Minutes of the Ordinary Meeting of the Balranald Shire Council held at the Council Chambers, Market Street, Balranald on Tuesday 21st May 2013, commencing at 6pm.

PRESENT: Cr S O’Halloran (Mayor), Cr L Byron, Cr A Purtill, Cr J Mannix, Cr L Cooke, Cr K Barnes, Cr E Campbell and Cr T Jolliffe.

General Manager Chris Littlemore, Director Corporate Services Robert Rayner, Director Infrastructure & Development John Stevenson and Director Community & Economic Development Robyn Ryan were also in attendance.

APOLOGIES: Nil

DISCLOSURE OF INTERESTS

CALENDAR OF EVENTS

<table>
<thead>
<tr>
<th>Calendar of Events</th>
<th>May - June</th>
</tr>
</thead>
<tbody>
<tr>
<td>May</td>
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<tr>
<td>21</td>
<td>Budget Meeting @ 10am</td>
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<td>21</td>
<td>Council @ 6pm</td>
</tr>
<tr>
<td>28</td>
<td>CSP Meeting @ 2pm</td>
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<tr>
<td>29</td>
<td>Traffic Committee Meeting @ 12 noon</td>
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<tr>
<td>June</td>
<td></td>
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<tr>
<td>3</td>
<td>Hostel Committee Meeting @ 5pm</td>
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<tr>
<td>4</td>
<td>Euston Tourism &amp; Beautification Committee Meeting @ 9am</td>
</tr>
<tr>
<td>4</td>
<td>TED Meeting @ 5pm</td>
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<tr>
<td>5</td>
<td>Balranald Beautification Committee Meeting @ 7pm</td>
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<tr>
<td>13</td>
<td>LEMC Meeting @ 10.30am</td>
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<tr>
<td>16 – 19</td>
<td>National General Assembly @ Canberra</td>
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<tr>
<td>26</td>
<td>Interagency Expo @ Theatre Royal</td>
</tr>
</tbody>
</table>
CONFIRMATION OF MINUTES

Recommendation:
That:
“The minutes of the Ordinary Meeting of Council held on Tuesday 16th April 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”.

That:
“The minutes of the Confidential Meeting of Council held on Tuesday 16th April 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”.

That:
“The minutes of the Special Meeting of Council held on Tuesday 30th April 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”. Byron/Jolliffe

RESOLVED on the motion of Crs Byron and Jolliffe that the Minutes of the Ordinary Meeting held on Tuesday 16th April, the Confidential Minutes of Council held on Tuesday 16th April and Minutes of the Special Meeting held on Tuesday 30th April 2013 be taken as read and confirmed.

PRESENTATION/DELEGATIONS

Cr Barnes presentation of the Shit Box Rally
MAYORAL MINUTE/REPORT

Susan Ley met briefly with Cr Byron, General Manager and we discussed Water Flows in Rivers and in particular implementation of Water Act.

Thanks to Cr Ken and Vicki Barnes for the organisation and coordination of the Anzac Day dawn service at Kyalite.

Election funding authority presentation – basic

A wonderful day on Anzac Day in Balranald with the support from public and in particular the schools and it was special to see Clare Public School in attendance.

We farewelled Mr Malcolm Campbell last Thursday at the Depot. I would like to wish Yvonne and Malcolm all the best with their move and employment at the new shire.

Congratulations to Kellie Williams and her Aerobics team “Balranald Heatwaves” for their success in Sydney. The Central School team have progressed with their success and return later in year to compete again.

General Manager and I attended RAMROC at Jerilderie, the outcome was correspondence and a media release to express concerns with State Government was leading Local Government in our area of the state. Also, once again Murray Darling Basic Commission CEO and officers made presentation.

GM & I attended a working party meeting at Yanga Woolshed, its pleasing to see repairs to woolshed completed and open again to public. I still can’t believe the number of books management plan required for Yanga.

A number of interesting topics were discussed at the Joint Meeting with Swan Hill Rural City Council, highlighting the importance of the two shires working together.

I had the privilege with 250 other people to have lunch with our former State and Federal Member, Tim Fischer. Tim while speaking about his experiences all over the world repeated in his presentation, Visit Mungo in Balranald Shire before you visit the rest of the world.

A large crowd attended Dr Sandra Cabot presentation at BDESM Club in Balranald. Thanks to all involved and thankyou to all the sponsors. It was fantastic to have the opportunity to see and hear her in person.
Customer Service Training held in the Council Chambers Monday 20th May was well attended, very well appreciated by those in attendance.

Emma Scott and her team of four competed and were successful. The team was representing Australia.

Independent Local Government Review Panel chairman and Department representation in attendance at Deniliquin. We listened to the presentation of their 20 steps, concluding with a chance to put our views and ask questions. They, no doubt have an agenda for change and we will have a chance to put our case forward when the Chairman of panel visits our Shire.

Further to Local Government Review meeting in Deni, which I believe gave us an insight into the agenda of government, and our opportunity to put our points of view and ask questions we could access that they were becoming aware to it not just a one way street and the panel possibly might suggest government might not be acknowledging their lack of understanding and their further obligations to Local Government. Particularly, in the Western Division, given the chance to expand on Deni workshop I get the feeling our opportunity to retain and continue but no doubt look at ways to deliver services in a quest to do it better and more efficiently. We will get that opportunity. Mr Graham Sansum was pleased to hear we going down that path.

I personally am very disappointed it has come to this as the Minister and our State Member are both telling me unless we want change, No change will occur but we are confronted by lines on maps.

I would like to acknowledge achievement of Mrs Pam Martin our registered nurse at Hostel. Congratulations to Pam and all the staff who care for those at the Hostel. Pam received the award for NSW Aged Care Services Employee of the Year.
COMMITTEE REPORTS FOR ADOPTION

REPORT OF CONSULTATIVE COMMITTEE MEETING HELD AT THE COUNCIL DEPOT STAFFROOM, ON THURSDAY 18 APRIL 2013 COMMENCING AT 2.45 PM

Present- Mr Marc Carter (Chairman), Cr Alan Purtil, Cr. Jeff Mannix, Dave Unicomb, Adam McCartney, General Manager Chris Littlemore.

1. Apologies- Ian Fayle and DID John Stevenson.

2. Confirmation of Minutes- Moved GM Chris Littlemore seconded Cr Jeff Mannix that the minutes of the meeting of 29 November 2012 be accepted as a true record of that meeting.

3. Business Arising from the Minutes- Nil

4. Correspondence- Nil

5. Questions without Notice –
   Overseer has had training.
   Skin Screening Checks are at no cost to Council staff date to be confirmed. Appointment times will be allotted for all staff.
   Chainsaw tickets to be organised, RFS & RMS may also be looking at relevant training, Council may organise joint training.

6. Next Meeting - 2.30p.m Thursday 27th June 2013 depot staff rooms.

7. Close- The meeting closed at 2.55 p.m.

Recommendation: that the report be noted.

05.13.3518 RESOLVED on the motion of Crs Mannix and Byron that the report of the Consultative Committee meeting held on Thursday 18th April 2013 be noted.
REPORT & RECOMMENDATIONS OF WORK HEALTH & SAFETY COMMITTEE MEETING HELD ON THURSDAY 18TH APRIL 2013 AT WORKS DEPOT COMMENCING AT 3PM

PRESENT Mayor Steve O’Halloran, Cr Allan Purtil, Cr Jeff Mannix, Marc Carter, Adam McCartney, David Unicomb, Emma Severi, Chris Littlemore (General Manager) Robert Rayner (Director Corporate Services), and Ray Mitchell (Health & Development Officer)

APOLOGIES: John Stevenson (Director Infrastructure & Development), Ian Fayle (USU), Wayne Price, Ashleigh Morris

Business Arising
NIL

Minutes Endorsed by Consensus

New Business:

1. Following Committee WH&S site inspections, the following items were requested by the Committee to be noted in the minutes:

   Greenham Park:
   a number of trip hazards exist particularly in the areas surrounding the football oval buildings
   The ramp serving access to the football team rooms is not Building Code compliant
   The removal of timbers in the covered hill be considered.
   Drainage is problematic in the area of the umpires room.
   Caravan Park: the bulk gas tank is significantly beyond the nominal test date.

