

PRESENT:

APOLOGIES:

DISCLOSURE OF INTERESTS

CALENDAR OF EVENTS

| Calendar of Events | |
|---------------------------|--|
| November - December | |
| November | |
| 18 | Australia Day Committee Meeting |
| 18 | Council |
| 23-24 | Euston Half Marathon Carnival |
| 26 | CSP Meeting @ 2pm |
| 28 | Consultative Committee Meeting @ 2.30pm |
| 28 | Work Health & Safety Committee Meeting @ 3pm |
| December | |
| 3 | Euston Beautification & Tourism Meeting |
| 3 | Tourism & Development Meeting |
| 4 | Balranald Beautification Meeting |
| 12 | LEMC Meeting @ 10.30am |
| 17 | Council |

CONFIRMATION OF MINUTES

Recommendation:

That:

“The minutes of the Ordinary Meeting of Council held on Tuesday 15th October 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”.

“The minutes of the Confidential Meeting of Council held on Tuesday 15th October 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”.

“The minutes of the Special Confidential Meeting of Council held on Friday 25th October 2013 copies having previously been circulated to each Councillor be taken as read and confirmed”.

PRESENTATION/DELEGATIONS

| | | |
|-------------------|--|-----------|
| Item I - 1 | ROADS & MARITIME SERVICES – MARKET STREET PAVEMENT RECONSTRUCTION | |
| Reporting Officer | Director Infrastructure & Development - John Stevenson | File 710A |

Purpose of Report: To advise Council of the pending commencement of these works.

Report: Officers of the RMS Messrs Parthi Parthiban and Steve Onions will attend this meeting to present the intended works program to reconstruct the two traffic lanes from River St to Cally Street.

The process will involve excavation and replacement of sections of the Westbound and Eastbound lanes as separate projects. This will permit one way traffic at all times and limit business disruption or property access to the actual work segments.

Median islands will be removed for the works and services are due to be lowered, if required, in the coming weeks.

Council will undertake improvements to the parking lanes, crossings, blisters, and footpaths where required, in conjunction with this program. A detailed report on these aspects will be provided at a later meeting.

Consultation with property owners and business houses will commence in the near future in anticipation that works will commence in February, following the holiday period.

Attachments: Nil

Budget Implications: Council has provided \$100,000 towards main street improvements in conjunction with the RMS works.

Recommendation: That the pending works program and presentation be noted.

| | | |
|-------------------|------------------------------------|----------|
| Item G - 1 | ILUKA PRESENTATION | |
| Reporting Officer | General Manager – Chris Littlemore | File 623 |

Purpose of Report:

To advise Council that Andrew Minns and Tom Blackwell from Iluka will be making a presentation at this meeting.

Report:

Iluka have requested to make a presentation at this Council meeting regarding the mineral sands project.

Attachments: Nil.

Budget Implications: Nil.

Recommendation: That the presentation be received.

| | | |
|-------------------|---------------------------------------|----------|
| Item I - 2 | HERITAGE REVIEW PRESENTATION | |
| Reporting Officer | Director Infrastructure & Development | File 505 |

Purpose of Report

To present the Draft Heritage Study Review.

Report

Following Council allocating funds in the 2013-14 budget to undertake a heritage review, Noel Thompson Architecture was engaged to carry out this function.

The Consultant carried out site inspections of the Heritage Listed items from the Local Environmental Plan 2010, items listed in the Community Heritage Study 2006-2007 and a general survey of buildings of potential heritage significance.

Consultation with owners of items of potential heritage significance is currently underway.

Dr. Peter Kabaila, a representative of Noel Thompson Architecture has prepared a presentation based on the Draft Heritage Study Review for Council.

Attachments: Nil

Budget Implications: N/A.

Recommendation:

That Council receive the presentation.

MAYORAL MINUTE/REPORT

COMMITTEE REPORTS FOR ADOPTION

COMMITTEE & OTHER REPORTS FOR INFORMATION

DELEGATES REPORTS

NOTICES OF MOTION/RECISSION

GENERAL MANAGERS REPORTS (Incorporating all Staff Reports)

Corporate Services Division

| Item C - 1 | STATEMENT OF FUNDS | |
|-------------------|---|---------|
| Reporting Officer | Director Corporate Services – Robert Rayner | File 85 |

Purpose of Report

Funds Report for the Month Ending 31st October 2013

Report

Bank Reconciliation

| | | |
|---|------------|-------------------|
| Balance B/F From Previous Month | | 997,366.66 |
| ADD Receipts for Month: | | |
| Debtors | 211,789.13 | |
| Rates & Water | 53,280.33 | |
| Interest Received | 14,422.90 | |
| Hostel Subsidy | 70,828.85 | |
| Other Revenue | 70,211.49 | 420,532.70 |
| | | |
| LESS Payments for the Month: | | |
| Contractors Plant Hire | 193,679.75 | |
| Visitor Information Centre Construction | 129,196.60 | |
| BAS - August | 22,099.00 | |
| Culvert Replacement | 77,000.00 | |
| Rural Fire Service, SES & NSW Fire and Rescue | 50,234.25 | |
| Other Payments | 771,013.83 | 1,243,223.43 |
| | | |
| Cash Book Balance as at End of Month | | 174,675.93 |
| | | |
| LESS Outstanding Deposits as at end of Month | | - |
| ADD Unpresented Cheques as at end of Month | | 118,816.03 |
| | | |
| Bank Balance as at End of Month | | 293,491.96 |

Balranald Shire Council
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Funds Held

| Funds | General | DWM | Water | Sewer | Combined |
|---------------|---------------------|------------------|-------------------|---------------------|---------------------|
| Bank | - 172,974.04 | 73,531.55 | 104,804.64 | 169,313.78 | 174,675.93 |
| Investment | 3,900,000.00 | - | 100,000.00 | 1,500,000.00 | 5,500,000.00 |
| TOTAL | 3,727,025.96 | 73,531.55 | 204,804.64 | 1,669,313.78 | 5,674,675.93 |
| Restricted | 1,498,656.82 | | | | 1,498,656.82 |
| Working Funds | 2,228,369.14 | 73,531.55 | 204,804.64 | 1,669,313.78 | 4,176,019.11 |

| | | | |
|-------------------------|----------|-----------|---------------------|
| Investment Held: | Bankwest | \$ | 1,000,000.00 |
| | Bendigo | \$ | 500,000.00 |
| | IMB Ltd | \$ | 1,000,000.00 |
| | NAB | \$ | 1,000,000.00 |
| | Suncorp | \$ | 1,000,000.00 |
| | Westpac | \$ | 1,000,000.00 |
| | | \$ | 5,500,000.00 |

All investments shown have been made in accordance with Section 625 of the Local Government Act 1993, the regulations and council's investment policy.

Attachments: DLG Circular to Councils 04/51

Recommendation: For Information.



Circular No. 04/51
Date 11 October 2004
File No. AF00/0051

Contact Paul Terrett
02 4428 4198
paul.terrett@dlg.nsw.gov.au

PROVISION OF CHEQUE WARRANT TO COUNCILLORS AND IN BUSINESS PAPERS

The department has become aware of the continuing practice of including cheque warrant in council business papers. Councils are reminded that they should not include the cheque warrant in council business papers, nor should councils supply to the public with a copy of the cheque warrant.

The Local Government Act 1919 imposed a requirement for the cheque warrant to be included in a council's business paper. That requirement was not retained in the Local Government Act 1993. The councillors' role is defined broadly to be the formulation of the council's policies and the representation of community interest; that of the staff is defined to be the implementation of the policies and resolutions of the council. Expenditure of money within a budget approved by the council is considered to be a day-to-day management function, which section 335 of the Act specifically reserves for the General Manager. Any consideration of payments made by council for any purpose now forms part of the quarterly review of the management plan required by section 407 of the Act.

The cheque warrant will inevitably contain material that is "personal information" within the meaning of the PPIP Act. That Act imposes limits on the extent to which such personal information may be made public. Given that a council's business paper must be publicly available, councils need to ensure that the requirements of the PPIP Act are not breached each time a business paper is prepared. Any "personal information" not legally required to be included should be left out. The publication of such information is not protected unless there is a legal requirement to do so. Both a council as a body and individual councillors can be liable to substantial penalties (fines of up to \$11,000 and/or up to two years' imprisonment) for unlawful disclosure of personal information to which access has been obtained in the course of official duties. This reinforces the need to leave the cheque warrant out of the business paper and to refrain from publicly releasing the cheque warrant.

Councils may make other arrangements by which councillors may be given access to the cheque warrant or other documents containing personal information, provided there are legitimate reasons to do so related to the performance of council's functions.

A handwritten signature in black ink, appearing to read 'Garry Payne'.

Garry Payne
Director General

Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 863 195

| | | |
|-------------------|--|----------|
| Item C - 2 | QUARTERLY BUDGET REVIEW STATEMENT | |
| Reporting Officer | Director of Corporate Service – Robert Rayner | File 085 |

Purpose of Report

To provide Council with a Quarterly Budget Review Statement

Report

Refer to the detailed statement provided under separate cover.

The report and the recommendation have been delayed due to computer issues and will be sent by email prior to the meeting.

Recommendation: To be advised.

| | | |
|-------------------|--|----------|
| Item C- 3 | STAFF HOUSING POLICY | |
| Reporting Officer | Director of Corporate Service – Robert Rayner | File 450 |

Purpose of Report

To further discuss and amend a Staff Housing Policy as advised at Council's meeting in September 2013.

Report

The policy was presented to the Council at its September meeting.

The policy was amended as requested by Council and placed on display. As directed by Council the policy has been distributed to all Councillors for further comment.

The objective of the policy is to outline Council's guidelines for staff housing.

Submissions have been received from Cr Cooke and are outlined below:

- a) Change the reference to General Tenancy Agreement to Residential Tenancy Agreement.
- b) At Item 3, the end of the third paragraph add the words "and the Residential Tenancies Act 2010."

Answers to questions asked concerning items relevant to the policy are:

- 1) There are four contracted positions in Council. The General Manager and the three Directors.
- 2) The bond held can be retained for damages and unpaid rent.
- 3) The rents for Council houses are in the range of \$145 to \$165 per week.
- 4) Four inspections are the maximum allowed in a 12 month period according to the Tenancy Agreement.
- 5) Notification of repairs and urgent repairs are covered in the Tenancy Agreement, so are pets.
- 6) Remedies for breach of agreements and action in relation to damages higher than bond amounts, are covered under the Residential Tenancies Act 2010.

Budget Implications

Nil

Attachments:

Staff Housing Policy and a copy of a Residential Tenancy Agreement under separate cover.

Recommendation

That Council amend the policy as per items a) and b) and redisplay the policy for a further 28 days.

Economic & Community Development Reports

| | | |
|-------------------|---|----------|
| Item E - 1 | BALRANALD NETBALL COURTS | |
| | Director of Economic and Community Development Robyn Ryan | File 555 |

Purpose of Report

To advise Council on the progress of the Regional Development Australia – Round 5 funding application to upgrade the Balranald Netball Courts.

