



MINUTES

ORDINARY MONTHLY COUNCIL MEETING
COMMENCING 2.00PM

18 JUNE 2008

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2. OPENING OF MEETING AND PRAYER**3. PRESENT**

COUNCILLORS: Margaret Thomson (*Mayor*), Sue Nichols (*Deputy Mayor*), Mark King, Don McKinnon, Cherie Ribarits, Brian Wakefield, Warren Ward and Bill Wheeldon.

STAFF: Mr Peter Kozlowski (*General Manager*)
Mr Ken Ross (*Director, Development & Environment*)
Mr Bill Turner (*Director, Infrastructure & Assets*)
Ms Terri Maguire (*Director, Corporate & Community Services*)
Mrs Jill Davidson (*Executive Assistant*)

4. APOLOGIES AND APPLICATION FOR LEAVE

That the application for leave as submitted below be approved:-

- Councillor Macri

Moved Crs. Ward and Wheeldon that the application for leave from Cr. Macri be received and noted.

CARRIED

5. CONFIRMATION OF MINUTES**Recommendation**

That the minutes of the ordinary Council meeting held 21 May 2008 be adopted as circulated.

Moved Crs. Wheeldon and King that the minutes of the Ordinary Council meeting held 21 May 2008, as circulated, be adopted.

CARRIED

6. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Mayor Thomson indicated that she had a conflict of interest with respect to item 12.3.1 Curlwaa Levee as she owns property inside the Curlwaa Levee bank.

Councillor Ward also indicated that he had a conflict of interest in Item 12.3.1 Curlwaa Levee as he too owns property inside the Curlwaa levee bank.

Moved Crs. Nichols and King that the conflicts of interest raised by the Mayor Margaret Thomson and Councillor Ward be noted.

CARRIED

7. PETITIONS AND MEMORIALS

Nil

8. MAYORAL REPORTS**8.1 APPOINTMENTS BY THE MAYOR FOR MAY/JUNE 2008**

Responsible Officer: Mayor
 Principal Activity: Governance
 Author: Executive Assistant
 Implications: Nil
 File & References: S268
 Attachments: Nil
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That Council receives and notes the report.

Purpose

The purpose of this report is to advise Council of meetings/conferences/appointments undertaken by the Mayor for the period 21 May to 18 June 2008.

Report

Date	Conference/Appointment
21 May	Meeting with David Scholier TAFE re funding for 150 Years celebrations
22 May	Two Rivers Interagency Group Meeting – Coomealla High School Mainstreet Committee meeting
28 May	Meeting with John Handy re Namatjira Avenue
29 May	Resilient Agriculture Meeting Mildura
2 June	Western Division Mini Conference Sydney
2-4 June	Annual Local Government Shires conference Sydney
5 June	Curlwaa Fire Brigade AGM
6 June	Civic welcome Australian Bravery Association MRCC
7 June	Sunraysia Sports Aircraft Club Queens Holiday Fly Inn Dinner
10 June	GM's review
11 June	PACT meeting Wentworth – Council chambers
14 June	Sista Girls Deb Ball Dareton

Moved Crs. Ribarits and King that the recommendation be adopted.

CARRIED

NOTE: The Mayor advised that along with the General Manager and his wife, and Deputy Mayor Cr. Sue Nichols they attended the Sista Girls Debutante Ball held Saturday 14 June comprising of 7 aboriginal girls who had raised and earned money to make their own Debutante dresses and advised that the girls all looked splendid as did their partners.

9. NOTICES OF MOTION

Nil

10. DELEGATES REPORTS

Cr. Wakefield gave a verbal report on his recent attendance at the Shepparton National Local Roads Congress which was attended by himself and Director Infrastructure & Assets. He advised that the conference was interesting for the 2 days with focus of changing road transport back to rail transport. He indicated there is no doubt that the rail system has been neglected by Governments. The conference attendees were advised that there were too many road transports on Australian roads with 92% of freight being trucked between Sydney & Melbourne which puts a lot of pressure on the road systems. One company undertakes 50million kms in a year and with these statistics there should be a push by all Governments to update the rail system. Minister Albanese was unable to attend the conference but Cr. Wakefield advised there were very good speakers and indicated the conference was worthwhile attending.

Cr. Ribarits gave a verbal report on the Shires Conference and thanked Council for the ability to attend. She indicated that she had not attended a previous Western Division mini conference and was disappointed with the proceedings. Cr. Ribarits advised that Cr. Bruce Miller spoke on subjects covering cost shifting, rate pegging, and increased electoral commission costs being placed on Local Government. Minister for Local Government Paul Lynch shared the frustrations of Councils and mentioned in his speech the revised Model Code of Conduct. Minister Frank Sartor addressed the conference on planning system problems and changes. His approach has been well documented in the media. Minister Rosendale (Roads) advised of an increase in regional road funding. Minister for Water Nathan Rees also addressed the conference. The keynote speaker Jonathan Welsh (Choir of Hard Knocks) gave an inspirational presentation.

Cr. Ward advised that it was good to see Cr. Ribarits at Shires Conference. He advised Council regarding an update with regards to the Executive, and advised that he did not renominate to represent J Division. Cr. Ray Longfellow is now the representative and Council needs to write to him raising matters that need to be discussed at the Executive level. Cr. Ward also advised that Brian Sharp from F Division and Steve Lowe from Hunter (Senior Vice President) did not renominate. Cr. Ward also encouraged any Councillor who wished to stand for the Executive to do so.

Moved Crs. McKinnon and Wheeldon that the verbal reports be received.

CARRIED

11. COMMITTEE MEETING REPORTS

11.1 REPORT OF THE ROADS COMMITTEE MEETING HELD 21 MAY 2008

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Nil
File Reference:	C6/15-2
Attachments:	Nil
Separately Circ.:	Minutes of the Roads Committee Meeting held 21 May 2008
Tabled:	Nil

Recommendation

That Council notes the Minutes of the Roads Committee Meeting held on 21 May 2008.

Purpose

To advise Council of the business items discussed by the Roads Committee.

Summary

The minutes of the Roads Committee meeting which were held on 21 May 2008 in the Council Chambers are submitted for the information of Council and include the following:-

- Ramps & Grids Replacement Policy
- AB Triples on Gingko Mine Road
- Regional Roads Work Program
- Review of Sealing Policy
- Gravel Pit Licencing
- Urban Intersection Review
- Footpath Program
- Street Light Program
- Plant Replacement Program
- High Darling/Red Hill Intersection
- Bemax Mine Traffic
- Pomona Bike Path

Report

The minutes are self explanatory.

Moved Crs. King and Nichols that the recommendation be adopted.

CARRIED

Moved Crs. Nichols and Ribarits requested that an audit of recognised grids, detailing how many grids are within the Shire and the full cost of maintaining the grids and requested a report back to Council.

CARRIED

11.2 REPORT ON THE AUSTRALIAN INLAND BOTANIC GARDENS COMMITTEE MEETING HELD 5 MAY 2008

Author:	Mayor
Implications:	Nil
File Reference:	R9/5-2
Attachments:	Nil
Separately Circ.:	Minutes of the AIBG 5 May 2008
Tabled:	Nil

Recommendation

That Council receives and notes the minutes of the Australian Inland Botanic Gardens Committee meeting held 5 May 2008.

Purpose

To advise Council of the business undertakings of the Australian Inland Botanic Gardens.

Report

The minutes of the AIBG Committee meeting which were held on Monday 5 May 2008 at MADEC's Wesley Complex Mildura are submitted for the information of Council and include the following:-

- Business Arising from previous minutes (Farmers Market)
- Correspondence Inwards
- Correspondence Outwards
- President's Report
- Treasurer's Report
- Director's report
- Sub-Committees Report
- Friends of the Garden Report
- General Business including:-
 1. Permanent pull down screen in Magenta
 2. Recent Break-in to the Works Area
 3. Fire Fighting Equipment
 4. Temporary Licensing Agreement with the Sunraysia Farmers Market

Moved Crs. McKinnon and King that the recommendation be adopted.