2. Inspections to be undertaken prior to the next meeting:

   Euston: Recreation Reserve
   Depot
   Water Treatment Plant/Toilet
   Inspectors: Chris Littlemore and Leigh Byron

   Balranald: Water Treatment Plant
   Sewer Treatment Area
   Inspectors: Geoff Mannix and Ray Mitchell
Balranald: Bidgee Haven hostel

Inspectors: Robert Rayner and Bianca Pegorin

3. The Committee affirmed the need for the DID to liaises with contractors in relation to the application of traffic control plans and appropriate signage.

4. The Committee was informed of the progress of the development volunteer policy/procedures. A preliminary draft policy has been circulated to Senior Staff for initial comment.

5. Chris informed the meeting that new satellite phones had been ordered and are due to arrive in the near future.

There being no further business the Meeting closed at 4:15pm.

**Next Meeting**: 27\(^{th}\) June 2013 commencing at 3:00pm.

**Recommendation**: that the report be noted.

**05.13.3519 RESOLVED** on the motion of Crs Mannix and Byron that the report of the Work Health & Safety meeting held on Thursday 18\(^{th}\) April 2013 be noted.
MINUTES OF THE EUSTON BEAUTIFICATION COMMITTEE
MEETING HELD AT THE MULTI-PURPOSE BUILDING, EUSTON
ON TUESDAY 7TH MAY, 2013 COMMENCING AT 9:00AM

PRESENT  Cr Leigh Byron (Chair), Vicki Barnes, Maureen Pupillo,
Bev Harbinson, and John Stevenson (Director Infrastructure &
Development).

APOLOGIES:   Cr Ken Barnes, Cr Lynda Cooke, Barry Watts,
Edna Price, Vivienne McMahon and Ron Mengler.

As there was not a quorum a general discussion took place.
Comments surrounding the minutes from the last meeting bus trip;
  •  Lake Benanee Improvements
    DID advised the meeting that works have commenced to lay
    water pipelines in readiness for tree planting. Security guards
    over solar lighting have been ordered.
  •  Cowper Street
    Discussion on species of trees for future avenue to cemetery.
    DID to negotiate with adjacent lease holder on screening
    trees for horse yards. Discussion on sourcing a standard of
    entrance gates for the cemetery. Committee to pursue the
    installation of new gates and side fence panels in new year.
  •  Sturt Highway North-Eastern Town Approach
    Random truck parking at Pickering’s frontage to be
discouraged via a landscaping commencement. DID to
    negotiate with Pickerings. Suggestion that Council pursue
discussions with RMS on a formal truck parking west side of
town on Crown Reserve. DID to list for Traffic Committee.
  •  Euston Cemetery
    Discussion on the need to revisit the policy allowing the
    purchase and reservation of plots within the Euston Lawn
    Cemetery. Unanimous agreement. DID to action.
  •  Euston Courthouse
    The Committee noted external repairs completed to gutters,
down pipes and storm drains. Minor internal works to be
    commenced within this year.
  •  Medley Drive
    DID to organise minor repairs to wharf and extend tree
    planting – Crepe Myrtle and Bottlebrush.
  •  Cary Street – Cowper Street Westerly
    DID to negotiate with RMS to reinstate the dangerous
    shoulder between Cowper Street and Councils Depot.

There being no further discussion the Meeting closed at 10:00am.
Next meeting to be held on Tuesday 4\textsuperscript{th} June commencing at 9.00am at the football grounds.

Recommendation: that the report be noted.

05.13.3520 \textbf{RESOLVED} on the motion of Crs Barnes and Barnes that the report of the Euston Tourism & Beautification Committee meeting held on Tuesday 7\textsuperscript{th} May 2013 be noted.
MINUTES OF THE MEETING OF THE BALRANALD BEAUTIFICATION COMMITTEE HELD AT THE COUNCIL CHAMBERS, ON 8TH MAY 2013, COMMENCING AT 7:00PM

PRESENT: Cr Elaine Campbell, Mary Grisdale, Jill Bath, Greg Camin, Marg Vanzanten, Karen Norfolk and John Stevenson (Director Infrastructure & Development)

APOLOGIES: Mayor Steve O’Halloran, Cr Jeff Mannix, Cr Allan Purtill, Gaye Renfrey and Vicki Burke

Business Arising
1. Working Bee set for 8:30am commencement Sunday 19th May 2013 to install an avenue of trees in the hospital area. DID to provide Council resources as assistance.

2. General discussion on the Chinese Cemetery, Bellandella Street. Committee to look at a future working bee to re-establish watering system and green the area.

Minutes Endorsed by Consensus

New Business:
1. A request from the Committee to seek consideration for the frog / log cutting feature to be retained in Heritage Park, it is a popular photography feature.

2. The Committee to assist Council with River Street island improvements – Heritage Park area.

3. Department of Health to be approached seeking comment on the re-establishment of watering and the greening of vacant land intersection McCabe and Market Street. DID to investigate.

4. Remove dead Kurrajong trees corner River & Dowling St and replace with appropriate trees. DID to action.

There being no further business the meeting closed at 7:40pm.

Next Meeting: Wednesday 5th June, at 7:00pm

Recommendation: that the report be noted.

RESOLVED on the motion of Crs Campbell and Barnes that the report of the Balranald Beautification Committee meeting held on Wednesday 8th May 2013 be noted.
COMMITTEE & OTHER REPORTS FOR INFORMATION

DELEGATES REPORTS

Purtill: Local Government Review Panel
Byron: Swan Hill Council meeting, meeting with S Ley
Barnes: Management of Public Lands in NSW

NOTICES OF MOTION/RECISSION

GENERAL MANAGERS REPORTS (Incorporating all Staff Reports)
Corporate Services Division

<table>
<thead>
<tr>
<th>Item</th>
<th>STATEMENT OF FUNDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Officer</td>
<td>Director Corporate Services – Robert Rayner</td>
</tr>
</tbody>
</table>

Purpose of Report
Funds Report for the Month Ending 30th April 2013

Report
Bank Reconciliation
Balance B/F From Previous Month

ADD Receipts for Month:
- Hostel Subsidy: 54,289.77
- Rates & Water: 82,072.16
- Balranald Levee Augment: 107,036.00
- Road Maintenance Contract: 238,953.76
- Debtors: 163,531.77
- Other Revenue: 98,051.51

LESS Payments for the Month:
- Contractors Plant Hire: 78,588.69
- BAS - Mar13: 54,154.00
- Head Walls and Pipes: 60,229.37
- Solar Hot Water System: 37,810.00
- Other Payments: 623,161.52

Cash Book Balance as at End of Month
560,068.04

LESS Outstanding Deposits as at end of Month
807.99
ADD Unpresented Cheques as at end of Month
11,596.70

Bank Balance as at End of Month
570,856.75

Funds Held
<table>
<thead>
<tr>
<th>Funds</th>
<th>General</th>
<th>DWM</th>
<th>Water</th>
<th>Sewer</th>
<th>Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank</td>
<td>108,252.47</td>
<td>80,172.05</td>
<td>221,529.43</td>
<td>150,114.09</td>
<td>560,068.04</td>
</tr>
<tr>
<td>Investment</td>
<td>2,100,000.00</td>
<td>-</td>
<td>-</td>
<td>1,400,000.00</td>
<td>3,500,000.00</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2,208,252.47</td>
<td>80,172.05</td>
<td>221,529.43</td>
<td>1,550,114.09</td>
<td>4,060,068.04</td>
</tr>
</tbody>
</table>

Restricted Funds
- 1,472,612.55

Working Funds
- 735,639.92
All investments shown have been made in accordance with Section 625 of the Local Government Act 1993, the regulations and council’s investment policy.

Recommendation: For Information.