Report

As reported previously, Council submitted an application under the Regional Development Australia Fund – Round 5 to undertake the following works:

1. Removal of the two existing netball courts
2. Construction of two new netball courts
3. Resurfacing and line marking of courts
4. Construction of two new player interchange boxes and seating
5. Purchase of two portable grandstand seating units
6. Purchase of new rubbish bin surrounds
7. Turfing and landscaping of the complex
8. Installation of new signage to the complex
9. Minor repairs to lighting

The application seeking funding of \$170, 717 was lodged on July 22, 2013 and it was envisaged that the announcement of successful applications would be in October 2013.

With the recent change of government Council has been advised through RAMROC that the Round 5 funding promised by the previous government may not be honoured. Council are working collaboratively with RAMROC to lobby the Federal Government to ensure applications under this round are funded.

Most recently the Mayor and Acting General Manager attended the RAMROC meeting at Jerilderie on Wednesday 6th November 2013 where the Hon. Sussan Ley MP Member for Farrer was strongly encouraged to continue to lobby for an outcome on these grants.

Ms Ley has given Balranald Shire Council her personal assurance that she will peruse this matter on behalf of Council.

As a contingency, Council has submitted a Sport and Recreation grant application, and if successful this would allow for the replacement of one court. Correspondence has been forwarded to the Balranald Netball Club Inc. informing them of the situation.

Budget Implications

Not confirmed

Attachments

Correspondence from RAMROC

List of Round 5 projects

Recommendations

1. That Council endorse the actions of the Mayor and Acting General Manager in lobbying for a positive decision on the funding round.
2. That formal correspondence be sent to the Hon. Sussan Ley MP Member for Farrer requesting an update on the matter.
3. That a further report on the progress of the application be tabled at the December Meeting of Council.

Balranald Shire Council
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PO Box 3572,
Level 3, 553 Kiewa Street,
ALBURY NSW 2640

Phone (02) 6023 8791
Fax (02) 6023 8169
Email rstubbs@alburycity.nsw.gov.au

08 November 2013

The Hon Sussan Ley MP,
Assistant Minister for Education,
Farrer Electorate Office,
PO Box 672,
Albury NSW 2640

Dear Sussan,

Regional Development Australia Fund – Round 5 Projects

Thanks again for attending the Annual General Meeting of RAMROC at Jerilderie on Wednesday 6th November 2013. The Member Councils certainly were appreciative of the input you provided to the meeting in relation to a number of important issues for communities in the RAMROC region.

In relation to the discussions regarding Round 5 projects under the Regional Development Australia Fund, RAMROC requests that your Government review its current position that it does not intend to fund the non-contracted projects which Councils from across Australia submitted in good faith during June and July, following the announcement by former Regional Australia Minister of an amount of \$150 million in funding for Round 5 projects in 2013-2014.

As you know, the purpose of the RDAF program is to support Australia's regions and to enhance the economic development and liveability of regional communities. In that regard, Councils certainly welcome the initiatives of the new Coalition Government to the continuation of this objective under the proposed National Stronger Regions Program (NSRP)

The grounds for RAMROC's request for your Government to provide funding to all submitted projects under the former RDAF Round 5 program are as follows:-

- Round 5 of RDAF was the planned continuation of the grant program which had initially commenced in 2010-2011. This Round 5 was announced in June 2013, some months prior to the Federal election being called;
- Since the original introduction of the RDAF program, RAMROC and other LG stakeholders had consistently lobbied the Australian Government to amend the guidelines, so as to distribute the available funding for important local community infrastructure programs to all 565 Council across Australia;
- The previous Rounds 1 to 4 had been very much focussed on major projects of region wide significance and benefit. Unfortunately, those guidelines very much excluded infrastructure projects submitted by smaller Councils which were of a principally local nature, albeit these were all very important projects for the respective communities;
- RAMROC Councils were therefore particularly pleased by the fact that RDAF Round 5 of \$150 million would provide funding to virtually all Councils across Australia, the grant assistance to be based largely on the principles used for distribution of the Financial Assistance Grants (FAG) program;
- In accordance with the Round 5 guidelines, Councils were required by 22nd July 2013 to submit details of projects which were proposed to be undertaken. That deadline was again well before the 2013 election period;
- Councils received confirmation of their project approvals and funding allocations during July, although at the date of calling of the Federal election, the signed contract documentation had not been completed in a great number of cases. Nevertheless there had in fact been a formal offer and acceptance by both parties, which deserves to be now honoured, at least as a moral obligation by the Commonwealth;

In the RAMROC region, as no doubt also applies to all Councils and their communities throughout the nation, the projects are all worthy ones that justify support by the Australian Government. The projects will provide employment opportunities, both in the construction phase and in the subsequent operational phases that will follow completion. They will in most, if not all, cases provide much valued community facilities that may otherwise be unable to be funded in the near future by the Councils.

For your information, I am attaching a schedule of Round 5 projects submitted by the 18 Member Councils of RAMROC. This list of projects clearly demonstrates the level of community benefit that will be achieved if the Government is prepared to now commit funding.

The summary indicates that the total grant amount of RDAF was \$4,215,376. With the cash contributions by Councils, the value of the projects is leveraged to \$7,439,964. Then taking account of additional external and Council in-kind contributions, these projects would have a total value well in excess of \$8 million

It is also pointed out that the Government's proposed National Stronger Regions Program is not scheduled to commence until 2015. It would certainly demonstrate a show of good faith, particularly to regional and rural Australia, for the Government to honour all Round 5 project commitments, whether or not the formal contract documentation had actually been signed off prior to the election caretaker deadline.

It would therefore be greatly appreciated if you would take this matter up with the Prime Minister, the Deputy Prime Minister and the Treasurer. Certainly RAMROC Mayors are very keen to take a delegation to Canberra in the near future to discuss these representations in detail with the Deputy Prime Minister and Minister for Infrastructure and Regional Development the Hon Warren Truss MP. We would be very pleased if you could make a formal request to Minister Truss during your forthcoming discussions with him.

I look forward to your reply in due course. In the meantime, I will forward a copy of this letter and supporting project schedule to the Member for Riverina and Parliamentary Secretary to the Minister for Finance Michael McCormack MP for his information and also seeking his valuable and ongoing support in this matter.

Yours faithfully



Ray Stubbs
EXECUTIVE OFFICER

cc Michael McCormack MP
 Member for Riverina
 Parliamentary Secretary for Finance

ROUND FIVE REGIONAL DEVELOPMENT AUSTRALIA PROJECTS – RAMROC COUNCILS

The projects submitted by Councils to the Australian Government under Round 5 of the RDAF program were as follows:-

| Council Name | Projects Submitted by Councils for Round 5 funding | Total Project Cost | RDAF Grant | Council and other Cash Contributions |
|---------------------------|---|---------------------------|-------------------|---|
| Albury City | Lavington CBD Upgrade | \$ 1,089,701 | \$ 489,701 | \$ 600,000 |
| Balranald | Develop Greenham Sports Park | \$ 172,717 | \$ 170,717 | \$ 2,000 |
| Berrigan (2 projects) | 1. Barooga and Berrigan Reserves – new netball courts | \$ 197,800 | \$ 197,800 | \$ 0.00 |
| | 2. Improve Newell Highway approaches to Tocumwal township | \$ 279,000 | \$ 94,612 | \$ 184,388 |
| Carrathool (3 projects) | 1. Hillston Sports Pavilion | \$ 170,000 | \$ 150,000 | \$ 20,000 |
| | 2. Merriwagga Hall (Floor Upgrade) | \$ 25,000 | \$ 25,000 | \$ 0 |
| | 3. Rankin Springs Hall Upgrade | \$ 57,510 | \$ 37,510 | \$ 20,000 |
| Conargo | Play Ground Upgrades and establishment | \$ 246,219 | \$ 146,216 | \$ 100,003 |
| Corowa (3 projects) | 1. Mulwala Civic Centre Stage 2 | \$ 61,000 | \$ 41,000 | \$ 20,000 |
| | 2. Corowa CC Function Room | \$ 175,000 | \$ 175,000 | \$ 0 |
| | 3. Corowa Riverfront Trail | \$ 106,045 | \$ 75,295 | \$ 30,750 |
| Deniliquin | Town Hall Redevelopment Stage 1 | \$ 871,800 | \$ 217,345 | \$ 654,455 |
| Greater Hume (2 projects) | 1. Burrumbuttock Netball Courts Improvements | \$ 117,236 | \$ 95,000 | \$ 22,236 |
| | 2. Holbrook Sporting Complex – Additions and Alterations | \$ 426,420 | \$ 205,445 | \$ 220,975 |
| Griffith City | Griffith Regional Theatre | \$ 316,448 | \$ 304,601 | \$ 11,847 |
| Hay | Bidgee Cultural and Heritage Trail | \$ 200,048 | \$ 180,048 | \$ 20,000 |
| Jerilderie | Jerilderie Civic Hall Refurbishment | \$ 188,386 | \$ 128,578 | \$ 59,808 |
| Leeton | Improvements to Roxy Theatre | \$ 300,000 | \$ 282,058 | \$ 17,942 |
| Murray | Moama Beach redevelopment | \$ 358,690 | \$ 233,699 | \$ 124,991 |
| Murrumbidgee (2 projects) | 1. Brolga Place Coleambally – Reconstruction of Streetscape | \$ 144,200 | \$ 72,100 | \$ 72,100 |
| | 2. Darlington Point Swimming Pool various works | \$ 103,128 | \$ 51,564 | \$ 51,564 |
| Narrandera (7 projects) | 1. Barellan Pool Solar Heating | \$ 68,000 | \$ 17,000 | \$ 51,000 |
| | 2. Barellan Netball Courts | \$ 76,000 | \$ 16,000 | \$ 60,000 |
| | 3. Narrandera Senior | \$ 5,000 | \$ 5,000 | \$ 0 |

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| | | | | |
|------------------------|---|---------------------|--------------------|---------------------|
| | Citizens Centre – Disabled entrance | | | |
| | 4. Masonic Hall Purchase Renovate | \$ 200,000 | \$ 140,000 | \$ 60,000 |
| | 5. Barellan Hall Amenities | \$ 11,000 | \$ 11,000 | \$ 0 |
| | 6. Barellan Main Street Paving | \$ 35,000 | \$ 35,000 | \$ 0 |
| | 7. Grong Grong Hall - Painting | \$ 10,433 | \$ 10,433 | \$ 0 |
| Urana (2 projects) | 1. Oaklands Recreation Ground – New Multi Purpose Pavilion+ | \$ 287,699 | \$ 59,992 | \$ 227,707 |
| | 2. Rand Recreation Reserve – new Multi Purpose Pavilion | \$ 98,892 | \$ 59,992 | \$ 38,900 |
| Wakool (5 projects) | 1. Koraleigh Hall and Rec Reserve | \$ 16,344 | \$ 12,300 | \$ 4,044 |
| | 2. Barham Rec Reserve Lighting | \$ 88,598 | \$ 49,598 | \$ 39,000 |
| | 3. Barham Boardwalk - Stage 2 | \$ 375,000 | \$ 138,000 | \$ 237,000 |
| | 4. Moulamein Community Centre – painting Op-Shop area | \$ 5,380 | \$ 5,380 | \$ 0 |
| | 5. Goodnight Hall Kitchen Upgrade | \$ 9,142 | \$ 6,142 | \$ 3,000 |
| Wentworth | Wentworth Aerodrome Upgrade | \$ 547,128 | \$ 276,250 | \$ 270,878 |
| | | | | |
| TOTALS | | \$ 7,439,964 | \$4,215,376 | \$ 3,224,588 |

| | | |
|-------------------|---|----------|
| Item E - 2 | CMCA NATIONAL RALLY - NARRABRI | |
| Reporting Officer | Director of Economic and Community Development Robyn Ryan | File 770 |

Purpose of Report

To advise Council on the success of the CMCA Rally held in Narrabri.

