be held on the 16<sup>th</sup> October 2012 in Tilpa commencing at 9:30am.*

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