05.13.3522 **RESOLVED** on the motion of Crs Byron and Jolliffe that the report be received and recommendations be adopted.
Item C - 2 OUTSTANDING COUNCIL RATES

<table>
<thead>
<tr>
<th>Reporting Officer</th>
<th>Director Corporate Services – Robert Rayner</th>
<th>File 130</th>
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</thead>
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Purpose of Report:
To update Council of the status of outstanding rates to Balranald Shire Council.

Report:
The total amount of rates outstanding as at 30 April 2013 was $288,543.28 or 12.62%, and the outstanding water consumption charges totalled $61,508.87. The percentage outstanding in last year’s financial report was 14.5%

The 4th instalment of rates is due on 31 May 2013.

A list of the assessments with arrears greater than $5,000 and the action Council has taken to recover the debts is as follows:

<table>
<thead>
<tr>
<th>Assessment</th>
<th>Outstanding Balance</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>2605049</td>
<td>$6,116.90</td>
<td>Regular periodical payment</td>
</tr>
<tr>
<td>2605333</td>
<td>$8,775.67</td>
<td>Regular periodical payment</td>
</tr>
<tr>
<td>2605756</td>
<td>$7,026.73</td>
<td>Regular periodical payment</td>
</tr>
<tr>
<td>2605615</td>
<td>$12,331.08</td>
<td>Regular cash payments being made</td>
</tr>
<tr>
<td>2604742</td>
<td>$6,900.51</td>
<td>Organisation in administration</td>
</tr>
</tbody>
</table>

Attachments: Nil

Budget Implications: Nil.

Recommendation: That the report be received.

05.13.3523 RESOLVED on the motion of Crs Campbell and Purtill that the report be received and recommendations be adopted.
<table>
<thead>
<tr>
<th>Item C - 3</th>
<th>VOLUNTEERS POLICY</th>
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</thead>
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<tr>
<td>Reporting Officer</td>
<td>Director Corporate Services – Robert Rayner</td>
</tr>
</tbody>
</table>

**Purpose of Report**
To consider a Policy for Council's Volunteers in line with new Work Health & Safety Policies and Procedures.

**Report**
Balranald Shire Council is committed to providing the community with the best possible service delivery.

To achieve this, Council requires a high level of commitment and competence from all those who provide that service, including volunteers.

Council's intent is to maximise the use of skills within the community to contribute to the development of our Local Government area.

The volunteer policy addresses the need to formalise roles and responsibilities of all involved in the volunteering process.

Council is required to fulfil its duty of care to potential volunteers and to the existing workforce.

In order to provide Council with a systematic process of utilising Volunteers, this Draft Policy has been developed.

**Attachments:** As a separate document. Policy Document: Volunteers.

**Budget Implications:**
Nil.

**Recommendation:**
That Council place the Draft Policy Document: Volunteers, on public exhibition for a period of 30 days with any submissions being reported to the June Meeting.

05.13.3524 **RESOLVED** on the motion of Crs Mannix and Cooke that the report be received and recommendations be adopted.
Purpose of Report
To consider a Policy for Council’s Signs for Remote Supervision responsibilities in accordance with Council’s Insurers, Statewide Mutual’ guidelines.

Report
Councils around the State have been subject to liability claims attributed to signage on many occasions. Claims generally centre on complaints from, or injuries to, third parties due to the absence of appropriate signage, insufficient signage, or the wording or the location of signage being deficient.

The Court’s interpretation and rulings concerning signs prompted the Council’s Insurer, Statewide Mutual to develop a Best Practice Manual.

In order to provide Council with a systematic process of developing appropriate signage for Council properties, this Draft Policy has been developed.

Attachments: As a separate document.

Budget Implications:
Signs for Council properties are replaced from time to time as they age, this replacement cost is accounted for in existing budget allocations.

Recommendation:
That Council place the Draft Policy Document: Signs for Remote Supervision, on public exhibition for a period of 30 days with any submissions being reported to the June Meeting.

05.13.3525 RESOLVED on the motion of Crs Campbell and Mannix that the report be received and recommendations be adopted.
Balranald Shire Council
Minutes - Ordinary Meeting – 21st May 2013

<table>
<thead>
<tr>
<th>Item</th>
<th>C - 5</th>
<th>DONATION REQUEST</th>
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<td></td>
<td></td>
<td>Reporting Officer</td>
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</table>

**Purpose of Report**
Balranald Central School Lawn Bowls Team is requesting a donation for the team to attend a NSW State Competition.

**Report**
The Balranald Central School Lawn Bowls Team consisting of three members have successfully made it into the top 16 in the state.

The next competition will be played in North Haven (NSW) on the 12th and 13th of June 2013 to determine who moves onto the semi-finals.

North Haven is over 1200 kms away from Balranald and due to the transportation and accommodation costs involved for the students, financial support is being sought to defray costs.

Council’s donations policy provides for contribution up to $150 per competitor up to a maximum of $1,000 for groups.

**Budget Implications**
Funds are available as Council received $8,000 in late June 2010 from NSW Sport & Recreation for youth activities of which $2,018.00 remains.

**Attachments**
Letter attached

**Recommendation**
That Council contribute an amount of $450 towards the Lawn Bowls Team expenses.

05.13.3526 **RESOLVED** on the motion of Crs Mannix and Byron that the report be received and recommendations be adopted.
Dear Councillors,

I am writing on behalf of the Bairnanal Central School Lawn Bowls Team. This team consists of Zachary Jolliffe, Adam Simpson and Daniel Woolhouse. After beating the past 3 teams that they have played, they have successfully made it into the top 16 in the state.

We are writing to ask for financial assistance as the boys now have to travel to North Haven (NSW) to play bowls on the 12th and 13th June 2013 to hopefully move to the semi finals if they win. We believe this is a great opportunity for these boys but with only 4 weeks notice to go to North Haven (approx 13 hours away) finances are minimal.

We are hoping that you can assist with getting these boys to the next level in the state.

Yours Sincerely,

Kylie Jolliffe

Kjc63369@bigpond.net.au

0407923313
Economic & Community Development Reports

<table>
<thead>
<tr>
<th>Item</th>
<th>E - 1</th>
<th>BALRANALD HOSPITAL AUXILLARY REQUEST TO WAIVE THEATRE HIRE FEES</th>
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</thead>
<tbody>
<tr>
<td>Reporting Officer</td>
<td>Director of Economic and Community Development, Robyn Ryan</td>
<td>File 56</td>
</tr>
</tbody>
</table>

Purpose of Report
To advise Council of a request from the Balranald Hospital Auxiliary for assistance to host the United Hospital Auxiliaries Zone Day.

Report
Council has received correspondence from the Balranald Hospital Auxiliary seeking assistance to host the United Hospital Auxiliaries Zone Day (Murray Region) in March 2014.

It is proposed that the event will be held at the Theatre Royal and will include a local history exhibition and a visit to the new hospital facility.

As the venue hire is only one, of many expenses the Auxiliary will incur in hosting the Zone Day, the Auxiliary is seeking the support of Council by way of hire fee waiver.

Budget Implications
Nil.

Attachments
Correspondence received from Balranald Hospital Auxiliary.

Recommendation
For the consideration of Council.

05.13.3527 RESOLVED on the motion of Crs Mannix and Cooke that the fees be waived.

05.13.3528 RESOLVED on the motion of Crs Purtill and Barnes that Council adopt a draft policy, that from 1 July 2013 fees for the Theatre Royal facilities will not be waived and that the draft policy be placed on public exhibition for a period of 30 days with any submissions being reported to the June Meeting.
Monday 20th April 2013

The General Manager
Balranald Shire Council
PO Box 120
Balranald NSW 2715

Dear Chris

Next year the Balranald Hospital Auxiliary will be hosting the United Hospital Auxiliaries Zone Day for the Murray Region.

We are seeking the donation of the Theatre Royal to hold the Zone Day.

At this present time, we know it will be held sometime in March 2014. Unfortunately I cannot give you the exact date as yet, as the State President sets the date for these days and we are still waiting to hear from her for the date of our Zone Day.