Report

Balranald Shire was promoted at the 28th CMCA National Rally held in Narrabri from October 21 to October 28, 2013.

More than 2,000 visitors from across Australia made their home in Narrabri for a week, and some for much longer. Hundreds of campers began to arrive in the two/three weeks leading up to the rally and were parked at staging areas in and around Narrabri.

The event was co-ordinated by Rally Co-ordinator Don Mackrill and his team of over 250 volunteers who operated with military precision to facilitate over 900 motorhomes.

The Director of Economic and Community Development (DCED), Robinvale Rally Manager Ray Jones, Mim Jones, Robinvale Rally Secretary Eleanor Scully, Discover Murray's Shane Strudwick and Swan Hill Rural Council's Steven Matthews worked tirelessly over the eight days to showcase the region and to encourage members to attend the Robinvale 28th Anniversary Rally to be held from March 31 to April 6, 2014.



Congratulations must go to Ray Jones and Shane Strudwick who captured the attention of over 800 members who had congregated under a massive marquee to see and hear the Robinvale Rally presentation.

During the rally the DECD facilitated several meetings with the Solos' Network Committee to commence the program planning for their rally in Balranald from March 17 to 25th, 2014. Several other chapters have also shown a strong interest in Balranald and Kyalite and the DECD is continuing negotiations with these groups.

To host an event such as this takes an enormous amount of resources and Narrabri Shire Council should be congratulated on hosting such a successful rally.

Budget Implication

Nil

Attachments

Nil

Recommendation

That a letter of congratulations be sent to Narrabri Shire Council.

| | | |
|-------------------|--|-------------|
| Item E - 3 | NAMING OF THE BALRANALD INTERPRETIVE CENTRE COMPLEX | |
| | Director of Economic and Community Development Robyn Ryan | File 771(c) |

Purpose of Report

To progress the naming of the new interpretive centre complex.

Report

In February 2013, Council resolved that the new visitor information centre pavilion be named the Leo Connellan MLC Visitor Information Centre.

With the construction of the new complex underway a report was tabled at the August 2013 meeting of Council to consider the naming of the facility as a whole.

Contracted Designers *Creative Spaces* compiled various options for Council's consideration and these included:

- Balranald Square
- Balranald Headquarters (HQ)
- Balranald Junction
- Balranald Waterhole
- Discover Balranald
- Plains Discovery Centre
- Bidgee Discovery Centre
- Balranald Riverbank

Given that Balranald has already incorporated the word *Bidgee* in the naming of *Bidgee Haven Hostel*, it was recommended that it would seem appropriate that this theme continue to other facilities within the community.

At the August meeting it was resolved on the motion of Councillors Jolliffe and Barnes that Council advertise for name suggestions for the new Interpretive Centre.

Over the past months Council has sought naming suggestions from the community via Council's community newsletter, advertisements and articles in the Guardian, Grazier and Sentinel, through Council Committees and via word of mouth.

The following suggestions have been submitted from the community:

- Bidgee Hop in Centre
- Bidgee Visitors Corner
- Bidgee Active Centre
- The Bidgee Friendly Frog Centre
- The Bidgee Ridgie Didge Centre
- The Bidgee Court House Centre
- The Bidgee Do Drop In Centre
- Balranald's 5 Rivers Outback Discovery Centre
- Balranald's Gate
- Twin Palms

The Local History Group has also submitted a suggestion for the naming of the café – “The Historic Court House Café”.

The name of the complex should be a marketable concept and generate curiosity.

Budget Implications

Nil

Attachments

Nil

Recommendation

For the consideration of Council

| | | |
|-------------------|---|----------|
| Item E - 4 | TOURISM ECONOMY | |
| Reporting Officer | Director of Economic and Community Development - Robyn Ryan | File 770 |

Purpose of Report

To provide Council with a snapshot of the tourism economy.

Report

Council has embarked on developing a sustainable tourism industry with significant infrastructure being developed over the past eighteen months.

This report has been formulated utilising information from various sources including Inland NSW Tourism (Council is a current member of Inland), National Visitor Surveys (NVS) produced by Tourism Research Australia (TRA) and local and regional profiles produced by DNSW.

Table 5 provides an overview of key source markets, consumer segments and reasons for visitation to the destination based on the information available.

Table 5: Source markets, consumers and reasons for visiting Far Southern Inland – domestic overnight¹³

| Destination | Domestic overnight | | | | | |
|-------------------------------------|--------------------|---|--|--|--------------------|---------------------|
| | No. visitors | Source market | Reason for visitation | Travel party | Avg length of stay | Avg spend per night |
| NSW Average | 23.482M | Regional NSW = 39.7% Sydney = 28.6% Victoria = 11.5% | Holiday = 43.9% VFR = 35.0% Business = 17.5% | Adult couple, no children = 27.6% Travelling with children = 27.6% Alone = 24.4% | 3.4 nights | \$156 |
| Outback (DNSW region) ¹⁴ | 289,000 | Regional NSW = 40.8% Queensland = 15.9% South Australia = 14.9% | Holiday / leisure = 55.7% Business = 17.6% VFR = 17.3% | Adult couple = 40.8% Friends/relatives = 23.9% Family group = 18.0% | N/A | \$188 |
| Balaranald LGA | 52,000 | N/A | N/A | N/A | 2.7 nights | \$123 |

¹³ 2011, Destination New South Wales, Local Government Area Profiles ¹⁴ 2011, Destination New South Wales, Regional Profiles

Spend in the region (compiled from 2011, Destination New South Wales, Local Government Area Profiles)

| Location | Average Spend per Night | Average Stay per Night |
|-----------------|-------------------------|------------------------|
| Hay | \$137 | 1.7 |
| Wakool | \$118 | 2.6 |
| Deniliquin | \$137 | 2.6 |
| Central Darling | \$123 | 2.5 |
| West Wyalong | \$137 | 2.2 |
| Broken Hill | \$123 | 3.5 |
| Wagga Wagga | \$137 | 2.3 |
| Balranald | \$123 | 2.7 |

Target Markets

Attitudes to travel and travel behaviour are determined in part by generational attitudes and behaviours and travel mindset.

Destination NSW breaks the market down into Tourism Mindsets – Wanderers, Compatriots, True Travellers, Peer Group Travellers and Pampadours, with its product development and marketing aligned to these mindsets.

| Target Markets | Purpose of Visit | Origin |
|---|------------------|--|
| Compatriots (family focussed, middle market, budget conscious, like resorts and don't like camping, self-contained and advantage, activities focussed.) | Holiday | Melbourne, Regional Vic, Regional NSW, South Australia |
| Wanderers (touring travellers, marked older skew, adult couples, empty nesters, great off-peak market, keen observers, widest range of preference in transport mode. | Holiday | Melbourne, Regional Vic, Regional NSW, South Australia |
| Visiting Friends and Relatives | VFR | Various |

It has been identified in Council's Tourism and Marketing Strategy 2012-2015 that the product and experiences offered by the Balranald area best fit the Compatriots, Wanderers and the VFR markets.

The Balranald area attracts a significant number of “travelling through” caravans and motorhomes that have not considered in the first instance, the alternative to stay in Balranald.

However, on many occasions “travelling through” visitors change their travel plans when they learn about the number of attractions and activities that the Balranald area has to offer.

Therefore, there is an excellent opportunity to convert these “travelling through” types for more extended stay visitors (2+ nights) through a more coordinated and effective approach to marketing and promotion of the region’s iconic attractions.

An increase in the length of stay and the daily spend would provide a boost to the local economy.

Budget Implication

Nil

Attachments

Balranald Local Government Area Local Government Profile – Destination NSW.

Tourism in the NSW Economy – Destination NSW

Recommendation

For the information of Council.

Travel to Balranald Local Government Area

Four year average annual to September 2011



**Destination
NSW**

Overview

| Key measures | Balranald | NSW |
|--|-----------|----------|
| Total visitors (overnight & daytrips) ('000) | np | 73,759 |
| Domestic overnight visitors only ('000) | 52 | 23,482 |
| Total nights ('000) | np | 142,271 |
| Domestic nights only ('000) | 137 | 79,847 |
| Total spend (\$million) ¹ | np | \$23,592 |
| Domestic overnight spend only (\$million) ¹ | \$17 | \$12,487 |

Domestic Overnight Travel

| Key measures | Balranald | NSW |
|--------------------------------|-----------|----------|
| Visitors ('000) | 52 | 23,482 |
| Nights ('000) | 137 | 79,847 |
| Average stay (nights) | 2.7 | 3.4 |
| Spend (\$million) ¹ | \$17 | \$12,487 |
| Spend per visitor (\$) | \$327 | \$532 |
| Spend per night (\$) | \$129 | \$156 |

Notes and definitions

¹ The expenditure estimates are derived based on information from Tourism Research Australia's modelled visitor expenditure in Australia's tourism regions. Total LGA expenditure = per night expenditure in the tourism region x number of nights in the LGA (note: daytrip expenditure is based on visitors).

Comparability: Due to changes to local government area definitions and methodological aspects, the results in this profile may not be comparable with previously published profiles.

Domestic overnight visitor = an Australian resident, aged 15 and over, who had taken a trip within Australia involving a stay away from home for at least one night (but no more than 12 months) at a place at least 40 km from home.

Domestic daytrip visitor = an Australian resident, aged 15 and over, who had taken a domestic daytrip involving a round trip for a distance of at least 50km and of a duration of at least 4 hours but not involving a night away from home (routine travel and same day travel as part of overnight travel are excluded).

International overnight visitor = an international resident, aged 15 and over, who visited Australia for a period of no more than 12 months and stayed at least one night in the LGA.