CARRIED

11.3 REPORT OF THE TRAFFIC FACILITIES COMMITTEE MEETING HELD 5 MAY 2008

Responsible Officer: Director Infrastructure & Assets
Author: Director Infrastructure & Assets
Implications: Nil
File Reference: C6/15-2
Attachments: Nil
Separately Circ.: Nil
Tabled: Nil

Recommendation

That Council receives and notes the minutes of the Local Traffic Meeting held 5 May 2008, and approves any actions contained in the report.

Purpose

To advise Council of the business raised in the Traffic Facilities Committee meeting.

Report

PRESENT: Cr. Warren Ward, Ministers representative Cr. Jim Macri,
D. Mc Laugbe / Police, Paul Hastie / R.T.A., M. Morgan / R.T.A,
Roy Harvey / Wentworth Shire Council.

APOLOGIES: Bill Turner / Director Infrastructure & Assets, Wentworth Shire Council.

MOVED: Paul Hastie

SECONDED: Cr. Jim Macri

00: 91	Mourquong / Silver City Hwy Intersection	<ul style="list-style-type: none"> • Council to prepare design & estimate . • Submit to RTA for funding.
00:102	Intersection Signage Upgrade – Various locations SH14/SH22	<ul style="list-style-type: none"> • Seeking Sign Design • RTA requires further local information
07:07	Tourism Signage Study	<ul style="list-style-type: none"> • Report being reviewed by Sunraysia Tourism Group.
07:11	Digital Speed Display Board	<ul style="list-style-type: none"> • Results indicate an improvement in road users behaviour, drivers slowing down and obeying speed limits.
08:01	Midway Drive Midway (Traffic Management)	<ul style="list-style-type: none"> • Line marking still to be completed.
08: 02	A.B. Triple Trial Broken Hill to Gingko Mine	<ul style="list-style-type: none"> • Approval has been given by the Wentworth Shire Council, RTA and Broken Hill Council.
08:03	Tour of the Murray Run Cycling Event August / Sept 2008	<ul style="list-style-type: none"> • The event promoter 'Caribou Publishing' to be informed of the new finishing point in Darling Street Wentworth.
08:04	Mildura / Coomealla Cycling Club	<ul style="list-style-type: none"> • Details and approval be forwarded to the event organiser after staff attend RTA workshop on the 10th June 2008.
08:05	Kerb & Gutter Works Silver City Hwy, Buronga	<ul style="list-style-type: none"> • Approved
08: 07	Road Premium Forum	<ul style="list-style-type: none"> • Forum to be held at Midway Centre on the 20th June 2008. • Mayor and Council Representative to open and close Forum.

08: 08	Buronga Roundabout "Sturt Hwy & Silver City Hwy"	<ul style="list-style-type: none"> • Interruption to traffic will be between 10th – 24th June 2008.
08:09	Emergency Road Closure of Sturt Hwy 4 th April 2008.	<ul style="list-style-type: none"> • Police, Council and RTA's Traffic Operations Manager to review traffic arrangements
08: 10	Rufus River Road Rufus River	<ul style="list-style-type: none"> • Council to collect traffic data and implement road safety devices.
NEW BUSINESS 08:12	Speed Zoning Sturt Hwy between Rose St & Carramar Drive	<ul style="list-style-type: none"> • Council to present to next meeting. Location of existing speed zone, this may require reviewing
08:13	Intersection Wentworth Street, Armstrong Ave travelling surface	<ul style="list-style-type: none"> • Council to contact RTA Road Services, requesting that the pavement surface be regarded.
Meeting Closed – 9.45am Field inspection Next Meeting – 19 th June 2008 1.30pm Community Meeting Room		

Moved Crs. McKinnon and Ribarits that the minutes be received and noted.

CARRIED

Note: Cr. Ward requested that the next Traffic Facilities meeting be held at Dareton to discuss the future of the skate park location and that contact be made with Christine Plumridge advising her of the meeting details.

11.4 REPORT ON THE WENTWORTH SHOWGROUNDS MANAGEMENT COMMITTEE MEETING 24 APRIL 2008

Responsible Officer: Director Infrastructure & Assets
Author: Tourist Information Officer
Implications: Nil
File & References: S318
Attachments: Nil
Separately Circ.: Minutes of the Wentworth Showgrounds Management Committee meeting 24 April 2008
Tabled: Nil

Recommendation

- (1) That this report be considered in conjunction with item 12.7.1.
- (2) That Council receives the report.
- (3) That Council approves Focus Consulting to go ahead with source funding opportunities for the proposed new Showgrounds Pavilion as an indication of Council support for the project subject to the successful completion of external funding applications.

Purpose

The purpose of this report is to advise Council of the outcomes of the committee meeting.

Report

The minutes of the Wentworth Showgrounds Committee meeting which were held on 24 April 2008 at the Visitor Information Centre are submitted for the information of Council and include the following:-

- Correspondence Out
- Financial Report
- Agenda Items – Community Water Grant & Security Boundary Fence
- Jobs to do by Showgrounds Management Committee & Wentworth Shire Council
- General Business

Councillor Nichols requested that this item be classified as confidential under section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for that part of the business relating to the following:-

- (d) **Commercial information of a confidential nature that would, if disclosed:**
- (i) **Prejudice the commercial position of the person who supplied it, or**
 - (ii) **Confer a commercial advantage on a competitor of the Council, or**
 - (iii) **Reveal a trade secret.**

The Mayor advised that this matter is classified confidential because it is not in the public interest to reveal the details of commercial information relating to the business undertaking a funding application for the Showgrounds Pavilion.

The Mayor invited the public to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed. Nil representations were received.

Moved Crs. King and Nichols that this item be referred to confidential section of the Council meeting (closed Council) in conjunction with item 12.7.1 due to the information to be discussed being of a Commercial-In-Confidence nature.

CARRIED

12. OFFICERS' REPORTS

12.1 PRINCIPAL ACTIVITY: GOVERNANCE

12.1.1 Staff Recognition of Service Policy

Responsible Officer:	Manager Human Resources
Author:	Manager Human Resources
Implications:	Staff
File Reference:	PR14/9-2
Attachments:	Staff Recognition of Service Policy
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council adopts the Staff Recognition of Service Policy.

Purpose

The purpose of this report is to present to Council the Staff Recognition of Service Policy for adoption.

Summary

A Staff Recognition of Service policy will set clear guidelines for recognizing considerable continuous service by Wentworth Shire Council staff as well as demonstrate to staff that Council values them and their contributions.

Report

The recognition of employee years of service is important to ensure that staff feel valued and appreciated for their contributions and efforts. The attached policy recognises significant milestones.

The draft policy has been considered by the Staff Consultative Committee.

It should be noted that Council currently has a Staff Gratuity Scheme Policy which rewards staff who have completed 10 years of service with a payment of \$1,500 and that for every completed year thereafter an additional \$300 to be paid on retirement or once the employee leaves the organisation.

Policy and Management Plan Implications

Financial considerations.

Conclusion

This policy will recognise staff who have completed considerable continuous service with the Wentworth Shire Council and will acknowledge and reward these efforts.

Moved Crs. McKinnon and Wakefield that the recommendation be adopted.

CARRIED

12.1.2 Exit Interview Policy

Responsible Officer:	Manager Human Resources
Author:	Manager Human Resources
Implications:	Continuous Improvement
File Reference:	C9/7
Attachments:	Exit Interview Policy
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council adopts the Exit Interview policy.

Purpose

To present to Council the Draft Exit Interview Policy for adoption.

Summary

Wentworth Shire Council is committed to providing and maintaining a harmonious and professional work environment. An Exit Interview will provide Council with important information that can assist in attracting and retaining quality staff.

Report

Employees who resign from Council will be encouraged to participate in a confidential exit interview which will consist of answering a set series of questions relating to their employment with Council and future direction.