We are hoping that on the day the Historical Group will be able to put on a display of the history of our Hospital. We will also be inviting all our guests a tour of our new hospital, as we have not hosted a Zone Day since the new hospital has been built.

We will also be needing several of the new Balranald Tourism Books to send out with the invitations, but we won’t be needing them until we are ready to send out the invitations to the Auxiliaries in our region.

These days are great for local businesses, as the ladies (and men), who attend these days like shopping in the town that they are visiting, especially the local op shops.

I await to hear from you about the use of the Theatre Royal for our Zone Day.

Yours faithfully

Karen Norfolk
Secretary
Infrastructure & Development Reports

<table>
<thead>
<tr>
<th>Item I - 1</th>
<th>CONSTRUCTION CERTIFICATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Officer</td>
<td>Director Infrastructure &amp; Development - John Stevenson</td>
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Purpose of Report:
To advise Council of Certificates issued under delegated authority.

Report:
The following Construction Certificates have been issued since the April 2013 meeting of Council.

<p>| | | |</p>
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<thead>
<tr>
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<tbody>
<tr>
<td>17/2013</td>
<td>Lynden Stevens for State Water. 90 Mayall Street, Balranald</td>
<td>New Office</td>
</tr>
<tr>
<td>72/2012</td>
<td>BL Hay, Moulamein Rd. Kyalite</td>
<td>Dwelling</td>
</tr>
</tbody>
</table>

Recommendation: that the report be noted.

05.13.3529 RESOLVED on the motion of Crs Campbell and Byron that the report be received and recommendation be adopted.
Item I - 2  CYCLE WAY OFF SWING BRIDGE, BALRANALD

| Reporting Officer | Director Infrastructure & Development - John Stevenson | File 769 |

Purpose of Report: To seek Councils consent towards the funding sources to enable construction of the shared pathway in this financial year.

Report: Council has received confirmation of shared funding towards this pathway from the Roads and Maritime Services. Amount to be contributed by the authority sum $58,000 subject to contribution by Council and/or other stakeholders sum $50,000. The total project cost is $108,000. This will construct 1.8km of linking pathway between the southern side of the swing bridge, to the Sturt Highway pedestrian way over the Murrumbidgee River. RMS funding is conditional to all works being completed by June 30th 2013 following which the balance of these funds will lapse.

In order to match these funds in this financial year Council has the opportunity to fund the $50,000 via $25,000 from the $50,000 contingency set aside for the swing bridge, and a further $25,000 has been identified since the last quarterly review and can be set aside from savings and extra income in Councils operational budget for 2012/13.

Council investigated funding opportunities under the Australia Government T-Qual – Tourism Quality Project grants program, however these funds are for projects commencing after January 2014.

It should also be noted that community stakeholder contributions may also be forthcoming, and if so these contributions will reduce the Council contribution.

Construction of this pathway has already commenced via an archaeology walk over and investigation, and alignment clearing. The project will be completed in the remaining 6 weeks of this financial year.

Attachments: Nil.
Balranald Shire Council
Minutes - Ordinary Meeting – 21st May 2013

Budget Implications: $25,000 from Council swing bridge reserve under the current budget and $25,000 from Councils existing operational budget.

Recommendation: Council endorse the transfer of funds from the above cost sectors to this project to enable the $58,000 RMS cycleway grant to be accepted.

05.13.3530 RESOLVED on the motion of Crs Purtill and Barnes that the report be received and recommendation be adopted.
**Item I - 3**

<table>
<thead>
<tr>
<th>DA 16/13, PROPOSED BOUNDARY REALIGNMENT – LESLIE DRIVE, EUSTON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Officer: Director Infrastructure &amp; Development - John Stevenson</td>
</tr>
</tbody>
</table>

**Purpose of Report:** To seek Council’s consent to a boundary realignment of Lot 33B with adjacent lots.

**Report:** Mr Louis Zaffina, Leslie Drive has lodged an application to acquire approximately 3.8Ha of property owned by Mr D.T. Keating, and consolidate it with his vineyard, which surrounds Mr Keating’s lot on all three (3) sides.

This proposal has been initiated by Mr Keating, who wishes to retain the ¾ Ha lot surrounding his home and outbuildings as a small established lot and continue some intensive agricultural pursuits.

The proposal satisfies the intent of Councils L.E.P. insofar as no new lot is being created, further the objectives of the RU4 (Rural Small Lots) zone are upheld under Clause 4.1 (1).

The adjoining landowner on all sides of the subject lands is the co-applicant; hence the notification provisions of S.88 of the Environmental Planning and Assessment Regulation 2000 are satisfied.

No new infrastructure, or access is required as part of this consolidation – nor are any additional dwelling rights to be granted (over the one dwelling entitlement to the resultant large lot).

**Attachments:** Sketch plan of proposal.

**Budget Implications:** Nil
Recommendation: Consent be granted to Mr L.J. and Mrs K.A. Zaffina on behalf of Mr D.T. Keating to consolidate part Lot 33B DP 419412 with adjacent Lot 2 DP 1168806, Pt. Lot 2 DP 1134566 vide subdivision DA 50/2011, subject to the following conditions;
1) The boundary realignment conforms strictly with the plan as submitted.
2) The written consent of Essential Energy.
3) Any new access drives are to be constructed to the satisfaction of Council or its delegate and at the landowners full cost.
4) A separate approval via a Construction Certificate must be sought for any dwelling on the consolidated lands, provided by Council or an approved Private Certifier.

05.13.3531 RESOLVED on the motion of Crs Byron and Cooke that the report be received and recommendation be adopted.

In accordance with Section 375A of the Local Government Act 1993, the Mayor called for a Division

ALL COUNCILLORS VOTED IN FAVOUR OF THE MOTION.
This is Page 26 of the Minutes of the Ordinary Monthly Meeting of Balranald Shire Council held in the Councils Chambers Market Street Balranald on Tuesday 21st May 2013.
Item I - 4  COMPREHENSIVE DEVELOPMENT CONTROL PLAN

<table>
<thead>
<tr>
<th>Reporting Officer</th>
<th>Director of Infrastructure &amp; Development – John Stevenson</th>
<th>File 613</th>
</tr>
</thead>
</table>

Purpose of Report:
To review Draft Element 1 of the Comprehensive Development Control Plan.

Report:

Development Control Plans (DCP’s) are the working tools attached to the LEP. They are prepared by Council and form a control for specific types of development or areas of land whilst providing detailed development guidelines/controls and may include notification requirements.

DCP’s underpin and refine the strategic planning of the comprehensive Local Environmental Plan (LEP).

In accordance with changes to the planning system in NSW, Council is currently preparing a single DCP for the whole Council Area to support the LEP that commenced on the 9th July 2010. When adopted, these planning tools will supersede or amend various Council policies in relation to development.

Public participation will be a key component towards the evolution of this DCP.

Draft Element 1: Notification Provisions sets out Council’s responsibility in relation to providing notification of development and the form that such notification will take, while providing consistency and fairness in the process of development notification.

The provisions of a DCP can be varied, if the merits of the case warrant, by resolution of Council.

Elements of the DCP will be presented to Council for review/comment, as they are drafted, to enable final compilation into a comprehensive DCP for public consultation.

Attachments: As a separate document.
Draft Element 1: Notification Provisions

Budget Implications: Nil

Recommendation: that Draft Element 1: Notification Provisions be adopted as a draft for the purposes of public consultation.

05.13.3532 RESOLVED on the motion of Crs Jolliffe and Byron that the report be received and recommendation be adopted.
Item 1 - 5 MAINTENANCE & CONSTRUCTION PROGRAM

| Reporting Officer | Director Infrastructure & Development - John Stevenson | File:726 |

Purpose of Report: To provide Council with a progress report on works.

Report:

1. **Councils Team 1**
   Team 1 has finished storm repair on Glen Emu road and also a firebreak has been completed around Oxley village area.

2. **Council Team 2**
   Team 2 is presently undertaking private works gravel re-sheeting Yanga National Park access road from the entrance to Yanga Woolshed. This team have completed reconstruction / maintenance grading works on Abbot’s Tank road, Benanee Road and Prungle Mail road.