Further information

Please refer to the following websites for further information on

- travel to other local government areas in NSW:
www.destinationnsw.com.au/LocalAreaProfiles
- tourist accommodation in local government areas in NSW:
www.destinationnsw.com.au/tourism/research-and-reports
- detailed profiles on travel to tourism regions in NSW:
www.destinationnsw.com.au/tourism/research-and-reports



Image: Horse at sunset, Paul Matthews

Sources: National Visitor Survey and International Visitor Survey, YE Sep 08 to YE Sep 11, Tourism Research Australia

www.destinationnsw.com.au

Page 8 of 9



Tourism's contribution to the NSW economy

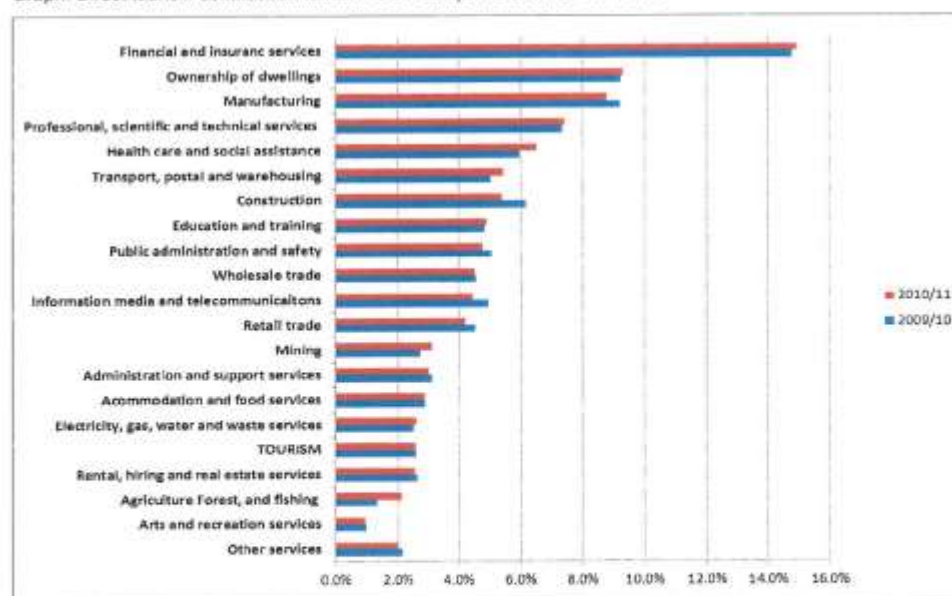
Total tourist consumption in NSW was \$30.5 billion in 2010-11. This figure represents the total amount spent by tourists, or on behalf of tourists, during their trip. Tourism consumption therefore represents goods and services consumed or 'demanded' by customers of the tourism industry.

The flip side of tourism consumption is tourism gross state product (GSP), which represents the total value produced or 'supplied' by the tourism industry. Tourism GSP is the value of goods and services produced, less the value of those goods and services used in production, plus taxes paid on tourism products less the subsidies they receive. In 2010-11, tourism directly contributed \$11.5 billion to the NSW economy's GSP. When both direct and indirect factors are included, the NSW tourism industry can be considered to have contributed \$24.3 billion to the State's GSP, or 5.5% of total NSW GSP in 2010-11 (Source: 2010-11 NSW Tourism Satellite Accounts, published by Tourism Research Australia, July, 2012).

Size of the tourism industry relative to other industries

Tourism contributed \$10.5 billion in direct gross value added (GVA). This measure is important as it indicates the additional value generated by the industry beyond the cost of producing the goods or services, and without taxes or subsidies included. In 2010-11, tourism's 2.6% direct contribution to the State's GVA was greater than agriculture, forestry and fishing (2.1%), and slightly lower than mining (3.1%).

Graph: Direct tourism contribution to NSW GVA compared to other industries



NSW tourism industry relative to other states' tourism industries

In relation to other states, NSW is the largest contributor to Australia's total direct tourism GVA, contributing 33%, followed by Queensland with 24% (\$7.6 billion) and Victoria 21% (\$6.7 billion).

The NSW economy is not as dependent on tourism as the economies of the Northern Territory, Tasmania or Queensland. Tourism contributed 4.0% of GVA in the Northern Territory, the highest percentage of all states. This was followed by Tasmania where tourism contributed 3.4% to the State's GVA and then Queensland (3.1%). The NSW tourism industry's contribution to the State's GVA was slightly above the national level (2.4%).

Sectors within the NSW tourism industry

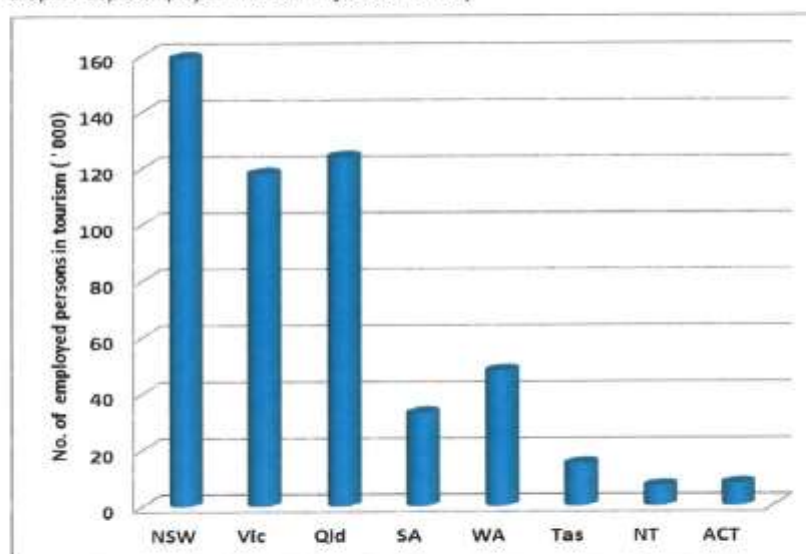
Tourism industry output measures the value of goods and services produced by establishments to satisfy visitor consumption, excluding net taxes. In NSW, the largest contributor to tourism industry output over 2010-11 was the air, water and other transport sector (19%), followed by accommodation (18%) and cafés, restaurants and food outlets (16%). When compared to the other states and Territories, the NSW economy is particularly strong in the transport (air, rail and road) and education aspects of the tourism industry.

Tourism employment

In 2010-11, tourism was directly responsible for 4.5% of jobs in NSW.

- There were 159,000 people directly employed in tourism in 2010-11, an increase of 6.7% over the previous year. This increase was above the national increase of 2.8%.
- In 2010-11 it is estimated that 120,000 people were indirectly employed in tourism in NSW giving a total of 279,000 directly and indirectly employed in the State.
- Approximately 30% of all tourism jobs in Australia are based in NSW. Graph 2 shows that NSW is well ahead of the other states and territories in terms of direct employment in tourism.

Graph: People employed in tourism by State/Territory



Tourism businesses and employment

The NSW tourism industry is dominated by small businesses. It has over 96,000 tourism businesses, but only slightly more than one half employ any staff. Of those that do employ staff, one-half employ only 1-4 people and only 1% employ more than 200 people (Tourism businesses in Australia, June 2009 to June 2011, Tourism Research Australia).

Employment by subsector

Of the 159,000 people employed directly by the tourism industry in NSW, approximately a quarter (42,000) are employed by café's, restaurants and takeaway food services. The next highest employing sectors are retail trade providing 31,800 jobs; the education and training industry providing 11,000 jobs; followed by travel agency and tour operator services providing 10,100 jobs.

Summary estimates for 2010-11

Gross Value Added (GVA)

- Tourism's contribution to NSW Gross Value Added: \$10.5 billion (up 6% from 2009-10)
- Tourism contribution to GVA in NSW is higher than for agriculture (2.1%) and just below mining (3.1%)

Gross State Product (GSP)

- Tourism's contribution to NSW Gross State Product: \$11.5 billion (up 6% from 2009-10)
- Tourism's share of NSW GSP: 2.6% in 2010-11 (same as 2009-10)

Consumption

- Tourism Consumption: \$30.5 billion in 2010-11 (up 7% from 2009-10)

Employment

- Tourism Direct Employment: 159,000 jobs (up 6.7% from 2009-10)
- Tourism's share of NSW employment: 4.5% (up 0.2 pts from 2009-10)
- Total (Direct and Indirect) Employment: 279,000.

Where do these figures come from?

The State Tourism Satellite Account (TSA) 2010-11 has been prepared on behalf of the States & Territories by Tourism Research Australia. The State TSA highlights the economic contribution of tourism to the State economy.

History of the Satellite Accounts

The National Tourism Satellite Account (TSA), prepared by the Australian Bureau of Statistics (ABS), is regarded as the benchmark for measuring tourism's contribution to the national economy. It allows tourism to be compared with other industries that are listed in the National Accounts. It also allows international comparisons of tourism's value and provides a calibration for the State TSAs.

The first TSA for Australia was produced for 1997-98 and the first State-based TSAs were produced a few years later. The 2010-11 Australian TSA was published by the ABS in December 2011.

Revision to methodology and data sources for TSAs:

The methodology for the TSAs has been revised and the data back-casted to 2007-07.

This Summary report prepared by the Economics Analysis team at the Department of Trade and Investment, Regional Infrastructure and Services & Tourism NSW. More detail is available at <http://www.ret.gov.au/tourism/research/tra/Pages/default.aspx>

For more information and statistics on visitors to NSW, please visit <http://www.destinationnsw.com.au/tourism/facts-and-figures>



Infrastructure & Development Reports

| | | |
|-------------------|--|----------|
| Item I - 3 | COMPULSORY ACQUISITION OF LOT 63 DP 823883 – EUSTON WASTE DEPOT | |
| Reporting Officer | Director Infrastructure & Development - John Stevenson | File 433 |

Purpose of Report: To complete the process of acquisition of this land for the Euston Waste Depot.

Report: In 2008 Council sought to acquire this land, which at that time, was recommended by the Minister.

The compulsory acquisition process, however, was not completed at the time and subsequently the Division of Local Government has advised that due to the failure to publish the acquisition notice in the gazette, within the prescribed 120 days, an additional action is now required.


Accordingly Council is required to pass a fresh resolution under seal to the effect that this acquisition is to proceed, and upon consent complete the valuation, gazettal, and acquisition process with the Department of Primary Industry (Lands).

Attachments: Advice from Premier and Cabinet Division of Local Government.

Budget Implications: Legal costs, valuations and miscellaneous gazettal costs in order of \$5,000.00 are anticipated for the process, costs to be set against Council's Euston Waste Depot Management Budget.

Recommendation: Council resolve to make application to the Minister for Local Government seeking consent to compulsorily acquire Lot 63 DP 823883, Euston, for waste depot purposes. Pre-acquisition procedures via a notice in accordance with Section 14 of the Land Acquisition (Just Terms Compensation) Act 1991 will be followed. This resolution is made under Council seal.

Attachment:



Premier & Cabinet
Division of Local Government

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Sue Hentley
0628 4214

Our Reference: A352541
Your Reference: JS:JLS:433
Contact: Patty Rogers
Phone: 4428 4216

file: 433

| | Info | Reply | Report | Discuss | Phone |
|-------------------------|------|-------|--------|---------|-------|
| GM | | | | | |
| DID | | ✓ | | ✓ | |
| Received 18 OCT 2013 | | | | | |
| DCS | | | | | |
| DECD | | | | | |
| LETTER No. <i>51029</i> | | | | | |

10 OCT 2013

Mr Chris Littlemore
General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Dear Mr Littlemore

I am writing in regard to Council's application of 3 April 2008 for approval to compulsorily acquire Lot 63 DP823883, which was recommended by the Minister for Local Government and approved by Her Excellency the Governor of NSW.

A review of the Division of Local Government's records indicate that the last contact with the Division in relation to this matter was to advise it had issued a proposed acquisition notice (PAN) in relation to this compulsory acquisition on 30 November 2012.