The feedback received from staff will provide important indicators regarding organisational culture, staff skills and development, conditions and resources and will assist in operational planning, workforce planning and recruitment, training and development strategies, job design and evaluation and the EEO Strategic Plan.

The draft policy has been considered by the Staff Consultative Committee.

Policy and Management Plan Implications

The policy and process will be reviewed at least annually and will contribute to strategies within the Management Plan.

Conclusion

Exit Interviews will provide Council with important information that will assist in continuous improvement and corporate planning.

Moved Crs. Nichols and McKinnon that the recommendation be adopted.

CARRIED

12.1.3 Use of Council Vehicles Policy

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Policy, Organisational Review
File Reference:	C9/7
Attachments:	Use of Council Vehicles Policy
Separately Circ.:	Car Agreement
Tabled:	Nil

Recommendation

That Council adopts the Use of Council Vehicles Policy and revokes the previous car use policy dated 16 November 2005.

Purpose

The purpose of this report is to present the Use of Council Vehicles policy for adoption to reflect strategies developed in relation to the management of Council's fleet.

Summary

The vehicle policy has been reviewed as required by the Organizational Review. All staff will be required to sign formal agreements detailing conditions of use.

Report

The implementation of the Organisation Review which commenced in April 2007 included a recommendation to review private usage policies attached to motor vehicles.

An audit of vehicles has been conducted and details provided to Councillors previously. The audit identified a number of issues to be reviewed, including the following:

- Not all staff have individual agreements for car use
- More consistency is needed in terms of use and payments for private use
- Currently twenty-five staff members have some form of private use including Garaging (Commuter), Limited Private Use or Private Use of Council owned vehicles.

The managing of a car fleet with operational and private use aspects is complex and difficult to be totally transparent, particularly for individual staff, because of links to employment conditions. A "one size fits all" approach is not possible. It is important, however, to ensure that the organisation is fully focused on the need to utilise vehicles as efficiently as possible, and understand that changed operational circumstances will lead to changes in the way vehicles are managed.

The process undertaken to date has included an audit of vehicles, a meeting with all staff relevant to this policy and referral of the draft policy and agreement to the Staff Consultative Committee.

The objectives of the review can be summarized as follows:

- To link value of a car with remuneration
- To formalise arrangements so council and the employee are protected
- Move to consistency via a transition period if necessary
- To recognise the need for cars operationally and for recruitment purposes
- To use cars more to keep costs down (for council and for staff)
- Each staff member to be spoken to (and changes made if necessary)

The outcomes of the process can be summarized as follows:

- Acknowledgement that cars carry a value
- Formal agreements with all relevant staff in place
- Understanding that cars are primarily for operational purposes
- Understanding that cars are increasingly incorporated into remuneration packages to attract appropriate staff
- Car use will be evaluated regularly to ensure that the fleet is managed efficiently and costs are kept to a minimum

Strategies that are inherent in the policy and the agreements are:

- Changes to be made with the following objectives in mind:
 - Consistency achieved through transition period
 - Morale kept stable as a result of review (will be difficult)
 - Minimisation of the cost of running cars
 - Reduce car numbers where operational use patterns change
 - A focus on operational use for all cars
- Changes to be made on an individual case by case basis and subject to any Industrial Award clauses (because of different employee circumstances and the need to give notices in accordance with the Award)
- Cars are to be used for operational reasons, where needed, and recruitment purposes if appropriate
- Car value to be considered in conjunction with employee salary
- Car agreements to be signed by all staff (part of conditions of employment)
- Staff to make payments for private use component through direct payment or salary packaging
- A formal car pool system to be introduced (sharing of all cars where practical)
- Log books to be expanded to all vehicles (for operational reasons)
- Management of fleet (one stop shop at depot)
- Changeover of cars to include private sales
- Car mileage to be assessed after six months, and subsequently annually
- Policy on number plates to be developed (as there is no written policy)
- Cars to be identified when on inspections and other relevant operational activities

The analysis of log books will provide useful information in relation to the management of the fleet. This may lead to further operational changes.

It should be noted that there are some positions in the organisation that do not currently have a car as part of employment conditions. The ability to attract or retain staff may become more difficult if similar positions in other councils/organizations carry cars for these positions.

Policy and Management Plan Implications

The policy updates Council's policy.

Conclusion

The new policy will formalise a number of processes, clarify usage in various categories, and acknowledge the operational and recruitment benefits of vehicles.

Moved Crs. Ribarits and Wheeldon that this report be deferred to a future Council meeting pending amendments to the policy by the General Manager.

CARRIED

12.2 PRINCIPAL ACTIVITY: ADMINISTRATION & CORPORATE SERVICES**12.2.1 Financial Report**

Responsible Officer: Director Corporate & Community Services
 Author: Administration Manager
 Implications: Financial
 File & References: S501
 Attachments: Nil
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That Council receives and notes the financial report.

Purpose

The purpose of this report is to indicate to Council the position in relation to the rate collection, balance of the cash books and investment of surplus funds.

Summary

This report indicates to Council the position in relation to the rate collection, balance of the cash books and investment of surplus funds.

Report**Collection Of Rates And Charges**

Collections for the month of May 2008 were \$649,308.58. After allowing for pensioner subsidies, the total Rates and Charges collected are now 78.88% of the levies. A summary of the Rates and Charges situation as at 31 May, 2008 is as follows:-

<u>Levies</u>		
Balance Outstanding at 30 June 2007	853,771.75	
Rates & Charges Levied 14 July 2007	5,332,181.23	6,185,952.98
+ Additional Water Charges	806,981.35	
+ Supplementary Rates & Charges	143,821.09	
+ Additional Charges	56,861.38	
- Credit Adjustments	37,117.46	
- Farmland 20% capped	2556.72	
- Abandonments	644.75	967,344.89
		7,153,297.87
<u>Deductions</u>		
- Payments	5,489,149.50	
- Less Refunds of Payments	4,157.35	5,484,992.15
- Pensioner Subsidy:-		
Government Subsidy	86,751.14	
Council Subsidy	70,970.24	157,721.38
Total Rates/Water Charges Outstand		\$1,510,584.34

Note: For comparison purposes 85.18% of the levy had been collected at the end of May 2007.

Reconciliation And Balance Of Funds Held As At 31 May 2008

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 May 2008 and the investments have been made in accordance with the Act, the regulations and Council's investment policies.

Combined Bank Acc.

Cash Balance as at 1 May, 2008 \$1,746,817.74 Dr

Add: Receipts for Period Ending 31 May 2008
Rates, Debtors, Miscellaneous 3,248,242.93

Less: Payments for Period Ending 31 May 2008
Cash Book entries for this Month 1,383,319.66

Cash Balance As At 31 May 2008 \$3,611,741.01Dr.

Investments

Bank	TD/C.Bill		
LGFS	FI 60 days @ 7.53% due 30/06/2008	958,959.86	
SGE Credit Union	TD 60 days @ 8.33% due 08/07/2008	1,200,000.00	
Savings & Loan Credit Union	TD 61 days @ 8.07% due 14/07/2008	1,300,000.00	
SGE Credit Union	TD 60 days @ 8.11% due 03/06/2008	1,000,000.00	
Bank West (Sydney) Bank	TD 64 days @ 7.81% due 10/06/2008	1,500,000.00	
SGE Credit Union	TD 60 days @ 8.21% due 13/06/2008	1,300,000.00	
Bendigo Bank	TD 60 days @ 7.85% due 16//06/2008	2,000,000.00	9,258,959.86
TOTAL			\$12,870,700.87

Commitments

Details	Amount	
Internal Restrictions	\$	\$
- Employee Entitlements	1,184,079	
- Doubtful Debts	129,946	
- Tip Remediation	125,950	
- Future Development Reserve	298,138	
- Murray Street Acquisition	200,000	
- Plant Replacement Reserve	348,230	
- Water Fund	1,562,606	
- Sewer Fund	648,905	
Total Internal Restrictions		4,497,854
External Restrictions		
- Trust	260,368	
- Developer Contribution Reserve	598,599	
- Unexpended Grants	3,325,050	
Total External Restrictions		4,184,017
Total Commitments as at May 2008		\$8,681,871

Policy and Management Plan Implications

Indicates the financial position of the Council with respect to income and expenditure, reserves, and investments.