3. **Council Team 3 – Tapalin Mail Road / Meilman Road**
   Team 3 has completed storm damage work on Tammit Road followed by a construction section on Meilman Road and a further section on Tapalin Mail Road. This work was followed by firebreaks around the Hospital and the Mission area. Some shape correction on Yanga way has been undertaken. Works have commenced on the Mildura Ivanhoe Road in the Mandleman area to do gravel reconstruction of approx. 2km under Roads to Recovery funding.

4. **Information Centre Precinct**
   Front car park sealing has been completed. Line marking on both car parks will be undertaken this month.

5. **Culvert Cleaning and Replacement Work**
   Culvert repair and replacement under the Natural Disaster program has been completed on MR514 (to Oxley) utilising contractor Potters Excavation. Works on MR67 North is to commence in the near future with Councils delivering pipes and headwalls to sites at this time.
6. **Pedestrian Footbridge Riverside Development**
   Contractor Strzelecki Engineering has completed fabrication work for the bridge. The steel structural members are in the process of being galvanized. All structural members will be delivered to Balranald on 20th May. Immediate installation of trestles will commence once they arrive on site. Council has completed construction of anchor blocks and concrete placing of foundations.

7. **Riverside Walking Trail (In Conjunction With Swing Bridge)**
   Alignment marking and an archaeological site clearance has been completed. Gravel works by contract will be undertaken within the next 3-4 weeks. Interpretive signage storyboards and directional bollards will also be installed by the end of this financial year.

8. **Reseal and New Seal works**
   All reseal and new seal works have been completed as planned for this financial year. The following are the new seals and reseals completed this month:
   a) Tapalin Mail Road (reseal and new seal)
   b) Meilman Road (new seal)
   c) Duryea St (reseal)
   d) MR67 North (new seal and reseal)
   e) Cary Street and Courtney Drive (reseal)
   f) Front car park – Heritage Park (new seal)

9. **RFS Hazard Reduction Works (Firebreaks)**
   Various work crews have recently completed a $50,000 program for hazard reduction including Oxley Village, Clare School, Mission area, Clare Hall, Hatfield Hall, Oxley Clare Road and Balranald Hospital / Common.

10. **Miscellaneous**
    a) Contractor Mark McKeon has completed firebreak works on both Oxley Freshwater Road and Oxley Clare Road.
    b) Minor shoulder upgrade works will be commencing in June at a few places along Yanga Way.
Recommendation: For Information

05.13.3533 RESOLVED on the motion of Crs Cooke and Jolliffe that the Minister for Police & Emergency services be requested to expedite the Rural Fire Service budget confirmations so that the fire hazard reduction works can be implemented prior to the fire season commencing.
General Managers Reports

<table>
<thead>
<tr>
<th>Item G - 1</th>
<th>CHANGE OF DATE FOR JUNE COUNCIL MEETING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Officer</td>
<td>General Manager - Chris Littlemore</td>
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</table>

Purpose of report: To request a change of date for the June Council Meeting.

Report: It is proposed to change the date of the June Council meeting from 18 June 2012 to 25 June 2013 to allow sufficient time for community submissions in relation to the Operational Plan to be received up until 21 June.

Budget Implications: Nil

Attachments: Nil

Recommendation: that the Standing Orders be changed to allow the June Council meeting to be held on 25 June 2013.

05.13.3534 RESOLVED on the motion of Crs Purtill and Mannix that the report be received and recommendation be adopted.
Item G - 2 SALE OF LAND FOR UNPAID RATES

| Reporting Officer | General Manager – Chris Littlemore | File 138 |

Purpose of Report:
To advise Council of the outcome of the recent sale of vacant land at Cook Street for arrears of rates.

Report:
The land (1012m²) was submitted to auction on 12 April 2013.

A reserve was set in conjunction with the auctioneer which covered the outstanding rates and fees. As there were no bidders, the Council has become the purchaser at the reserve $11,500.

Council has no particular use for the land and it is recommended that it be listed for sale.

Attachments: Nil

Budget Implications: Council has effectively exchanged one asset, the debt to council for another, the parcel of land.

Recommendation:
1. that the Mayor and General Manager be authorised to affix the Council Seal to the transfer documents related to the acquisition of Lot 2 DP 507263 Cook Street.
2. that the General Manager be authorised to negotiate the sale of land at Cook Street Balranald
3. the Mayor and General Manager be authorised to affix the Council Seal to the transfer documents related to the sale of Lot 2 DP 507263 Cook Street.

05.13.3535 RESOLVED on the motion of Crs Byron and Barnes that the report be received and recommendation be adopted.
<table>
<thead>
<tr>
<th>Item</th>
<th>G – 3</th>
<th>CORRESPONDENCE</th>
</tr>
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<td></td>
<td></td>
<td>Reporting Officer</td>
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</table>

**Purpose of Report:**
To advise Council of recent correspondence of interest.

**Report:**
1. Letter from Balranald Central School Year 12
2. Email from Electorate Office – Murray Darling
3. Letter – copy of Attorney General & Justice letter to Mr John Williams MP
4. Letter – copy of Mr Geoff Provest letter to Mr John Williams MP.
5. Letter from Australian Local Government Association

**Budget Implications:**
Nil

**Attachments:**
Copies of correspondence as listed above.

**Recommendation**
That the correspondence be noted.

05.13.3536 **RESOLVED** on the motion of Crs Campbell and Byron that the report be received and recommendation be adopted.
The General Manager
Balranald Shire Council
Market Street
BALRANALD 2715

Dear Mr Littlemore

Re: Year 12 Formal Dinner

I refer to your letter dated 17 April 2013 advising us that Council resolved to support our request by making a donation equivalent to 100% of the Theatre hire fees.

It is hugely appreciated that the school is able to gain this level of support for our very deserving Year 12 students. They and the school community would like to take this opportunity to thank the Balranald Shire Council for their kind consideration.

Yours sincerely

Mrs Sue Coates
Year 12 Adviser

3 May 2013
Robert Rayner

From: Chris Littlemore
Sent: Thursday, 9 May 2013 1:35 PM
To: Robert Rayner
Subject: Fw: Balranald Shire Council - Meeting Request re Local Land Service Boundaries

Sent from my iPhone

Begin forwarded message:

From: "ElectorateOffice MurrayDarling"
<ElectorateOffice MurrayDarling@parliament.nsw.gov.au>
To: "Chris Littlemore" <littlemore@balranald.nsw.gov.au>
Subject: FW: Balranald Shire Council - Meeting Request re Local Land Service Boundaries

Hello Chris

Please find below a response from the office of the Minister for Primary Industries re your meeting request.

Regards
Marc

[Description: cid:image001.png@01CE23FA.CD393E40]

From: Invitations [mailto: Invitations@agginsen.minister.nsw.gov.au]
Sent: Wednesday, 8 May 2013 6:19 PM
To: ElectorateOffice MurrayDarling
Subject: FW: Balranald Shire Council - Meeting Request re Local Land Service Boundaries

Dear Mr Williams,

Thank you for your representations to the Minister regarding Local Land Services.

The Stakeholder Reference Panel has now provided its recommendations to the Minister and the public consultation period has closed.

All submissions made to the Stakeholder Reference Panel from November 2012 to April this year, either via the Have Your Say website, mail, personal representation or attendance at the workshops, were considered in these recommendations.

To maintain the integrity of this consultation process, the Minister is now not in a position to be able to accept further submissions on these issues.

Thank you for your interest in the development of Local Land Services. If you would like to be kept updated, please email Fiona Dewar
Fiore.dewar@minister.nsw.gov.au with your details.

Kind Regards,

Office of The Hon Katrina Hodgkinson MP
Minister for Primary Industries
Minister for Small Business

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily those of the office of Minister Hodgkinson.