The Division has no record of having received Council's advice as to the publication of the acquisition notice in the NSW Government Gazette.

Therefore, I am writing to request that Council review its files and advise the Division of the date the acquisition notice was published in the Gazette. A copy of the gazetted acquisition notice should also be provided.


If for whatever reason Council has failed to publish the acquisition notice in the Gazette, then it would appear that the compulsory acquisition has not been completed within the statutory timeframe of 120 days. Before the acquisition can be completed, additional action by Council will be required.

Section 14(1) of the *Land Acquisition (Just Terms Compensation) Act 1991* requires that as soon as practicable after the expiration of the minimum period of notice of a proposed compulsory acquisition (90 days), an authority of the State (including a council) must either:

- acquire the land by compulsory process, or
- by agreement, or
- withdraw the PAN.

Section 14(2) of this Act provides that the PAN is taken to have been withdrawn if the council has not acquired the land (by the publication of the acquisition notice in the NSW Government Gazette) or withdrawn the PAN within 120 days after giving

T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E dlg@dlg.nsw.gov.au W www.dlg.nsw.gov.au ABN 99 567 563 195



that notice, or within a longer period with the agreement (in writing) of the land owner.

Where a PAN is withdrawn or taken to have been withdrawn, a council may not give a further PAN in respect of the land within 12 months after the date of withdrawal unless the Minister responsible for that authority is satisfied that in the circumstances of the case a further notice within that period is justified.

In addition, section 187(2) of the *Local Government Act 1993* and section 178(2) of the *Roads Act 1993* prohibit a council from issuing a PAN without the approval of the Minister for Local Government.

This means that unless Council has obtained the owner's written consent for the apparent delay in its having published the acquisition notice in the Gazette, it will need to reapply to seek the approval of the Minister for Local Government to undertake pre-acquisition procedures again by issuing another PAN.

This will require a fresh resolution from Council specifically authorising the making of an application to the Minister for that approval.

Alternatively, if Council does not intend to proceed with the compulsory acquisition of Lot 63 DP823883, it should inform the Division of this and return the original of the approved stamped acquisition notice, together with the Division's approval letter.

I would appreciate receiving Council's advice regarding the current status of this compulsory acquisition and its intentions within 28 days of the date of this letter.

Yours sincerely



Mark Hely
Leader, Performance & Compliance

cc – Mr Brian V. O'Haire, Solicitor

| | | |
|-------------------|--|-----------|
| Item I - 4 | 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. Council Team 1

Council Team 1 is continuing gravel construction on Box Creek Marma Rd to further 1 km seal. This is expected to be completed by mid-November for sealing.

2. Council Team 2

Council Team 2 is continuing storm damage repair work on the Oxley Clare Road. In discussion with adjacent land holders it is evident that works may have to cease prior to a completion due to lack of water. Investigations to source water are continuing.

3. Council Team 3

Council Team 3 is continuing gravel construction work on MR67 North for a further 2.4km south of the existing seal at the northern boundary. This segment will be sealed in conjunction with the Marma Box Creek Road.

4. Contractor M Cameron

M. Cameron is has commenced flood damage restoration work on Woorandarra Corrong Road. This follows the completion of works on the Tarwong Freshwater Road and more recently on the Culparkin Alma Road.

5. Contractor R Potter

Contractor R Potter will commence culvert replacement work under the flood damage program from around the 12th November 2013 on Mildura Ivanhoe Rd, and other western shire roads.

6. Shire Ramps

Cleaning and repairs have been undertaken to ramps on the following roads:

- Prungle Mail at Koolamon
- Euston Prungle at Prungle
- Marma Box Creek at Marma
- Glen Emu
- Wintong

7. Grass Slashing

Area around Balranald have been slashed for fire hazard together with roadsides, particularly sections of Windomal Road, Rocks Road, MR514 Oxley, MR67 North and the Sturt Highway.

Recommendation that the above be noted.

| | | |
|-------------------|--|----------|
| Item I - 5 | CONSTRUCTION CERTIFICATES | |
| Reporting Officer | Director Infrastructure & Development - John Stevenson | File 600 |

Purpose of Report:

To advise Council of Certificates issued under delegated authority.

Report:

The following Construction Certificates have been issued since the September 2013 meeting of Council.

| Application | Owner/Applicant | Locality | Description |
|-------------|-------------------|-----------------------------|-------------|
| CC 15/13-14 | Mr Lindsay Morrow | Sturt Highway, Euston | New Shed |
| CC 16/13-14 | Mr Lance Howley | 1099 Weimby – Kyalite Road, | New Shed |

Recommendation: that the report be noted.

| | | |
|-------------------|---|----------|
| Item I - 6 | ROADS & MARITIME SERVICES – CYCLEWAY / WALKWAY FUNDING | |
| Reporting Officer | Director Infrastructure & Development - John Stevenson | File 707 |

Purpose of Report: To advise Council of an invitation from RMS to submit an application for additional shared pathway funding.

Report: The RMS have advised Council of an opportunity to apply for additional pathway funds currently made available on a 100% of job cost basis, providing Council can guarantee the projects can be completed within this 2013/14 year.

Accordingly an application has been lodged to:-

1. Commence a stage 2 of the swing bridge 'Bidgee Nature Trail' loop incorporating concrete pathway to Court Street between McCabe and River Streets along the present old gravel path riverside alignment.
2. Link the gravel section along the Caravan Park / Bridge approach with a sealed surface and side barrier fence.
3. Complete the Euston Club area reserve walkway through the Crown Reserve lands to meet the stage 2 gravel path to the Loch and Weir at the Euston National Park.

The total estimated costs for this application, \$161,046.00 GST inc, was lodged in late October and Council anticipates an outcome at this time. A further verbal advice will be provided at the meeting.

Attachments: Nil

Budget Implications: Nil. The funding is offered on a 100% project costing.

Recommendation: That the above funding offer and submission be noted.

| | | |
|-------------------|--|------|
| Item I - 7 | OFFER OF LAND EXCHANGE WITHIN BALRANALD GOLF CLUB GROUNDS | |
| Reporting Officer | Director Infrastructure & Development - John Stevenson | File |

Purpose of Report: To consider an offer to exchange four (4) titled lots held in Councils name within the Course, for Crown Reserve Lot 74 DP 751170 corner Mayall and O'Connor Street.

Report: NSW DPI (Western Lands) have provided Council with the opportunity to exchange the above Lots 1 to 4 DP 758048 for this Lot 74 DP 751170, which encompasses the Club House Building, outbuildings, greens and fairway, and vacant lands fronting both streets.

The estimated exchange cost to Council, to transfer and convert to freehold title would be in the vicinity of \$10,000 including legal costs, without any survey involvement at this time.

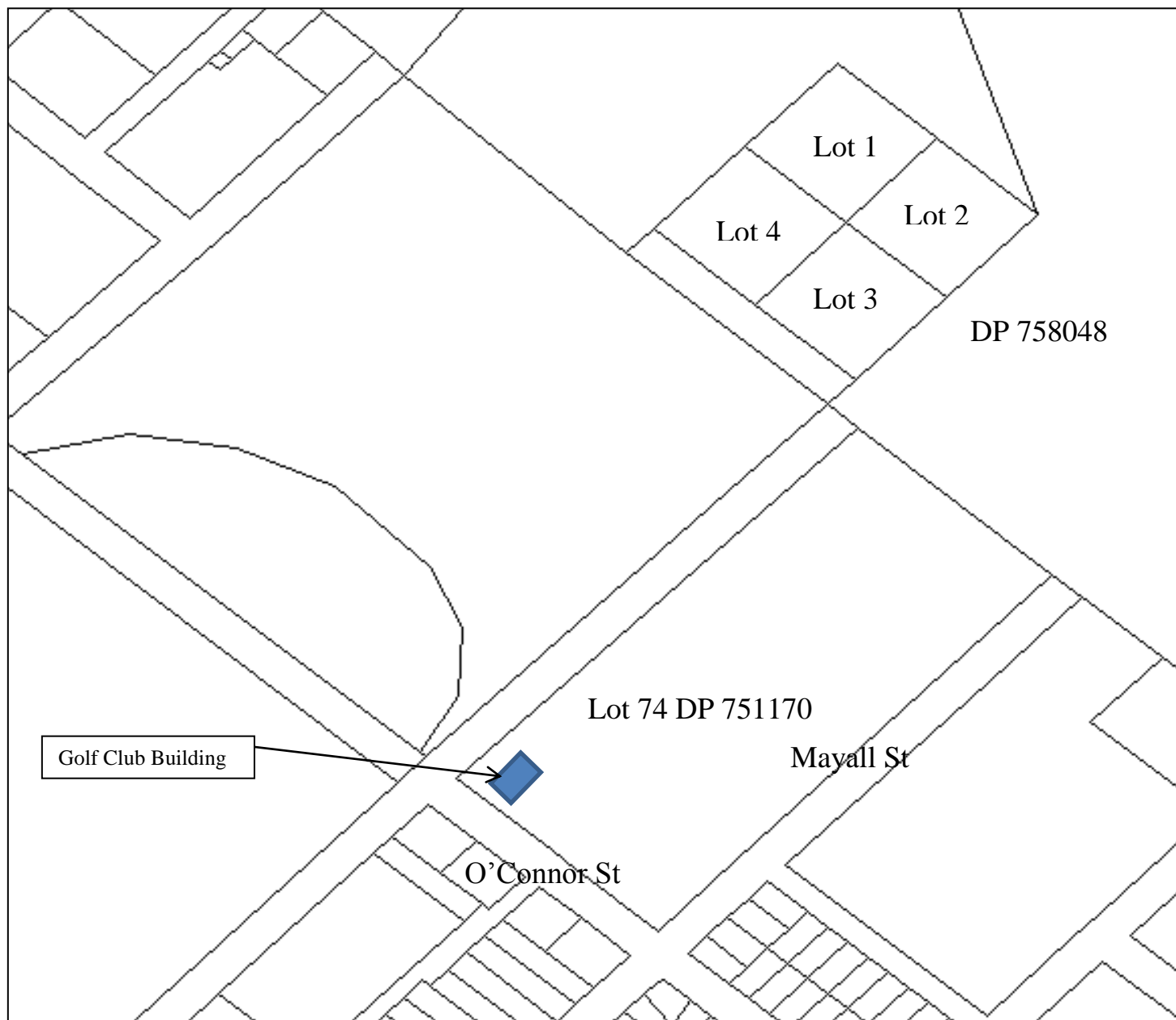
Council has the opportunity to subdivide allotments to the street frontages in the future, as services exist.

Attachments: Plan of lands.

Budget Implications: There is no provision for this exchange in the current Operational Plan.

Recommendation: Council take the opportunity to accept this offer, subject to the ability to create freehold title over this Lot 74 DP 751170 and confirmation of the above transfer costs.

Attachment: Plan of Lands



General Managers Reports

| | | |
|-------------------|--|----------|
| Item G - 2 | CHRISTMAS / NEW YEAR CLOSURE | |
| Reporting Officer | Acting General Manager - Robert Rayner | File 065 |

Purpose of Report

To advise Council of arrangements over the Christmas / New Year period.