Conclusion

The financial report indicates to Council that its finances are in a favourable position.

Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

12.2.2 Appointment of Acting General Manager

Responsible Officer: General Manager
Author: General Manager
Implications: Operations
File Reference: PR14/9-2
Attachments: Nil
Separately Circ.: Nil
Tabled: Nil

Recommendation

That Mr Ken Ross be appointed to the position of Acting General Manager for the period 8 July to 11 August 2008, and that Council delegate to Mr Ross all responsibilities and functions that apply to the position of General Manager.

Purpose

To appoint an Acting General Manager for the period of leave being taken by Mr Peter Kozlowski.

Summary

Self explanatory.

Report

The General Manager will be taking leave from 8 July to 11 August 2008. It is appropriate to appoint an officer to act in the acting position for the set period.

It is recommended that Mr Ken Ross be appointed to the position. Mr Ross has acted in the position previously for extended periods.

Policy and Management Plan Implications

Nil

Conclusion

Nil

Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

12.2.3 Annual Shires Association Conference

Responsible Officer: General Manager
Author: General Manager
Implications: Policy
File Reference: C9/5-2
Attachments: Nil
Separately Circ.: Nil
Tabled: Nil

Recommendation

That the report on the Annual Shires Association Conference be noted.

Purpose

To report on the outcomes of the Annual Local Government & Shires Association Conference (LGSA).

Summary

The LGSA Annual Conference and the Western Division Mini Conference were successful. Council representatives were also able to meet with State Government representatives on various local issues.

Report

The Mayor, Councillors Ribarits and Ward, and the General Manager attended the Annual General Conference of the Local Government & Shires Association on 3 and 4 June 2008.

The following presentations were made:-

- LGSA President's address
- Hon. Paul Lynch MP, Minister for Local Government
- National Executive Director, Country Education Foundation of Australia
- CEO, Australian Local Government Association on Constitutional Recognition of Local government
- Keynote address: Mr Jonathon Welch – Accentuate the Position
- Minister for Planning, Roads & Water
- Hon. Richard Tarbay MP, Rural Taskforce

Approximately 100 motions were considered by the Conference

A Mini-Conference of the Western Division Group of Councils was held on 2 June 2008. The most significant outcome focussed on the development of a strategic plan for the Group. A sub-committee is scheduled to meet on 2 July.

The following meetings were arranged in Sydney in conjunction with the above Conferences. These were:-

- Meeting with Minister Rees in relation to water restrictions which resulted in approval for a trial period in relation to watering of lawns
- Meeting with the Chief Valuer from the Valuer-General's Department in relation to the forthcoming revaluation. Information was provided in relation to the types of data sets available to contract valuers when undertaking the general valuation of properties.
- Meeting with the Director-General of Planning in relation to various local planning issues. Positive responses were given in relation to dealing with the processing of the Gol Gol Structure Plan and the Rural 1c Strategy.

Verbal reports will be made in relation to these meetings.

Policy and Management Plan Implications

Any decisions in relation to the above Conferences will be examined and Council policies amended accordingly.

Conclusion

The LGSA Annual Conference and the Western Division Mini Conference continue to be important policy making forums.

Moved Crs. King and Wheeldon that the recommendation be adopted.

CARRIED

Note: The Director Development & Environment advised of a teleconference with Queanbeyan today where the issue remains working with the Planning Department to get finalization for Section 62 Consultation. The Department of Planning raised the matter of mapping horticultural areas. The Director also updated Council on the LEP conversion process and the Rural 1C strategy.

12.2.4 Adoption of Management Plan 2008/2012

Responsible Officer: Director Corporate & Community Services
Author: Terri Maguire
Implications: Policy, Management Plan
File & References: F4/3 Part 2
Attachments: Nil
Separately Circ.: Nil
Tabled: Submissions and the Management Plan

Recommendation

- (a) That Council adopts the Management Plan as amended for the Wentworth Shire Council for 2008/2012 in accordance with Section 406 of the Local Government Act 1993 after considering all submissions received following the period of 28 days public exhibition of the Draft Management Plan.
- (b) That Council adopts the 3.2% Rate Pegging Limit as set by the Minister of the Department of Local Government as the basis of Council's Rating Policy with a minimum rate of \$270 set for the townships of Pooncarie and Dareton and all rates and charges as set out in the Management Plan.
- (c) That Council adopts the fees and charges schedule as set out in the Management Plan.

- (d) That Council sets the maximum interest rate for overdue rates for the 2008/2009 financial year at 10%.

Purpose

The purpose of this report is to highlight all changes that have been made to the Draft Management Plan 2008/2012 as a result of further available information, highlight all submissions made as a result of the public exhibition of the Draft Management Plan and to seek adoption of the Management Plan for Council for a four year period from July 2007 to June 2012.

Summary

The Minister of Local Government has announced a 3.2% Rate Pegging limit that has been included in Council's Management Plan. A minimum General Rate of \$270 for the Townships of Dareton and Pooncarie.

All Fees and Charges including General Rates, Water, Sewer and Domestic waste are included in the Management Plan.

The separation of "Land from Water" issue has been deferred until the Shire's general valuation by the Valuer General in 2009.

The maximum interest rate as set Minister of Local Government for 2008/2009 is 10% pa for overdue rates.

There have been minor changes made to the budget with submissions and all changes to be tabled at the Council Meeting for consideration.

Report

Council on 13 May considered the draft Management Plan and resolved to publicly advertised the Plan for 28 days as required by the Local Government Act 1993.

The Management Plan incorporates a four year capital works program and is underpinned by a four year financial plan.

Whilst the Management Plan maintains current service levels it contains a number of new initiatives, including:

- Mulching Program
- Water Conservation Program
- Environmental Building Efficiencies
- Recycling

The Department of Local Government issued a Regulation on the 1st of June 2007 giving Councils the option to defer Rating Policy based on reduced land valuations on irrigable land as a result of the separation of land from water.

The options were to defer the implementation of a Rating Policy taking into account the revalued irrigable properties until the next general valuation by the Valuer General or to sub categorise the properties affected by the revaluation into groups based on percentage drops in land values.

The Rating Policy in this Management Plan is based on deferment of the new Rating Structure until the general valuation in 2009.

A general 3.2% rate pegged increase has been the basis of the Rating Policy on all Shire properties based on previous valuations including all the supplementary valuations that occurred during the 2007/2008 financial year. The Rating Policy also includes a minimum rate of \$270.00 for the townships of Dareton and Pooncarie. The separation of the towns will allow Council to implement a fairer and more equitable Rating Policy throughout the Shire.

In accordance with section 566 (3) of the Local Government Act, the Minister has set the interest rate at 10% on overdue rates.

The proposed Sewer infrastructure works have necessitated a significant increase in Sewer charges. This will be offset by Council decision for Water and Domestic Waste charges to remain the same as the previous year with the exception of an increase to high usage of raw water.

Council's Strategic Business Plan for Sewer highlights that our Sewer Rate for 2008/2009 based on the required infrastructure needs into the future should be approximately \$575.00 per annum and Council will progressively increase the Sewer rate until we reach the recommended charge. The proposed standard Sewer charge is \$500.00 in this Management Plan as consideration has been given to affordability and current economic factors.

The Draft Management Plan will be on public exhibition until the 16th of June. No submissions have been received to date. All submissions received will be presented to Council for consideration at the June Council meeting prior to the adoption of the Management Plan.