<image002.png>
<br />
<Ilvy Shire - boundary change request.pdf>
<br />
<letter re minister hodgkinson.pdf>
Mr J D Williams MP
Member for Murray-Darling
1/142 Argent Street
BROKEN HILL NSW 2880

Dear Mr Williams

The Office of the Attorney General has asked me to acknowledge receipt of your correspondence dated 16/04/2013 on behalf of Cr Steve O’Halloran, Mayor, Balranald Shire Council of PO Box 120, Balranald, NSW 2715.

The matters you raise have been noted and are presently receiving attention. A response will be provided as soon as possible.

Yours faithfully

Community Relations Unit
for Director
Mr Geoff Provest MP
Parliamentary Secretary for Police and Emergency Services

Mr John Williams MP
Member for Murray-Darling
228 Cressy Street
DENILIQUIN NSW 2710

Dear Mr Williams,

Thank you for your representations to the Minister for Police and Emergency Services, the Hon Michael Gallacher MLC, on behalf of Councillor Steve O’Halloran, Mayor, Balranald Shire Council regarding policing in Balranald. The Minister has asked me to reply on his behalf.

The concerns expressed by Mayor O’Halloran and other members of the Balranald community about crime and anti-social behaviour are noted.

I have taken this opportunity to forward a copy of your correspondence to the Deniliquin Local Area Command, which polices the Balranald area, for consideration during its regular tasking meetings. The information Mayor O’Halloran has provided will be used as intelligence so that police can address this issue.

The Balranald community can be assured that this Government is determined to give police the powers, resources and backing they need to fight crime effectively and keep our community safe.

The NSW Government is committed to high visibility policing and will boost the authorised strength of the NSW Police Force by a total of 850 police officers. This significant commitment will see the authorised strength of the NSW Police Force reach a record 16,665 officers in August 2013.

I am pleased to advise that since December 2011, eight probationary constables have been allocated to the Deniliquin Local Area Command.

I am also pleased to advise that many of the Ministerial Audit’s key recommendations have already been implemented, in whole or in part. This includes the NSW Government’s commitment to maintain operational strength at 90% at commands throughout the State.

Operational strength is a measure of officers available to work, not just those officers who are attached to a Local Area Command, whether they are on long-term sick leave, other leave, or suspended from duty.

I can advise that as at 14 December 2012, the Deniliquin Local Area Command was operating at 98% operational capacity.
The NSW Police Force uses intelligence driven rostering and strategies to target known offenders and crime "hot spots" by deploying police to those places and at those times where crime may be expected to occur.

Local Area Command Senior Management Teams are responsible for ensuring that there are always an adequate number of police officers rostered on duty to match expected demand. The appropriate allocation and tasking of policing resources within the Command is achieved, on a daily basis, using the intelligence-based identification of crime trends and "hot spots". This practice is a valid and valuable crime reduction technique.

The latest crime statistics for the 24 months to December 2012, as advised by NSW Bureau of Crime Statistics and Research (BOCSAR), reveal that in the Balranald Local Government Area all major crime categories have remained stable.

Police rely heavily on community support and I encourage constituents to continue to report any incidents of antisocial behaviour and/or criminal activity in Balranald to police to ensure an appropriate response.

Police endeavour to respond to all calls for assistance at the earliest opportunity. However, they are required to prioritise their workload and coordinate their response according to the circumstances and degree of urgency of each call, ensuring that emergencies and life threatening situations get the first response. If any incident arises in which any of your constituents is in immediate danger and requires urgent police assistance, they should call the 000 emergency number.

In the case of any incident which does not require a police attendance constituents can make a report to the NSW Police Force using the Police Assistance Line on 131444. Crime can also be reported anonymously by contacting Crime Stoppers on the national toll free number 1800 333 000, or by accessing www.crimestoppers.com.au.

The NSW Police Force 'eyewatch' program brings neighbourhood watch online. Using Facebook, Local Area Commands have created forums for community engagement and participation with police activities focusing on crime prevention and community safety. Constituents can access the Deniliquin Local Area Command eyewatch online at https://www.facebook.com/DeniliquinLAC.

Should any of your constituents wish to further discuss any aspect of policing in Balranald, they may contact the Deniliquin Local Area Command on telephone number (03) 5881 9437.

Yours sincerely

Geoff Provest MP
Parliamentary Secretary for Police and Emergency Services
To the Mayor, councillors and CEO

Prime Minister announces local government referendum

Today the Prime Minister, the Hon Julia Gillard MP, announced the Government's intention to proceed with a referendum on the financial recognition of local government in the Australian Constitution in conjunction with the September 14 Federal Election. The Prime Minister's announcement fulfils the promise made in the 2010 agreement between the Gillard Government, the Greens and independents on forming government, to hold a referendum on the recognition of local government by the end of 2013.

This is an important decision for communities to ensure that they continue to receive the services and infrastructure they need. It will ensure greater funding security for the 150 services that local government delivers to its communities.

Two recent High Court decisions - the Pape Case in 2009 and the Williams Case in 2012 - challenged the Commonwealth's ability to fund activities which it believes are in the national interest and rejected the Commonwealth's position that it has very broad spending powers across many areas. This has important ramifications for local government programs like the Roads to Recovery program, which may now be vulnerable to further challenge in the High Court. If challenged, the Roads to Recovery program is likely to be found to be unconstitutional, and this could potentially have devastating consequences for the sustainability of councils and communities across the nation.

Passing the referendum to allow the Commonwealth Government to provide funds directly to local councils for their communities will remove the legal uncertainty about the Roads to Recovery program and ensure that this program and other programs where the Commonwealth provides funding directly to local government will be able to continue. It will enshrine in the Constitution the ability of the Commonwealth Government to provide funding directly to communities where it believes this is in the national interest, and formalise programs such as Roads to Recovery, which have been directly funded for over a decade.
The Government has agreed that financial recognition is the most appropriate form of recognition and the one most likely to receive bipartisan and community support.

ALGA has advocated tirelessly on behalf of local government to progress the recognition of local government. The establishment of the Expert Panel in 2011 and the Federal Parliamentary Joint Select Committee in 2012 were identified by ALGA many years ago as necessary mechanisms to gain bipartisan support and to identify the best way to proceed on constitutional recognition. Both the Expert Panel and the Joint Select Committee recommended that a referendum should be held in 2013, and the Government has accepted their advice and conclusions.

Behind the scenes, ALGA and local government state and territory associations have laid the groundwork for the campaign, to be ready as soon as the referendum was announced. This has included a comprehensive campaign structure at national and state level which will be rolled out nationally. You may have noticed that ALGA has already advertised for a National Campaign Director in all major newspapers, in anticipation of the Government’s announcement. Over the coming weeks information to support councils in their individual campaigns at the local level will be collated and distributed. In the meantime the Fact Sheets distributed to councils in 2010, including a brochure which can be adapted by councils to reinforce the importance of continued funding to provide vital services to their communities, and the Case for Change distributed in 2012, are documents which can be used immediately to raise awareness in the community and in local media. These documents are also available on ALGA’s website. Further materials will be prepared during the campaign and councils are urged to read ALGA News (at http://alga.asn.au/) and clicking on the “media” tab which will give updates of campaign activities and messages on a weekly basis, every Friday. Information will also be posted to our dedicated constitutional recognition website at http://www.councilreferendum.com.au/.

Some points you can raise when speaking about the referendum are:

- This referendum is important for our communities to ensure that they can continue to receive the level of services and infrastructure they need.

- The Roads to Recovery program has been extremely important for our community (give example of a road/s funded by the program and the amount of funding received for this project through R2R).

- Community infrastructure programs directly funded by the Commonwealth have enabled our communities to benefit from (give examples of upgrades to pools, libraries, sporting complexes etc. in your community and the value of these facilities).
- Bipartisan support has been shown in the past to be essential for the success of referendums, and council urges (give the names of your local member/members) to support this referendum.

- This referendum is about communities - it will not change the relationships between councils and state governments. It will simply formalise Commonwealth funding direct to communities which has been occurring for decades, but which has always been open to legal challenge. This referendum will put an end to this legal uncertainty.