Report

Council's Office and Depot has traditionally closed down between the Christmas / New Year period which normally results in closure for 3 working days. The office staff is normally provided leave for these three days in lieu of overtime worked and not paid during the year.

The office and depot closure will be from Wednesday 25 December 2013 to Wednesday 1 January 2014 inclusive.

The majority of works staff are usually on block annual leave for 4 weeks over this period and January, however, arrangements will be in place for normal essential services and emergency call outs over this period.

Budget Implications

Nil

Attachments

Nil

Recommendation

That Council note the report and endorse the proposed Christmas / New Year closing arrangements.

| | | |
|-------------------|--|----------|
| Item G - 3 | RESIGNATION FROM COUNCIL COMMITTEES | |
| Reporting Officer | Acting General Manager - Robert Rayner | File 030 |

Purpose of Report

To advise Council that Cr Cooke has tendered her resignation from two Council Committees.

Report

Council has received correspondence from Cr Cooke resigning from the Balranald Tourism and Economic Development Committee and the Euston Beautification and Tourism Committee effective the 7th of November 2013.

Both committees have sufficient members to enable them to maintain a quorum.

Budget Implications

Nil

Attachments: Letter from Cr Cooke and committee list of members.

Recommendation That Council:

1. Accept Cr Cooke's resignation from the committees
2. Determine if the vacancy on the committees is to be filled.

Balarald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

File 024

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| | Info | Reply | Inter | |
| GM | ✓ | | | |
| DID | | | | |
| Received U 8 NOV 2013 | | | | |
| DCS | | | | |
| DECO | | | | |
| LETTER NO. 31122 | | | | |

165 Market St.
Balarald. NSW. 2715.
7th November, 2013

General Manager
Balarald Shire Council,
Market Street,
Balarald. NSW. 2715.

Subject: Resignation from Council Committees

Dear Sir,

Please be advised I will be standing down from both the Balarald Tourism & Economic Development Committee and the Euston Beautification & Tourism Management Committee as of today 7th November, 2013.

Forwarded for you information and appropriate administrative action.

Yours Sincerely,

Lynda Cooke

Lynda Cooke.
Deputy Mayor.
Balarald Shire Council.

| TOURISM & DEVELOPMENT COMMITTEE | |
|--|---|
| Function of Committee: To consider matters in regard to tourism and economic development and promotion and the maintenance, improvement and management of Council owned tourism facilities for recommendation to Council | |
| Delegations: Nil | |
| Membership | |
| Mayor Cr Barnes Cr Byron Cr Mannix | Cr Cooke 6 Community reps Quorum: 4 |

| | |
|---|--|
| EUSTON BEAUTIFICATION TOURISM & DEVELOPMENT | |
| <i>Function of Committee:</i> To carry out authorised voluntary works in Council reserves within allocated funds and resources and make recommendations to Council on beautification works and improvements within Euston | |
| <i>Delegations:</i> Nil | |
| <i>Membership</i> | |
| Cr Barnes Cr Cooke Cr Byron | Ann Gill Edna Price Helen Robertson Paula Rodger Barry & Faye Watts Jim & Vivienne McMahon Bev Harbinson Vicki Barnes Maureen Pupillo Quorum: 5 |

| | | |
|-------------------|--|----------|
| Item G - 4 | AUTHORITY TO AFFIX SEAL | |
| Reporting Officer | Acting General Manager – Robert Rayner | File 377 |

Purpose of Report: To obtain authority to affix Council Seal to legal documents.

Report:

Council has prepared a new lease for the Balranald Senior Citizens Centre. The lease has been signed by the Balranald Senior Citizens Club Inc. and Council are now requested to sign and seal the lease.

Budget Implications: Nil

Recommendation: that the Mayor and Acting General Manager be authorised to affix the Council Seal to the lease.

| | | |
|-------------------|--|----------|
| Item G - 5 | SUMMARY OF MEETINGS | |
| Reporting Officer | Acting General Manager - Robert Rayner | File 025 |

Purpose of Report

To advise Council of a summary of meetings held and planned future meetings.

Report

The Mayor Cr O'Halloran and the Acting General Manager (AGM) travelled to Narrandera on Wednesday 23rd of October to attend a RAMROC meeting with Murray Darling Basin Authority (MDBA) Officials on the Constraints Management Strategy. Cr O'Halloran and the AGM then attended a three hour work shop held by the MDBA on the Constraints Management Strategy. Copies of the draft are available from the AGM.

Whilst there Cr O'Halloran and the AGM took the opportunity to have a meeting with Cross-Border Commissioner Steve Toms that evening, to discuss his recent Listening Tour Report and cross-border issues facing Balranald Shire.

The AGM then attended the RAMROC General Managers group meeting held in Narrandera on the Thursday 24th of October. Presentations were received from Steve Griffin Deputy CEO of Service NSW and from Dr Kim Johnstone Senior Demographer NSW Department of Planning and Infrastructure.

Workshop sessions were then held by RAMROC Councils with the NSW Department of Premier and Cabinet and other agencies.

Cr O'Halloran, Cr Cooke, Cr Byron and the AGM attended the Euston Half Marathon Media Launch at the Euston Club on Thursday 31st of October. The carnival kicks off on Saturday, November 23, when the club hosts a Sports Night with race patron Steve Moneghetti and joining him as a special guest is West Australian comedian Peter Dee.

The 21.1-kilometre Half-Marathon headlines the weekend, while the Aristocrat Leisure 10km, Tasco Inland 4km and the Murray Sustainable Farming 1.5km Kids' Trot are also on the schedule on Sunday, November 24.

The AGM and DID attended the EPA Waste Management meeting in Griffith on Monday 4th of November but it had been cancelled; but no advice had been received.

Cr O'Halloran and the AGM attended the RAMROC Annual General Meeting and the General Meeting held at Jerilderie on Wednesday November 6th. A number of presentations were received.

These included a presentation by Cr Colin Jones (Berrigan Shire) and Ross Bodey, promoting the 17-19 October 2014 Tuppal Food and Fibre Festival and inviting participation by RAMROC's Water4Food program.

A presentation by the Hon Sussan Ley MP – Assistant Minister for Education who was invited to talk about her new portfolio and other issues of interest politically and to Local Government in particular.

Another presentation was made by the NSW Government Small Business Commissioner Ms Yasmin King, who was appointed as NSW Small Business Commissioner in 2011. She was formerly an Associate Commissioner for ACCC and Principal Consultant with a leading negotiation skills development and training Company. Yasmin talked about her role in supporting small business within the NSW Government and the range of services provided by the Small Business Office.

A number of matters were discussed and these included the following:

- The Independent Local Government Review Panel
- LG NSW Board interface with Regional and Rural Councils
- Commonwealth Government Funding Programs for Regional Australia
- Nimmie-Caira Regional and Economic Diversification Project Proposal
- NSW Department of Planning and Infrastructure Population Projections 2011 to 2031
- Murray Darling Basin Plan Implementation – Draft Constraints Management Strategy
- Proposed Delegation to NSW Police Minister the Hon Michael Gallagher MLC
- RAMROC 2013-2014 Budget and Schedule of Council Contributions

Cr O'Halloran and the AGM are to attend Sydney on Wednesday November 20th to attend meetings with the Hon. Kevin Humphries Minister for Mental Health, Minister for Healthy Lifestyles and Minister for Western NSW and a staff member from Minister Hodgkinson's office to discuss the Nimmie-Caira, Mineral Sands Mining and Crown Lands.

A meeting has also been arranged with the Hon. Michael Stanley Veitch, MLC, Member of the Legislative Council Shadow Minister for Trade and Investment, Shadow Minister for Regional Infrastructure and Services, Shadow Minister for Regional and Rural Affairs to discuss Crown Lands.

Budget Implications

Nil

Attachments

Nil

Recommendation

For the Information of Council.

| | | |
|-------------------|--|------|
| Item G – 6 | CORRESPONDENCE | |
| Reporting Officer | Acting General Manager - Robert Rayner | File |

Purpose of Report:

To advise Council of recent correspondence of interest.

Report:

1. Letter from ALGA.
2. Letter of thanks from Far West Local Health Network.
3. Media Release from John Williams.
4. Letter from Local Government NSW.
5. Email from Annie Morris from Box Rallies.
6. Email from James Maguire.
7. Email from Steve Walker.
8. Media Release from John Williams also separate information attachments.
9. Letter from Local Government Grants Commission.

Budget Implications:

Nil

Attachments:

Copies of correspondence as listed above.

Recommendation

That the correspondence be noted.

Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

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AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

29 October 2013

Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

Dear Mayor and Councillors

file 160

| | | | |
|------------------------|-------|---|-----|
| Info | Reply | N | ISS |
| ✓ | | | |
| Recd. date 01 NOV 2013 | | | |
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The Constitutional Recognition Campaign

I am writing to provide you with a report on the issue of constitutional recognition and to let you know that the Government has agreed to allow the Australian Local Government Association (ALGA) to use the federal funding provided for the referendum campaign to reimburse local government for the costs incurred in the campaign, prior to the referendum being cancelled. I know that many councils have been under pressure regarding the contributions they made to the national campaign and I trust this comes as good news.

This letter follows my discussions with the Deputy Prime Minister, the Hon Warren Truss on 18 October and subsequent discussions with his Department. Mr Truss has responsibility for local government matters and my meeting with him was an opportunity to clarify the new Government's position on the constitutional recognition issue. I also used the meeting to pursue the case for reimbursement of local government for the costs incurred in the campaign for the cancelled referendum and clearly the Government was listening.

Let me say at the outset that I want to thank all of the councils which contributed to the referendum campaign, in terms of money, time and effort. The campaign was perhaps the most complex and challenging activity that local government, as a whole, has ever undertaken. Referendums are rare in Australia (the local government referendum would have been only the second referendum in the last twenty-five years) and coordinated campaigns in support of a referendum are even rarer.

After the announcement on 9 May that a referendum to recognise local government would be held in 2013, ALGA and the state and territory local government associations moved heaven and earth to put in place the management structure and resources required to run a credible and effective campaign and almost every council across Australia contributed to that effort. I believe that the campaign we were ready to launch in August would have been successful because of the support from councils and what we managed to achieve is a credit to all.

The decision by Mr Rudd to bring forward the Federal Election date and, as a consequence, to sacrifice the possibility of holding the referendum, was made without consultation with local government and was a bitter blow to all of us, coming as it did at the end of six years of intense effort to secure the referendum. I know it caused anger and dismay across the local government sector and placed all of us in a very difficult position, given our commitment and expenditure on a campaign for a referendum which did not take place.

South Deakin ACT 2600 A&N 31 008 613 876 PHONE 02 6122 9400 FAX 02 6122 9401 EMAIL alga@alga.asn.au WEB www.alga.asn.au

ALGA has already refunded to its state and territory local government association members all of the unspent funds contributed to the national campaign. The campaign, which had a budget of up to \$20 million based on a contribution from the local government sector of up to \$10 million and matching funding from the Commonwealth, was left out of pocket to the tune of \$3.5 million. This money had been spent on a Campaign Director and National Campaign Team, campaign management, research to support the campaign, developing the campaign, including preparation of advertisements for TV and print, the branding of the campaign, advertising costs and arrangements for polling day.