Policy and Management Plan Implications

Management Plan

Conclusion

All changes and submissions made to Council regarding the Draft Management will be discussed and considered at the June Council Meeting.

The Draft Management Plan has been prepared and properly exhibited as required and all submissions presented to Council for consideration prior to the adoption of the Management Plan.

The Management Plan includes a statement of Council's objectives and performance targets for all principal activities and forms the basis of Council's operations throughout the 2008/2009 financial year. Any changes to the Management Plan will require prior Council approval and will be presented to Council as variances at the quarterly reviews.

Moved Crs. Wakefield and King that the supplementary item of "12.2.4 Adoption of 2008/2009 Management Plan and Making and Levying of Rates" be admitted for consideration because the submissions deadline was 16 June 2008, after publication of the agenda.

CARRIED

Moved Crs. Nichols and King that item 12.2.4 and the supplementary item be deferred until the confidential section of the meeting has been dealt with as an item to be discussed in closed Council may impact on item 12.2.4.

CARRIED

SUPPLEMENTARY REPORT**12.2.4 Adoption of 2008/2009 Management Plan and Making and Levying of Rates**

Responsible Officer:	Director Corporate & Community Services
Author:	Terri Maguire
Implications:	Policy, Management Plan
File & References:	F4/3 Part 2
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That the draft Management Plan for 2008/09 to 2011/12 as publicly displayed be adopted subject to:

1. Changes made to the draft Management Plan through information that was not available at the time and discussed within the body of this report being noted and amended in the Management Plan.
2. That the draft schedule of fees and charges made under Section 608 of the Local Government Act, 1993 and included in the draft Management Plan be adopted.
3. That pursuant to section 406 of the Local Government Act, 1993 the draft Statement of Revenue Policy as publicly exhibited be adopted for the year 2008/09.
4. That Council hereby approves and votes for the expenditure in the 2008/09 to 2011/12 Management Plan from 1 July 2008 to 30 June 2008.
5. That Council resolves to make and levy the ordinary rate to comprise of a base rate and ad valorem rating structure for the 2008/2009 financial year as follows:

Residential - Wentworth:

An ordinary rate of 0.00849417 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Wentworth, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 25.66% makes up the base amount of this category

Residential - Rural:

An ordinary rate of 0.00849417 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Rural, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 18.02% makes up the base amount of this category

Residential - Buronga:

An ordinary rate of 0.00849417 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Buronga, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 15.27% makes up the base amount of this category

Residential - Gol Gol East:

An ordinary rate of 0.00849417 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Gol Gol East, be now made for the

2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 7.59% makes up the base amount of this category.

Residential - Gol Gol:

An ordinary rate of 0.00849417 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Gol Gol, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 10.35% makes up the base amount of this category.

Residential - Pooncarie:

An ordinary rate of 0.01261489 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Pooncarie, be now made for the 2008/09 rating period, subject to a minimum amount of (\$270.00) for each assessment.

Residential - Dareton:

An ordinary rate of 0.01261489 cents in the dollar on the land value of all rateable lands categorised as Residential, sub categorised Dareton, be now made for the 2008/09 rating period, subject to a minimum amount of (\$270.00) for each assessment.

Business - General:

An ordinary rate of 0.01239061 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised General, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 9.62% makes up the base amount of this category.

Business – Winery:

An ordinary rate of 0.40614788 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised Winery, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 0.14% makes up the base amount of this category.

Business –Winery/Fruit Block:

An ordinary rate of 0.4728824 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised Winery/ Fruit Block, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. . A percentage of 0.89% makes up the base amount of this category.

Business – Wentworth:

An ordinary rate of 0.01239061 cents in the dollar on the land value of all rateable lands categorised as Business , sub categorised Wentworth, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 17.73% makes up the base amount of this category

Business –Gravel Loam Extraction:

An ordinary rate of 0.03473263 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised Gravel Loam Extraction, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. . A percentage of 27.83% makes up the base amount of this category.

Business – Bentonite Extraction:

An ordinary rate of 0.06613297 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised Bentonite Extraction, be now made

for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 1.93% makes up the base amount of this category.

Business – Mineral Sands Extraction:

An ordinary rate of 0.06 cents in the dollar on the land value of all rateable lands categorised as Business, sub categorised Mineral Sands Extraction, be now made for the 2008/09 rating period, subject to a base amount of (\$90.00) for each assessment. A percentage of 0.02% makes up the base amount of this category.

Farmland- Dry Land Grazing :

An ordinary rate of 0.00697050 cents in the dollar on the land value of all rateable lands categorised as Farmland, sub categorised Dry Land Grazing, be now made for the 2008/09 rating period, subject to a base amount of (\$190.00) for each assessment. A percentage of 13.64% makes up the base amount of this category.

Farmland- General :

An ordinary rate of 0.00697050 cents in the dollar on the land value of all rateable lands categorised as Farmland, sub categorised Dry Land Grazing, be now made for the 2008/09 rating period, subject to a base amount of (\$190.00) for each assessment. A percentage of 15.97% makes up the base amount of this category.

In accordance with the provisions of the Local Government and Valuation of lands Amendment (Water Rights) Act 2005, the amount levied as an Ordinary rate for any Parcel of land in the category farmland will be limited to an amount not more than 20% above the amount levied as an Ordinary rate for the previous year.

7. That the fees and charges be made in accordance with the draft Management Plan as follows:

WENTWORTH SHIRE COUNCIL
Adopted Water, Sewerage & Garbage Charges - 2008/2009

Water Charges

Proposed Basic Charges for a 20mm connection will be as follows:-

Filtered Water		
Access Charge	\$250.00	per annum
Water Cost - 0-250kl	\$1.15	per kl
Water Cost - over 250kl	\$2.70	per kl

Raw Water		
Access Charge	\$135.00	per annum
Water Cost - 0-700kl	\$0.37	per kl
Water Cost - over 700kl	\$0.80	per kl

Flats & Units

The access charge will apply to all connections and to Namatjira and resident complexes such as flats. Each flat or unit will be levied at 20mm access charge for raw and filtered water. The body corporate management committee will then be charged for actual water used. The body corporate will be responsible for the allocation of charges within the complex.

Access Charges are determined by the connection size as follows:-				Filtered Water	
Type	Size (mm)	Assessments	Access Charge	Allowance	Notional
				1st Step	Income
Residential or Non Residential	20	2106	250	250 kl	\$ 526,500.00
	25	36	385	500 kl	\$ 13,860.00
	32	5	635	750 kl	\$ 3,175.00
	40	15	1000	1000 kl	\$ 15,000.00
	50	14	1560	1750 kl	\$ 21,840.00
	80	2	3990	4000 kl	\$ 7,980.00
	100		6240	6250 kl	
	150		14040		
	200		25000		

Type	Size (mm)	Assessments	Access Charge	Raw Water	Notional
				Allowance	Income
				1st Step	
Residential or Non Residential	20	2164	135	700 kl	\$ 292,140.00
	25	32	185	1400 kl	\$ 5,920.00
	32	7	310	2100 kl	\$ 2,170.00
	40	20	500	2800 kl	\$ 10,000.00
	50	16	780	4900 kl	\$ 12,480.00
	80	2	1995	11200 kl	\$ 3,990.00
	100	1	3120	17500 kl	\$ 3,120.00
	150		7020		\$ -
	200		12480		\$ -

Sewerage Charges				
Description	Assess	Charge	Notional Income	Pensioner Rebate
Sewerage Connected	1576	500.00	\$788,000	\$31,000
Sewerage Unconnected	177	500.00	\$88,500	
Sewerage 1st Pedestal	27	500.00	\$13,500	
Sewerage Pedestal WC	708	88.00	\$62,304	
Sewerage Urinal	58	43.50	\$2,523	
Sewerage Church WC	41	48.50	\$1,989	
Sewerage 2 Flats	10	750.00	\$7,500	
Sewerage 3 Flats	3	1000.00	\$3,000	
Sewerage 4 Flats	4	1250.00	\$5,000	
Sewerage 5 Flats	4	1500.00	\$6,000	
Sewerage 6 Flats	1	1750.00	\$1,750	
Sewerage 7 Flats	3	2000.00	\$6,000	
Sewerage 9 Flats	0	2500.00	\$2,125	
Sewerage 10 Flats	1	2750.00	\$2,750	
Sewerage 12 Flats	1	3250.00	\$3,250	
Sewerage 14 Flats	1	3750.00	\$3,750	
			\$997,941	\$31,000