In addition, ALGA has prepared a general set of points on the referendum and I have attached a copy of these for your further reference.

To run an effective campaign requires adequate funding and the most important thing that councils can do straight away is to provide the funding sought by their state association.

We need to put all our combined resources into making this referendum a success. I will continue to keep you updated on progress and the state and territory associations will be implementing their campaigns at state level.

Yours sincerely

[Signature]

Felicity-Ann Lewis
President
CONSTITUTIONAL RECOGNITION
CAMPAIGN

AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION

SPEAKING POINTS FOR REFERENDUM ANNOUNCEMENT

• It is an important referendum because it will help maintain vital infrastructure and services to local communities.

• The referendum is about confirming the Federal Government’s ability to provide funding to local government directly — something governments from both sides of politics have been doing for more than ten years.

• The referendum is supported by the Federal Government, the Federal Opposition, the Greens and the independents.

• The referendum seeks to continue what we already thought was the case — that the Federal Government should be able to provide funding for vital local community services and infrastructure directly through councils.

• The change being proposed is a simple pragmatic change to address a problem which has arisen over the last few years.

• It won’t change the status of local government, or its powers, or its relationship with the state government. It will however, remove the legal uncertainty about the Federal Government’s ability to fund local communities directly through their councils; uncertainty created by two High Court cases — the Pape Case and the Williams Case — in the last couple of years.

• The Federal Government has been funding vital community services and infrastructure through programs like Roads to Recovery and the Regional and Local Community Infrastructure Program for more than a decade. Billions of dollars have been invested in tens of thousands of local community projects covering roads, footpaths and bridges, community halls, ovals, childcare centres, swimming pools, etc. Local communities deserve that support and this is what the referendum is all about.

• The referendum will formalise what has already been happening for more than ten years. To those who suggest there will be unforeseen consequences, well there have not been any over the past ten years.

• Councils will still remain the responsibility of the State governments. The proposed change to the Constitution makes this quite clear. The States will still be able to amalgamate councils, de-amalgamate councils, change council boundaries and dismiss non-performing councils.

• This referendum is different from previous referendums on local government. It is not about the status of local government. It is about fixing a problem and removing uncertainty about the funding of vital local community services and infrastructure.

• Direct Federal funding is important because the Federal Government collects more than 80% of all tax revenue in Australia. This was not the case when the Constitution was written. We need a relatively small change to the Constitution to take account of today’s circumstances. The local services and infrastructure we are talking about cannot be funded by the State Governments because they don’t have the revenue. That is why the Federal Government had to introduce direct funding of councils to begin with.
Item G - 4  

**ACTION REPORT APRIL 2013 - COUNCIL MEETING**

Reporting Officer | General Manager – Chris Littlemore | File 120

**Purpose of Report:** to bring forward for Councillors information the Action Report with actions taken on previous council resolutions.

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**BALRANALD SHIRE COUNCIL ACTION SHEET**

**APRIL 2013**

<table>
<thead>
<tr>
<th>MINUTE</th>
<th>DIRECTOR/FILE NO</th>
<th>SUBJECT</th>
<th>DATE INITIATED</th>
<th>COMMENTS CURRENT STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>04.13.3488</td>
<td>DCS</td>
<td>Arrange donation to BCS Aerobics teams $500 per team</td>
<td>22/04/2013</td>
<td>Letter and Cheque Sent</td>
</tr>
<tr>
<td>04.13.3489</td>
<td>DCS</td>
<td>Transfer $5000 into reserve from this year’s budget for BCEF next year.</td>
<td>13/05/2013</td>
<td>Completed</td>
</tr>
<tr>
<td>04.13.3490</td>
<td>DCS</td>
<td>Advise MDF that Council is unable to accede their request.</td>
<td>22/04/2013</td>
<td>Letter Sent</td>
</tr>
<tr>
<td>04.13.3492</td>
<td>DECD</td>
<td>Notify Yr 12 students of council’s donation of hall hire fee</td>
<td>19.04.2013</td>
<td>Letter Sent</td>
</tr>
<tr>
<td>04.13.3496</td>
<td>DID</td>
<td>Notify Mr Hadlow of Council’s decision and recommendations</td>
<td>14.05.2013</td>
<td>Letter Sent</td>
</tr>
<tr>
<td>04.13.3497</td>
<td>DID</td>
<td>Approve Subdivision in Brett Rd Euston</td>
<td>14.05.2013</td>
<td>Completed</td>
</tr>
<tr>
<td>04.13.3500</td>
<td>GM</td>
<td>Arrange registering for National General Assembly</td>
<td>08/05/2013</td>
<td>Completed</td>
</tr>
<tr>
<td>04.13.3501</td>
<td>GM</td>
<td>Liaise with State Member John Williams regarding Golf course land exchange</td>
<td></td>
<td></td>
</tr>
<tr>
<td>04.13.3508</td>
<td>DID</td>
<td>Prepare DA for Military Trail</td>
<td>14.05.2013</td>
<td>Commenced</td>
</tr>
</tbody>
</table>

**Recommendation:** For the information of Council.

**05.13.3537 RESOLVED** on the motion of Crs Byron and Purtill that the report be received and recommendation be adopted.
<table>
<thead>
<tr>
<th>Item G - 5</th>
<th>QUESTIONS WITHOUT NOTICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting Officer</td>
<td>General Manager - Chris Littlemore</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cr Purtill</th>
<th>Insurance for using the river bend</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Weekly times money for Nimmie Caira – Don't know factual</td>
</tr>
<tr>
<td>Cr Cooke</td>
<td>Hot water systems crushed, buried and part of agreement</td>
</tr>
<tr>
<td></td>
<td>Agenda items to be more detailed and minutes</td>
</tr>
<tr>
<td>Cr Cooke</td>
<td>Current Agenda on Website</td>
</tr>
<tr>
<td></td>
<td>Pre School at Euston – 20 cars picking up traffic committee</td>
</tr>
<tr>
<td></td>
<td>Pre School at Euston – a Vegie garden donation</td>
</tr>
<tr>
<td>Cr Jolliffe</td>
<td>Solar grant – Street light grant</td>
</tr>
<tr>
<td></td>
<td>What about the water at the airport</td>
</tr>
<tr>
<td></td>
<td>Clearing on Ivanhoe / Balranald Road</td>
</tr>
<tr>
<td></td>
<td>Mossgiel Rd pulled out</td>
</tr>
<tr>
<td></td>
<td>Mungo St request about adjacent land?</td>
</tr>
<tr>
<td>Cr Byron</td>
<td>Gathering of wood in regional parks</td>
</tr>
<tr>
<td>Cr Barnes</td>
<td>Bridge and intersection at Kyalite corner needs tidying</td>
</tr>
<tr>
<td>Cr Campbell</td>
<td>Incident at airport, no lights electrical spike affected lights.</td>
</tr>
<tr>
<td>Cr Purtill</td>
<td>Young artist in residence – write for support</td>
</tr>
<tr>
<td>Cr Jolliffe</td>
<td>Signs for parking area for caravans and campervans needs improvement, signs need completion</td>
</tr>
<tr>
<td>Cr Purtill</td>
<td>Caravans bottoming out in driveway</td>
</tr>
<tr>
<td>Cr Jolliffe</td>
<td>North of Homebush clearance of vegetation.</td>
</tr>
<tr>
<td></td>
<td>Burke &amp; Wills dry weather road only</td>
</tr>
<tr>
<td>Cr Purtill</td>
<td>TV Reception problem</td>
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05.13.3538 **RESOLVED** on the motion of Crs Mannix and Purtill that the late agenda items be brought into the business paper.

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<th>Item G - 6</th>
<th>PANEL OF CONDUCT REVIEWERS</th>
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<tbody>
<tr>
<td>Reporting Officer</td>
<td>Acting General Manager - Robert Rayner</td>
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**Purpose of Report**
To establish a new panel of conduct reviewers, terminate the existing panel and thus create a new Code of Conduct Committee.