I have spent the period since the referendum was cancelled on 5 August arguing for the reimbursement of the funds spent by local government on the clear basis that it is completely inequitable to expect councils to bear the cost of the campaign following the decision to cancel it for reasons which were beyond local government's control. I am pleased to say that ALGA's arguments have not fallen on deaf ears and Minister Truss announced on Friday 25 October that Government has agreed to allow ALGA to use the public funding to refund local government costs in full. ALGA is finalising arrangements with the Commonwealth and expects to be able to reimburse local government associations for the remaining expenditure shortly. I know this is small consolation for the cancellation of the referendum, but it is at least something positive from this disappointing episode.

Since the referendum did not proceed, the uncertainty around the continuation of direct federal funding of local government remains. The implications of previous High Court decisions cannot be ignored and while programs such as Roads to Recovery can continue for the present, they remain vulnerable to a future challenge. Mr Truss has reiterated the Government's commitment to direct funding of local government through programs such as Roads to Recovery and stated that the Government will look at the implications of any further High Court challenges as they arise. As previously signalled, however, the Government does not intend to put forward a referendum to recognise local government in the near future. We will have to wait and see what the Court does in its judgement on the second case initiated by Mr Ron Williams against the Commonwealth's school chaplaincy program, which is scheduled to go to the High Court next year.

Although the future of any referendum remains uncertain, ALGA will be looking carefully at the processes and developments which led up to the 2013 referendum campaign and drawing appropriate lessons from the experience. The conduct of a future referendum must reflect these lessons if that referendum is to have a reasonable chance of success. One of the key lessons is that all councils must be effectively engaged so that local campaigns, which will be vital to the success of any referendum, can be fully supported. I am confident that a future referendum campaign run by local government will be successful if our sector displays the commitment so evident over the past year and that is something ALGA will work towards.

Yours sincerely



Mayor Felicity-ann Lewis
President



Health
Far West
Local Health Network

October 25, 2013

Acting General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

File: 055

| | Info | Reply | Rep. | Discuss |
|------------------------|------|-------|------|---------|
| GM | ✓ | | | GM |
| DEC | | | | |
| Received 30 OCT 2013 | | | | |
| DCS | | | | |
| DECD | | | | |
| LETTER No. 31083 31108 | | | | |

Dear Robert,

On behalf of the Balranald Health Service, I would like to take this opportunity to thank the Council for their kind donation in loving memory of Noel "Tess" Comitti.

Yours sincerely,

P. Croft

Pat Croft
Acting Health Service Manager

Far West Local Health Network
ABN 71 030 541 064
Balranald Health Service
PO Box 10 Market Street
Balranald NSW 2715
Tel 03 5071 9800 Fax 03 5071 9864
Website www.fwlhn.nsw.gov.au



WILLIAMS WELCOMES NSW GOVERNMENT MOVE TO PROTECT INTEGRITY OF MINING TITLES

John Williams The Nationals Member for Murray-Darling has welcomed the move by the NSW Government to protect the integrity of the mining titles regime in NSW as a result of current Court proceedings.

Mr Williams said the Resources Minister Chris Hartcher today gave Notice of Motion of the Mining (Development Consent) Amendment Bill 2013 which introduces important changes to provide clarity and certainty to titleholders and the mining industry.

The need for the Bill relates to challenges against existing mining leases which, if successful, could cast doubt on most or all 994 mining leases across the State. The Bill amends the provisions of the *Mining Act 1992* relating to the need for development consent before a mining lease is granted.

Mining in NSW makes a major contribution to the State's economy bringing in new investment, boosting regional development and job creation, as well as creating export opportunities.

The Bill will benefit the State of NSW by ensuring the titles framework in the Act is preserved in its current form. It will allow for business as usual – a vigorous, healthy, active mining industry underpinned by a strong titles framework.

-ENDS-

Contact: John Williams 0438 808 722

Cite: 621

| | | | |
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| GM | JH | | |
| DID | | | |
| Received | | 07 NOV 2013 | |
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| 7 No | | 3111 | |



Our ref: R09/0007 Out- 22085

30 October 2013

Dear Mayors and General Managers

Local Government Referendum contributions – full refund for NSW councils

I am delighted to advise that the Deputy Prime Minister, the Hon. Warren Truss MP, has announced that the Australian Government will refund all money expended on the constitutional recognition referendum campaign to councils.

Thanks to vigorous lobbying by Local Government NSW (LGNSW), the Australian Local Government Association (ALGA) and other State and Territory Associations, Deputy Prime Minister Truss has agreed that the federal funding allocated to the referendum can be used to reimburse all State and Territory Associations. All NSW councils that paid levies towards the referendum campaign will therefore receive a 100 per cent refund.

I am very pleased that the Abbott Government intends to act on LGNSW's request for a full reimbursement of funds. We have advocated strongly that councils and the communities they represent should not be penalised because the referendum was cancelled at the last minute, and we are delighted that the new Government has acted swiftly to reimburse councils.

Whilst we are unsure how long it will take for the Government and ALGA to process the return of funds, in recognition of our commitment to fully reimburse NSW councils, LGNSW will immediately commence calculating and processing the return of the remaining portion of the first instalments. LGNSW will return all money to NSW councils in full by the end of November 2013, irrespective of when the funds are received from the Government and ALGA.

Whilst it was very disappointing that the referendum was cancelled, I am pleased that councils will no longer be financially penalised. I thank all councils in NSW for their hard work and dedication to the campaign and in assisting LGNSW to lobby for this return of funds.

The need for Local Government to be recognised in the Australian Constitution remains a priority for LGNSW, other State and Territory Local Government Associations and ALGA. Together we will continue to advocate that a referendum to recognise Local Government in the Constitution should be held in the near future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Rhoades'.

Cr Keith Rhoades AFSM
President

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
LB, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 863 913 882

File: 160

| | Info | Reply | Reg |
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| GM | ✓ | | |
| DIP | | | |
| Received 07 NOV 2013 | | | |
| DCS | | | |
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| LETTER No. 32112 | | | |

Robyn Ryan

From: Annie Morris <annie@boxrallies.com>
Sent: Thursday, 31 October 2013 5:22 PM
To: Robyn Ryan
Subject: Thank you from Shitbox Rally 2013
Attachments: Balranald Shire Council.pdf

Hello Robyn,

Thank you for sponsoring the 2013 Shitbox Rally and please find attached your certificate of thanks. The support of sponsors like yourself is integral to the success of the rally each year and we wish to extend a huge thank you to you.

I would also like to apologise for the delay in sending the certificate. We had been advised that these certificates were sent immediately after the rally but were unfortunately misled.

Thank you again for your support of the 2013 Shitbox Rally and we wish you all the best.

Regards,
Annie Morris

--

Annie Morris
Box Rallies
Th/Fri 9am-5pm
M: 0403 710 520
E: annie@boxrallies.com

www.shitboxrally.com.au

www.mystery-box.com.au

Certificate of Appreciation

This certificate is awarded to:

'BALRANALD SHIRE COUNCIL'

Shitbox Rally would like to thank 'Balranald Shire Council' for sponsorship in the 2013 journey from Adelaide to Fremantle via Uluru!

J. Freeman

James Freeman, Rally Director



Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

Robert Rayner

From: Chris Littlemore
Sent: Sunday, 27 October 2013 8:51 AM
To: Robert Rayner
Subject: FW: environmental flow update for BSC

From: James Maguire [james.maguire@environment.nsw.gov.au]
Sent: 17 October 2013 08:56
To: Chris Littlemore
Cc: Paula Dsantos; Lisa Thurtell; Paul Connellan; Matt McClelland; Ricky Webster; frankold8@bigpond.com; Michael Spinks; Michael Spinks
Subject: environmental flow update for BSC

Hi Chris,
Thought I would drop you a quick update email now that we have placed water orders with State Water and know that certain environmental watering events will definitely be taking place.

- The North Redbank wetland system will be progressively watered commencing today or tomorrow. As SW will be initially using the North Redbank Channel and then using various other system regulators, I estimate that flows could be entering the Balranald Shire Common in around 4 weeks time if all goes well and our diversions run at a steady rate.
- Southern section of Yanga National Park including the filling of Yanga Lake. Our water orders were placed with State Water for this event yesterday. OEH has been advised that the commencement of this e-water delivery from Maude Weir via the North and South Caira channels is likely not to start for several weeks.
- As the exact event commencement date and delivery rates will be affected by upstream customers I am not sure exactly when Yanga lake will be full, but I think it is safe to say the lake will be full by Christmas.
- Both these events will be using environmental water provided by the Commonwealth Environmental Water Holder and OEH Planned environmental water.

If you have any questions please give me a call

Regards

James

James Maguire
Senior Environmental Water Management Officer - Murrumbidgee
Regional Operations Group - (South Branch)
Office of Environment and Heritage
Department of Premier and Cabinet
PO Box 544, Albury NSW 2640
02 6022 0604 (ph) 02 6021 3857 (fax) 0419 013 439 (mob)

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Any views expressed in this email are those of the individual sender except where the sender expressly and with authority states them to be the views of the Office of Environment and Heritage, NSW Department of Premier and Cabinet.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL.

Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

Robert Rayner

From: Steve Walker <Stephen.Walker@rfs.nsw.gov.au>
Sent: Friday, 25 October 2013 12:10 PM
To: Robert Rayner
Subject: Volunteer involvement in Sydney Fires

Good Morning Robert,

Just a quick note to let you know that Rural Fire Service Volunteers from the Balranald Shire are playing a vital role in the suppression effort in Lithgow with the State Mine Fire.
Leigh Walter and Andrew Smith, flew out last Saturday with Volunteers from Wentworth Shire.
They spent their time performing back burning operations on night shifts, in conditions I can best describe as arduous.
They returned home on Tuesday.

Brett McNiven, Captain of the Balranald Headquarters Brigade, Flew out on Tuesday with Volunteers from WSC, and has worked night shifts on the same fire.
Brett's crew will return this afternoon.

I have nothing but pride and admiration for these volunteers who have performed minor miracles in the face of adversity and are safely returning to their families.

Regards

Steve Walker

Superintendent Steve Walker
District Manager.
Rural Fire Service.
Lower Western.

(Incorporating Wentworth & Balranald Shires).
Phone: 0350 274422.
Mobile: 0428 598 376.
Fax: 0350 277 921
Email: steve.walker@rfs.nsw.gov.au

||||| NSW RURAL FIRE SERVICE...for our community

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**LABOR & THE GREENS THREATEN FUTURE OF COMMUNITY FACILITIES AND
LOCAL BUSINESSES IN THE MURRAY-DARLING ELECTORATE**

A political stunt from Labor and the Greens threatens the ongoing operation of local community facilities and businesses in the Murray-Darling Electorate, John Williams, Member for Murray-Darling said.

"The NSW Liberals & Nationals Government recently introduced a minor Amendment in Parliament to ensure local community facilities and businesses can continue to legally operate – but Labor and the Greens have opposed it," Mr Williams said.