Garbage Charges				
Description	Assess	Proposed Charge	Notional Income	Pensioner Rebate
Domestic Waste Urban	1874	175	\$327,950	\$22,500
Domestic Waste Rural	786	225	\$176,850	\$6,000
			\$504,800	\$28,500

Rural 1(c) Raw Water				
Size of Connection	Access Charge	First Step \$0.25		Second Step \$0.80
20mm	\$135.00	0-2000 kilolitres		2001+ kilolitres

Industrial Water Pricing Policy				
Filtered Water		Up to 4000kl	\$1.10	per kl
		Next 4000kl	\$1.80	per kl
		Next 4000kl	\$1.70	per kl
		over 12000kl	\$1.60	per kl

8. That the maximum rate of interest on unpaid rates and charges accruing on a daily basis in accordance with Section 566(3) of the Local Government Act, 1993, be now fixed at 10.0% for the 2008/09 rating year.”

Purpose

1. The purpose of this report is for Council to adopt the draft Management Plan after approving changes made through information that was not available at the time.
2. To adopt the draft schedule of fees and charges made under Section 608 of the Local Government Act, 1993 and included in the draft Management Plan.
3. To adopt the draft Statement of Revenue Policy as publicly exhibited pursuant to section 406 of the Local Government Act, 1993.
4. To approve and vote for the expenditure in the 2008/2009 to 2011/12 Management Plan for the period 1 July 2008 to 30 June 2009.
5. That Council resolve the rates be made as listed in the resolution.

Summary

No submissions were received after publicly advertising Council's draft Management Plan for 2008/2012.

Some changes were made to the draft Management Plan as a result of updated information that became available after the document was publicly advertised.

All Fees and Charges including General Rates, Water, Sewer and Domestic waste are included in the Management Plan and are listed for Council to resolve to make the rates and charges.

Report

Pursuant to Sections 405 and 406 of the Local government Act, 1993, the Draft Management Plan 2008-2012 incorporating the Four Year Plan, Revenue Policy, Budget and Schedule of Fees and Charges for 2008-2009 was placed on public exhibition for a period of 28 days.

The 28 day period ended on 16 June 2008 and no submissions were received.

Changes to be included in the Management Plan that were not available at the time of the draft are as follows:

The Youth Officer grant applied for through the Attorney General's Department has been approved for \$65,857. The amount included in the draft Management Plan was \$50,000 for revenue and expenditure.

Councillor and Mayoral allowances require a minor increase of \$430.

Election expenses have been increased from \$60,000 to \$66,000 as advised from the Electoral Commission.

A donation for Chances for Children has been requested for \$1,000 per annum for the next three years.

A capital adjustment for \$125,000 for the Wentworth Showgrounds proposed building is required so that further grant funding can be applied for in the coming financial year. This amount will be used only if grant funding is successful.

The Schedule of Fees and Charges are included in the draft Management Plan as well as Councils' Statement of Revenue Policy and expenditure.

Council must resolve to make a rate and levy an ordinary rate for each year on all rateable land in its area under Section 494 – Ordinary rates of the Local Government Act 1993.

Policy and Management Plan Implications

Management Plan

Conclusion

The Draft Management Plan has been prepared and properly exhibited as required and there have been no submissions for presentation to Council for consideration prior to the adoption of the Management Plan.

Minor changes have been made as listed in the body of the report with the exception of a Capital adjustment for \$125,000 for the Wentworth Showgrounds proposed building to allow for further grant funding.

The draft schedule of fees and charges are listed in the draft Management Plan together with Council's Statement of Revenue policy and expenditure.

Rates and Charges are listed above for Council to make a rate and levy an ordinary rate on all rateable land in its area under Section 494 – Ordinary rates of the Local Government Act 1993.

Moved Crs. Ward and King that the recommendation be adopted, having considered any submissions lodged and further information supplied, including changes to the medical practice service.

CARRIED

Note: Council considered item 12.2.4 at the end of the meeting in open Council.

12.2.5 Report on Impact of Cost Shifting in Local Government in New South Wales

Responsible Officer: Director Corporate & Community Services
Author: Director Corporate & Community Services
Implications: The Impact of Cost Shifting on Local Government in NSW
File Reference: C9/10-2
Attachments: Nil
Separately Circ.: The Impact of Cost Shifting on Local Government in NSW: A Survey of Councils (Financial Years 2005/2006 and 2006/2007)
Tabled: Nil

Recommendation

That Council notes the report on the Impact of Cost Shifting in Local Government in NSW.

Purpose

To inform Council of the cost shifting survey carried out by the Shires Association of NSW.

Summary

NSW Councils were asked to provide information on cost shifting for the financial years 2005/2006 and 2006/2007 with the intention of highlighting the significant burden placed on Councils' financial situation on a continuous basis.

90 NSW Councils responded to the survey including Wentworth. The survey shows that approximately 6% of Councils' total income before capital amounts is attributed to cost shifting. Wentworth's cost shifting amount is approximately 6.14% of total income.

Cost shifting totalled \$380 million in 2005/2006 and \$412 million in 2006/2007 for the whole of NSW Local Government.

A copy of the full report will be separately circulated.

Report

The Shires Association of NSW requested information on cost shifting for 2005/2006 and 2006/2007 for the purpose of collecting data to measure the cost of services that have been imposed or transferred to Local Government by other levels of government without the provision of corresponding funding or compensation or the conferral of corresponding and adequate revenue raising capacity.

Wentworth provided information on cost shifting in the areas of fire services, public libraries, pensioner rebates, Companion Animal Act (NSW) 1998, on-site sewerage facilities, noxious weeds, functions under the Rural Fires Act (NSW) 1997, immigration services and citizenships, administering food safety regulation, provision of educational services including maintenance of sporting facilities, community safety, flood mitigation programs, road safety, sewerage treatment system license fees and contributions to botanical gardens.

The more recent cost shifting exercise of significant election cost hikes through a State Government change of processes has not been included.

Conclusion

The survey data provides a concrete base to identify the extent of cost shifting onto NSW Local Government.

The survey results will support the argument for the practice of cost shifting to end, and for the NSW Government to enter into an intergovernmental agreement with NSW Local Government to clarify roles and responsibilities of both levels of government. The survey will also assist in monitoring compliance with the national intergovernmental agreement.

Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

At 3.05pm the Mayor and Councillor Ward declared conflicts of interest with item 12.3.1 as they both own properties within the Curlwaa levee and vacated the Council Chambers with Cr. Nichols assuming the chair.

12.3 PRINCIPAL ACTIVITY: PUBLIC ORDER AND SAFETY

12.3.1 Curlwaa Levee

Responsible Officer: Director Development and Environment
Author: Planning Officer
Implications: Policy, Management Plan
File & References: L1/14
Attachments: Nil
Separately Circ.: Council Report 16 October 1996. Document titled "Audit Flood Levees for New South Wales-Curlwaa Levee"
Tabled: Nil

Recommendation

That Council acknowledges that the Curlwaa levee is not a registered levee and only residential development should have conditions relating to floodplain matters attached thereto.

Purpose

The purpose of this report is to clarify a recommendation in a report to Council, item number 9.9 titled Curlwaa Levee, dated 16 October 1996 whereby the resolution of Council did not address the content of the recommendation, thereby failing to give clear direction to staff.