**Report**
The Council adopted the new Model Code of Conduct and the Model procedures at its February 2013 meeting.

Under the Procedures for the Administration of the Model Code of Conduct Council are required to appoint suitably qualified conduct reviewers after an expression of interest process.

RAMROC has appointed a Regional Panel on behalf of all member Councils, and Under Part 3 of the procedures Council may share this arrangement. (Refer to the memo from RAMROC for the panel list).

This will fulfil Council’s requirement to establish a panel of conduct reviewers.

**Budget Implications:** Nil

**Attachments:** Memo from RAMROC dated 7/5/13

**Recommendation:** That council:
1) Terminate Council’s existing panel of reviewers;
2) Appoint a new panel of conduct reviewers as supplied by RAMROC effective from 3rd June 2013;
3) This new panel of conduct reviewers will now form Council’s Code of Conduct Committee.

05.13.3539 **RESOLVED** on the motion of Crs Byron and Mannix that the report be received and recommendation be adopted.
Code of Conduct - Appointment of Regional Panel of Conduct Reviewers

At the RAMROC meeting held on 1st May 2013, it was resolved that the following ten persons be appointed to the RAMROC Regional Panel of Conduct Reviewers:

1. Peta Tumpey – Lead Conduct Reviewer – TressCox Lawyers – Sydney NSW
2. Julie Baker-Smith – Lead Conduct Reviewer for JBSA – Melbourne Vic
3. Graham Evans – Managing Partner O’Connell Workplace Solutions – Sydney NSW
4. Peter Brown – Consultant – Baulkham Hills NSW
5. Alan Bradbury – Principal Partner Bradley Allen Love Lawyers – Canberra ACT
6. Kath Roach – Managing Director SINC Solutions – Glemore NSW
7. John Kielem – Principal John Kielem Consulting – Cremorne NSW
8. Timothy James Rogers – Chatswood NSW
9. Christopher Peter Gallagher – Bateau Bay NSW
10. Greg Wright – Principal Wright Associates – Picton NSW

I have emailed and written to the selected persons on 9th May in the following terms and all have accepted appointment:

Thank you for submitting your Expression of Interest to be appointed to the RAMROC Regional Panel of Conduct Reviewers.

At the RAMROC meeting held on 1st May 2013, consideration was given to my Executive Officer’s report, detailing the recommendations of the EOI Evaluation Panel for establishment of the RAMROC Regional Panel.

I am pleased to advise that you have been appointed to the Regional Panel of Conduct Reviewers, in accordance with the terms and conditions set out in the RAMROC’s EOI Invitation Brief and as detailed in your formal Expression of Interest proposal.

For your information, RAMROC has decided to appoint ten (10) nominated persons as members of the Regional Panel of Conduct Reviewers for a term of four years, commencing on or around Monday 3rd June 2013.

It is intended that each RAMROC Council will now proceed to formally establish by resolution its Panel of Conduct Reviewers in accordance with the Regional Panel appointees, with the Council to resolve an actual commencement date (this date may vary slightly according to Council Meeting cycles).
As you will be aware, Councils may terminate its Panel of Conduct Reviewers at any time by resolution and to establish a new Panel, in accordance with the administrative procedures specified by the NSW Division of Local Government.

It would be appreciated if you would formally respond to this letter as soon as possible and confirm your acceptance of appointment to the RAMROC Regional Panel of Conduct Reviewers. Your early response by email or fax to the RAMROC office details set out above will suffice.

Your strong interest in this matter is very much appreciated.

Copies of the Expressions of Interest are enclosed for your information and records. In accordance with the DLG Procedures documentation, it is suggested that Councils are required to pass a resolution formally appointing those persons as the Council Panel of Conduct Reviewers and to set a commencement date for a four year term.

Ray Stubbs
Executive Officer.
Item G - 7 BRIEFING WITH THE LOCAL GOVERNMENT REVIEW PANEL

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<tr>
<th>Reporting Officer</th>
<th>Acting General Manager – Robert Rayner</th>
<th>File 025</th>
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**Purpose of Report**
To provide information to the Council on the briefing received from the Local Government Review Panel.

**Report**
Council attended a briefing with the Local Government Review Panel and other Councils in Deniliquin on Wednesday 15 May 2013.

Councillors Campbell, Mannix, Purtill, O’Halloran and Acting General Manager Robert Rayner attended to listen to Professor Graham Sansom deliver an overview of the Panel Report Future Directions for NSW Local Government Twenty Essential Steps. Project Manager for the Panel, Vaughan MacDonald was also present.

Professor Sansom advised that the Panel would deliver their final report in September this year after visits to all the Local Government areas in the State and selected community consultations.

The following points were highlighted by Professor Sansom:
- Requested Councils to think of options and alternatives to the existing Local Government structure
- The need for effective partnerships with State Government and the lack of communication from Local Government
- Strategic Capacity of Local Government and structural reform i.e. County Councils and Local Boards
- TCOrps reports should be water under the bridge. The Panel has looked at other factors including declining populations
- Sustainability and Finance, changes to Audit, CFOs, improving rating system and distribution of grants
- Infrastructure backlogs, strategic projects, regional roads groups and guidelines for Special Schedule 7
- Better Governance, professional development for Councillors, Strengthen the authority and responsibilities of the Mayor, take steps to improve Council-Mayor-General Manager relations.
- The relationship between the Local Government Association and the State Government needs to improve
- Implementation, appointment of a Local Government Development Board for a maximum period of 4 years.
In discussions it was indicated to the Panel that Local Government over many years has been providing feedback to the Division/Department but getting nowhere. Examples were given which surprised Professor Sansom and were confirmed by Project Manager Vaughan McDonald, who is a Division of Local Government employee.

Council believe that a Regional Board or County Council providing regional delivery will introduce a 4th level of Government that will not fix the fundamental issues with the service delivery from State and Federal Governments that we have now. These issues need to be remedied before we can move forward. These problems that are evident will not be fixed overnight but need change to be addressed by all levels of Government. Council believe a top down approach would be better than a bottom up approach as Local Government appears to be the sacrificial lamb. Look at cost shifting by State Government, the financial changes implemented by the Division making Local Government appear to be unsustainable and not to mention rigid decision making in relation to rate pegging.

Balranald Shire was a Group 3 Council with the introduction of Integrated Planning. It was very difficult and mostly impossible to get any of the State and Federal agencies involved in the planning process. Council believe it is fundamentally important for Local Government to receive constitutional recognition to resolve funding issues for Local Government. Of all three levels of Government, Councils are the closest to the people; they are at the coalface dealing with people in our communities on a day to day basis. Councils need to develop a high level of cooperation with State and Federal Agencies to ensure critical services are provided to our community in a cost effective manner.

Instead of County Councils utilise the existing structure in place like the ROCs and the Western Division Group of Councils to develop regional resource strategies and cooperation with all levels of Government. Continue to place the future of Local Government in the hands of the people they represent. Consensus, representation and resource sharing over such a large and diverse area as the Western Division will be difficult to achieve. Balranald Council does not wish areas of their community going to an unincorporated area; this area has a large road network which provides Council with funding required for the continued employment of its outside work force and the utilisation of its plant. The Council does not want to abandon our ratepayers to poor representation and little or no services.
Professor Sansom indicated he would visit Balranald to discuss our issues in relation to the reports.

Submissions in relation to these reports close on the 28th of June 2013.

**Budget Implications**
Nil

**Attachments**
Hard copies of the Local Government Review Panel reports are available.

**Recommendation:**
1) For the information of Council
2) Council provide a detailed submission on the reports provided by the Local Government Review Panel.

05.13.3540 **RESOLVED** on the motion of Crs Purtill and Campbell that the report be received and recommendation be adopted.

**CLOSED MEETING - CONFIDENTIAL MATTERS**

**CLOSURE:** There being no further business the meeting closed at 7.42pm.

Confirmed, Chairman of the Ordinary Meeting of the Balranald Shire Council held on Tuesday 18th June, 2013 at which the meeting the signature was subscribed hereto:

________________________________________
Chairman

________________________________________
General Manager