"This Amendment was in response to a recent Court decision which called into question the legality of up to 7,000 community and commercial facilities operating on Crown land in NSW.

"These facilities, including CWA Halls, Scout and Girl Guide Halls, recreational sporting clubs, Surf Life Saving Clubs, Rural Fire Service buildings, and local businesses including kiosks, cafes and restaurants on Crown reserves, make a valuable contribution to our communities.

"Without a minor change to existing laws, many of our valued community operations and local businesses would be considered legally invalid and may be forced to close.

"This will cause will cause untold disruption as many local businesses will be unable to legally trade because they will not have a valid tenure.

"With the bushfire season approaching, this reckless political stunt from the Labor-Greens alliance is jeopardising the operation of Rural Fire Service brigades across NSW.

"The Government's common-sense Amendment enables our valuable community facilities and businesses to continue operating on Crown land.

"I call on Labor and the Greens to stop playing petty politics and to get behind our important community groups and local businesses in the Murray-Darling Electorate operating under secondary tenures on Crown land," Mr Williams said.

-ENDS-

Contact: John Williams 0438 808 722



The Hon. Andrew Stoner MP
Deputy Premier
Minister for Trade and Investment
Minister for Regional Infrastructure and Services

5 November 2013

Clr Stephen O'Halloran
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

File: 190

| Reply | Rejn | Discuss |
|-------------------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Received 08 NOV 2013 | | |
| 31116 | | |

Dear Clr O'Halloran

I write to inform you of recent developments in the NSW Upper House which threaten the ongoing operation of many of our local community facilities and businesses that are located on Crown reserves – this includes tenures issued by local councils.

The NSW Government recently introduced the *Crown Lands Amendment (Multiple Land Use) Bill 2013*. The Bill is important because a NSW Court of Appeal decision of 9 November 2012 (known as the "Goomallee case") means that up to 7,000 community and commercial facilities operating under secondary tenures on Crown reserves may be considered legally invalid.

In some cases the NSW Government directly manages Crown reserves and issues tenures over them. In many other cases, local councils are responsible for the management of these important public assets, including the issuing of tenures over them.

Some examples of the kinds of facilities that may be impacted include Country Women's Association halls, Men's Sheds, Rural Fire Services, Marine Rescue facilities, surf lifesaving clubs, pre-schools, recreational sporting clubs, kiosks and local businesses.

Many of these tenures have been in place for decades and provide an important community service. Further, the revenue collected by local councils from these tenures is reinvested back into community assets such as parks, showgrounds and sporting facilities.

Without a minor change to existing laws, the tenures issued to many of our valued community operations and local businesses could be considered legally invalid and may be forced to close.

The *Crown Lands Amendment (Multiple Land Use) Bill 2013* validates those existing secondary tenures on Crown reserves that are not causing material harm to the primary purpose of the reserve. Importantly, the Bill supports the multiple use principle in the *Crown Lands Act 1989* that Crown land should be used for multiple purposes where appropriate.

The Bill is currently before the Upper House, but unfortunately Labor, the Greens and the crossbenchers have indicated that they will continue to oppose the Bill, despite not having proposed any amendments.

Level 30, Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000
Phone: (61 2) 9228 5209 Fax: (61 2) 9228 5970 Email: office@deputypremier.nsw.gov.au

Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

As an affected stakeholder, I urge Balranald Shire Council to contact members of the Upper House seeking their support for the Bill, as well as raising this important issue in your local media.

Should you require more information please contact Laura Clarke, Regional Policy Officer, on 02 9228 5209 or laura.clarke@deputypremier.nsw.gov.au.

Yours sincerely



The Hon. Andrew Stoner MP
Deputy Premier

Cc Mr Chris Littlemore, General Manager, Balranald Shire Council

Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013



**Local Government
Grants Commission**

NSW Local Government Grants Commission
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE: **GC 137**

CONTACT: Bruce Wright
(02) 4428 4132
bruce.wright@dlg.nsw.gov.au

Mr Chris Littlemore
General Manager
Balranald Shire Council
PO Box 120
BALRANALD NSW 2715

File - 094

| | Info | Reply | Report | Discuss |
|----------------------|------|-------|--------|---------|
| GM | | | | GM |
| DID | | | | |
| Received 24 OCT 2013 | | | | |
| DCS | ✓ | | | |
| DECD | | | | |
| LETTER No. 31064 | | | | |

17 October 2013

Dear Mr Littlemore

The Commission has a policy of providing information to councils about the way it calculates financial assistance grants. Accordingly, please find attached a detailed summary of the 2013-14 grant calculations for Balranald Shire Council.

DETAILS OF 2013-14 GRANT CALCULATIONS

Appendix A, titled *Disability Calculations Summary – 2013-14*, shows the measures used in the calculation of grants for your council. This information should be examined if council is considering making a special submission.

Appendix B, titled *Explanation of Calculation Summaries*, explains how the revenue and expenditure allowances are calculated and used in the grant determination process.

Appendix C, titled *Details of Disability Factors*, provides background information relating to what each expenditure disability factor recognises, the measures used, their source, the standards (State average) and weightings.

SPECIAL SUBMISSIONS RELATING TO 2014-15 GRANTS

Special submissions are invited from council in relation to the distribution of financial assistance grants for 2014-15. However, council is not required to make a submission.

The purpose of a submission is to give council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

T 02 4428 4132 F 02 4428 4199 TTY 02 4428 4209
E grants@dlg.nsw.gov.au
W <http://www.dlg.nsw.gov.au> (follow the "Commissions & Tribunals" links)

Balranald Shire Council
Agenda - Ordinary Meeting – 18th November 2013

Appendix D, titled **Guidelines for Special Submissions**, contains guidelines for preparing submissions. Submissions should be e-mailed to the Commission at grants@dlg.nsw.gov.au **by 30 November 2013**.

I would ask that this letter be tabled at the next council meeting.

If you have any questions concerning these matters please contact me on (02) 4428 4132.

Yours sincerely



Bruce Wright
Executive Officer

| | | | |
|-------------------|---|----------|--|
| Item G - 7 | ACTION REPORT OCTOBER 2013 - COUNCIL MEETING | | |
| Reporting Officer | Acting General Manager – Robert Rayner | File 120 | |

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



BALRANALD SHIRE COUNCIL
ACTION SHEET

OCTOBER 2013

| MINUTE | DIRECTOR/ FILE NO | <u>SUBJECT</u> | <u>DATE</u> INITIATED | <u>COMMENTS</u> CURRENT STATUS |
|---------------|------------------------------|--|----------------------------------|---|
| 10.13.3617 | AGM | Follow up Skin Cancer checks with Dr Zotov | 5/11/2013 | Email sent to StateCover |
| 10.13.3626 | DCS | Submit Financial Statements for audit | 28/10/2013 | Auditors Approved |
| 10.13.3629 | DECD | Lake Benanee Petition | | Seeking meeting with the Minister |
| 10.13.3631 | DID | Send owner consultation letters regarding heritage review | 18/10/2013 | Letters Sent |
| 10.13.3647 | AGM | Report to Special Meeting on 18 th November 2013 re Organisational Review | 5/11/2013 | Report Completed |
| 10.13.3650 | AGM | Arrange quotes from recruiting agencies | 25/10/2013 | Special Meeting Held. |

Recommendation: For the information of Council.

| Item G – 8 | QUESTIONS WITHOUT NOTICE | |
|-------------------|--|--|
| Reporting Officer | Acting General Manager - Robert Rayner | File 030 |
| Cr Purtill | Rulings on Last Minute | Attachment below |
| Cr Cooke | Website, when will be ready for agenda/minutes viewing? | Old Website been hacked so shutdown. Should be ready for viewing next week |
| | What is development of Dog Ranger? | Advertising in next newsletter |
| | Swing bridge | Repairs undertaken – bridge and walkway open |
| | Can Grass in McCabe street across from Nelsons be slashed? | Contractor undertaken town area slashing, works in progress. |
| Cr Jolliffe | Mowing of median strips and nature strips in Ballandella Street. | Ballandella and many other streets have been mowed, works in progress. |
| | Corner of Dowling and Yuranigh Street block be slashed. | Verge areas slashed, notice to landowner. |
| | Block of land in Church St behind Lions Park, needs slashing. | Verge areas slashed, discussions with David Gee for mowing. |
| | Fallen Tree at river bend, can it be removed? | Arrangements made, awaiting plant availability. |
| | Tree at cemetery over grave be removed | Arrangements made. |
| | Mowing of Road Sides especially, Yanga Way and Windomal Roads. | Works in progress. |
| Cr Byron | Trees at Lions Park, dead branches need cutting. | Works in progress. |
| Cr Barnes | Kyalite Lights | Essential Energy Contacted. |

| | | |
|-------------|---|----------------------------|
| Cr Campbell | With races coming up could the Greenham Park Hall have a clean? | Works undertaken. |
| | Greenham Park Toilets looked at, why keep over flowing? | Plumbing works undertaken. |
| | Could the gardens and trees at Greenham Park be tidied ready for races? | Works undertaken. |

Memo to all Councillors

From the Acting General Manager Robert Rayner

Mayoral Election on 17/09/13

At the last meeting of Council a request was received by Cr A Purtill to obtain a ruling on the validity of the motion to hold the business detailed in the extraordinary meeting (Mayoral Election etc.) via the Mayor Cr O'Halloran's Mayoral Minute.

I have obtained advice from Frank Loveridge Legal Advisor at LG NSW and Doug Friend Governance Section at the DLG.

Both Frank & Doug asked if Council had a Code of Meeting Practice, which I advised that Council did.

They both referred me to the NSW Local Government Act 1993 (Act), Section 360 Conduct of meetings of councils and committees, which refers to the adoption of a Code of Meeting Practice.

As Council has a Code of Meeting Practice the next section applicable in the Act to which I was referred is Section 374 Certain circumstances do not invalidate council decisions, and in particular (e) a failure to comply with the code of meeting practice.

In conclusion the legal advice confirms that the Council motion is valid.

(Copies of these sections in the Act are attached for your reference.)

LOCAL GOVERNMENT ACT 1993 - SECT 360 Conduct of meetings of councils an... Page 1 of 1



New South Wales Consolidated Acts

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LOCAL GOVERNMENT ACT 1993 - SECT 360

Conduct of meetings of councils and committees

360 Conduct of meetings of councils and committees

- (1) The regulations may make provision with respect to the conduct of meetings of councils and committees of councils of which all the members are councillors.
- (2) A council may adopt a code of meeting practice that incorporates the regulations made for the purposes of this section and supplements those regulations with provisions that are not inconsistent with them.
- (3) A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by it.

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http://www.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/s360.html

22/10/2013

LOCAL GOVERNMENT ACT 1993 - SECT 374 Certain circumstances do not invali... Page 1 of 1



New South Wales Consolidated Acts

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LOCAL GOVERNMENT ACT 1993 - SECT 374

Certain circumstances do not invalidate council decisions

374 Certain circumstances do not invalidate council decisions

Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with section 451, or
- (e) a failure to comply with the code of meeting practice.

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22/10/2013

CLOSED MEETING - CONFIDENTIAL MATTERS