Summary

The 1996 report was pre-empted by a request to Council from Western Murray Irrigation Ltd to 'take-on' the responsibility of the Curlwaa Levee. Council resolved that they would not assume responsibility of the levee. The second part of the resolution however is unclear and requires clarification to ensure Council Staff are fulfilling the requirements of Council resolutions.

Report

Council recently received a development application for a rural dwelling, sited on Lot 12 DP 807830 Creek Road Curlwaa. This application was referred internally to Health and Building and Infrastructure and Assets Departments and externally to Western Murray Irrigation Ltd. It was during this assessment process that the anomaly of the 1996 resolution came to the attention of staff. The proposed dwelling is sited within the Curlwaa Levee. Historically (since 1996) Council have not considered flood levels for buildings within the Curlwaa Levee system. The recommendation and resolution read as follows:

RECOMMENDATION

- A) That Council determine the Shire's responsibility for the care and management of the Curlwaa Levee.*
- B) That Council determine its attitude with respect to flooding consideration for building approvals within the Levee.*
- C) That Western Murray Irrigation and all landowners within the Levee be advised of Council's decision.*

RESOLUTION

- (A) Moved Crs Nunan and Cannizzo that the Shire does not take responsibility for the care and management of the Curlwaa Levee, and*
- (B,C) Moved Crs Nunan and Cannizzo that the recommendations B & C be adopted.*

Items A & C of the recommendation have had a resolution however item B has not, as Council did not determine its attitude with respect to flooding consideration for building approvals within the Levee.

To assist Council in now making an informed decision the document undertaken by the Public Works Department titled "*Audit Flood Levees for New South Wales-Curlwaa Levee*" (1994) is included as an attachment.

When assessing development applications for buildings on the floodplain, Council has a number of considerations to ensure the buildings conform to Council's Floodplain Management Policy, NSW Floodplain Development Manual and the 1995 Kinhill report "*Floodplain Management Plan - Murray River Gol Gol to Abbotsford Bridge*".

Policy and Management Plan Implications

The primary objective of the NSW's Government policy is to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce private and public losses resulting from flooding.

The aims of Council's Floodplain Management Policy are:

- To encourage the most appropriate development (merit based) for flood liable land which is compatible with the flood hazard.
- To minimise risk to life and damage to property as a result of floods.
- To minimise the social and economic disruption to the community, including communications, transportation, servicing, and normal community life, in the event of floods up to the 1% AEP flood design.
- To ensure development that is approved in flood liable areas is structurally sound and capable of withstanding the effects of flowing floodwaters including debris and buoyancy forces
- To identify the requirements for permissible developments within flood liable areas.
- To provide guidelines for determination of development on flood liable land as required by S90 (1) (g), of the EPA Act.

As Council determined that they would not be responsible for the maintenance of the Curlwaa Levee (1996 Council report), then Council could be seen as being negligent in not providing the flood assessment and conditioning permits accordingly, as is required for buildings on a floodplain.

As well as buildings on the floodplain, Council also ensure that flood free access is provided for at least the 5% AEP (or 20 year ARI) event.

Conclusion

Council's responsibility in assessing buildings on a floodplain requires consistency across the whole of the Wentworth Shire area. By adopting a process whereby floodplain considerations are foregone due to a perceived sense of protection from flooding due to a levee that is not maintained, Council could be deemed negligent in carrying out their functions.

This report is to clarify Council's resolution of the 16 October 1996 in respect to buildings on the floodplain in Curlwaa.

Moved Crs. McKinnon and Wheeldon that the recommendation be adopted.

CARRIED

At 3.08pm the Mayor and Councillor Ward returned to the Council Chambers.

12.4 PRINCIPAL ACTIVITY: HEALTH SERVICES

Nil

12.5 PRINCIPAL ACTIVITY: COMMUNITY SERVICES

Nil

12.6 PRINCIPAL ACTIVITY: HOUSING AND COMMUNITY AMENITIES

12.6.1 Development Applications Determined Under Delegated Authority

Responsible Officer: Director - Development & Environment
Author: Director - Development & Environment
Implications: Local Government Reform - Promoting Better Practice - Item 2.18
File & References: L1/8-2

Attachments: Nil
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That Council receives and notes the report.

Purpose

The purpose of this report is to provide Council with a list of development applications approved under delegated authority by the Director - Development & Environment for the month of May 2008.

Report

DA No	OWNER / APPLICANT	LOCATION	DEVELOPMENT TYPE & VALUE	NO. DAYS	DATE APPROVED
08/043	WA & TA McDonnell, Wayne McDonnell Homes Pty Ltd	Lot 17 DP 1098922 (6) Fuchsia Court Buronga	Storage Shed (\$7000)	20	Approved STC (05/05/08)
08/026	T M Meredith	Murray River South Side. Approx. River Kms. 850 (Merbein Mooring Area)	Private Mooring Site	53	Approved STC (12/05/08)
08/054	G. Sutton & G. Sneddon	Lot 425 DP1038712 4 Wood Street Gol Gol	Dwelling (\$210,000)	18	Approved STC 14/05/08
08/038	Country Energy	Lot 5 DP 1110199 Corbett Avenue Buronga	Field Service Centre (\$1,500,000)	33	Approved STC 14/5/08
08/030	B & R Smith	Lot 45 DP 756969 Ellerslie	Shed (\$18,000)	9	Approved STC 15/5/08
08/055	Telstra Corporation	Lot 4166 DP 766732 and Lot 1 DP 616649	Telecommunications service & associated equipment & receiver (\$12000)	12	Approved STC 16/5/08
08/018	RWG & EM Jolley	Lot 164 DP 257185	Pump and pipeline (\$3500)	71	Approved STC 16/6/08
08/065	Department of Education Gol Gol Public School	Lot 1-6 DP820417 DP758456	Transportable Classroom (\$30,000)	8	Approved STC 19/5/08
08/067	Department of Education Palinyewah Public School	Lot 65 & 66 DP875904	Transportable Building (\$68,000)	9	Approved STC 19/05/08
187/07	S G Brown Mildura	Murray River South side. Approx. river kms. – 850 (Merbein Mooring Area)	Single Private Mooring Site	104	Approved STC 20/5/08

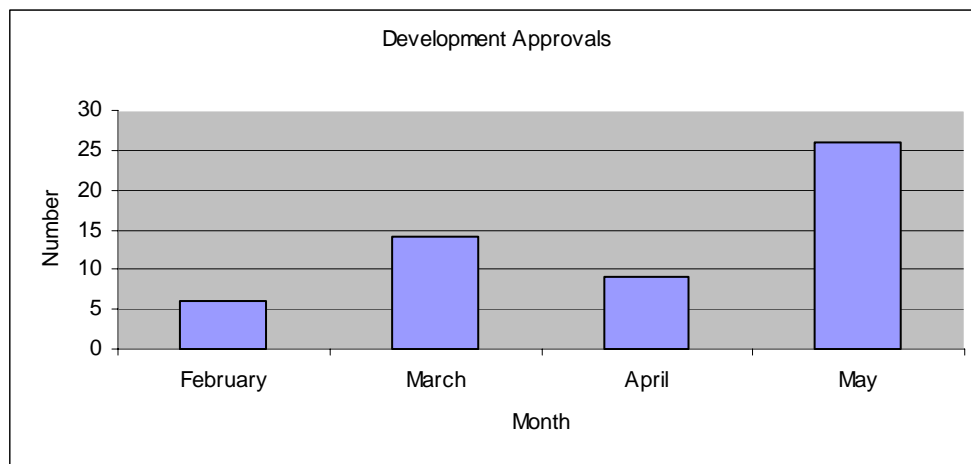
08/006	Peter Danson (G L Burrell)	Lot 76 and 376 DP 756961 Milpara Road Coomealla	Two (2) Lot subdivision	94	Approved STC 21/5/08
08/040	Bellevue Farms (J, M & R Kelly)	Lot 20 DP760340 Pooncarie Road via Wentworth	Single Private Mooring Site	54	Approved STC 21/05/08
08/041	Bellevue Farms (J, M & R Kelly)	Lot 5485 DP768394 Pooncarie Road via Wentworth	Single Private Mooring Site	54	Approved STC 21/05/08
08/027	K Wakefield	Murray River South Side. Approx. River Kms. – 850 (Merbein Mooring Area)	Single Private Mooring Site	61	Approved STC 21/5/08
186/07	JV & JR Mason Nangiloc	Murray River South Side. Approx. River Kms. – 963	Single Private Mooring Site	48	Approved STC 21/5/08
08/039	SK & CA Davey Mildura (David Penny)	Lot 31 DP1058775 Stamford Court Buronga	Dwelling (\$216,000)	40	Approved STC 26/05/08
08/058	PE Leavey (M Noonan)	Lot 24 DP1038712 Katrina Court Gol Gol	Dwelling (\$250,000)	18	Approved STC 26/05/08
08/061	G Barila (GL & NL Barila)	Lot 12 DP807830 Creek Road Curlwaa	Rural Dwelling (\$216,000)	15	Approved STC 26/05/08
08/042	S J Phelan	Murray River South Side approx river kms.- 850 (Merbein Mooring Area)	Single Private Mooring Site	55	Approved STC 26/05/08
08/044	GB Hennig (MR Monson)	Murray River adjacent to Lot 2 DP534506 Sturt Highway Gol Gol	Single Private Mooring Site	35	Approved STC 26/05/08
08/047	CR Slorach	Murray River South Side. Approx River Kms 923.5 (Karadoc Mooring Area)	Single Private Mooring Site	31	Approved STC 27/05/08
08/056	Curlwaa Cricket Club	Lot 19 DP725678 Memorial Road Curlwaa	Cricket Nets (\$6,586)	22	Approved STC 28/05/08
08/059	SA Water Corporation	Lot 4072 DP766547 Rufus River Road	Dwelling (\$250,000)	20	Approved STC 28/05/08

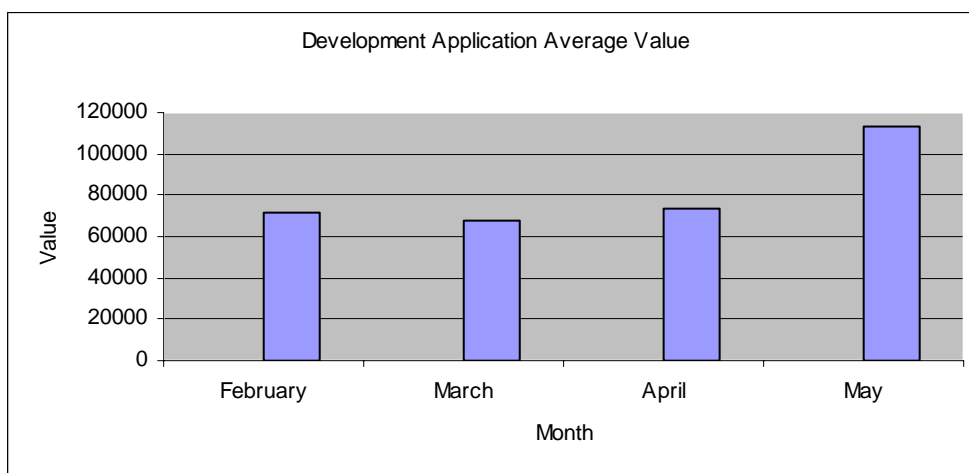
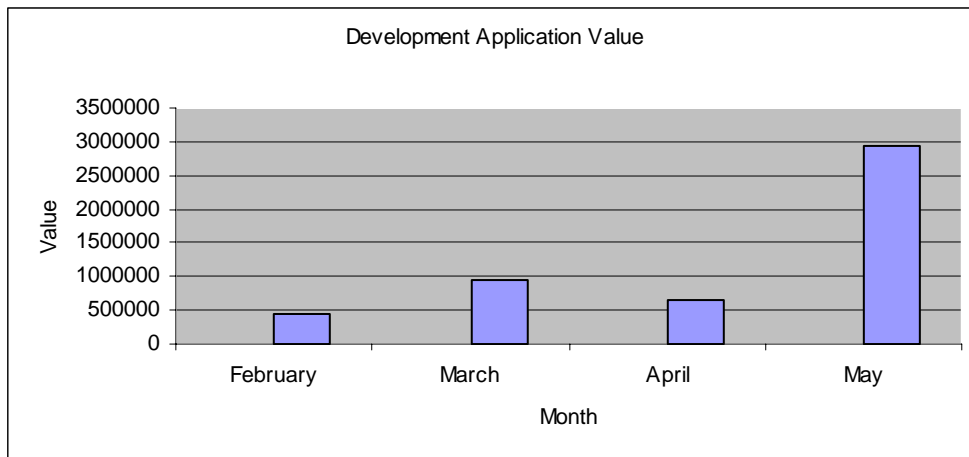
08/052	T.A. Willis	Murray River South Side approx river kms.- 850 (Merbein Mooring Area)	Single Private Mooring Site	32	Approved STC 28/05/08
24/07	IW & BJ Nankivell	Lot 101 DP 756946 Melaleuca Street Buronga	Two (2) Lot Subdivision	59	Approved STC 29/5/08
165/07	A & L Mangan PO Box 773 CP Mildura 3501	Lot 40 DP 1025499 The Cobb & Co. Way Gol Gol	Dwelling and Shed (\$150,000)	32	Approved STC 29/5/08

Summary

For the month of March there were 26 Development Applications approved under delegated authority by the Director - Development & Environment. The estimated cost of the approved developments is \$2,937,086. The following data and graphs indicate comparison of value for previous months of this financial year.

Month	DA's Approved	Value	Average
February	6	\$432,000	\$72,000
March	14	\$950,000	\$67,860
April	9	\$659,500	\$73,278
May	26	\$2,937,086	\$112,965
Total	55	\$4,978,586	\$326,103





Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

12.6.2 Heritage Council Of NSW – Meeting In Wentworth

Responsible Officer: Director - Development & Environment
 Author: Director - Development & Environment
 Implications: Management Plan
 File & References: R11/3-3
 Attachments: Nil
 Separately Circ.: Letter from Heritage Council
 Tabled: Nil

Recommendation

1. That Council hosts the Heritage Council of NSW meeting and associated activities in Wentworth in September 2008.
2. That Council nominates suitable community members to form a committee to coordinate the event.

Purpose

The purpose of this report is for Council to consider the request of the Heritage Council of NSW to host a visit to Wentworth in September 2008.

Summary

The Heritage Council of NSW has written to Council requesting that Wentworth Shire Council host a visit to the area and associated meeting of the Council.

Report

Council is in receipt of correspondence requesting Council to host a regional meeting of the heritage Council of NSW in September. At this stage it is envisaged that the visit would involve one or two nights stay for members who will arrive by aircraft on the evening of Wednesday 2 September and depart on Friday 4 September.

The attached letter identifies the proposed itinerary for the visit. It is suggested that a community committee be set up to coordinate the event.

The Wentworth Branch of the National Trust has shown support and willingness to be involved in the visit.

Management Plan Implications

Council has allocated suitable funds for hosting this event in the Draft management Plan.

Conclusion

Council has the opportunity to showcase to the Heritage Council of NSW the attributes of Wentworth Shire, including but not limited to Heritage Council funded projects such as the Ruby, Darling Street Verandas, Heritage Precinct signs and the Gaol restoration.

Moved Crs. King and Ward that the recommendation be adopted with the inclusion of the Mayor as part of the Co-ordinating Committee.

CARRIED

12.6.3 Rural Residential Strategy - Amendment

Responsible Officer:	Director - Development & Environment
Author:	Director - Development & Environment
Implications:	Policy, Management Plan
File & References:	L1-31
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

1. That Council includes lot 2 DP 835427 and lots 687 & 976 DP 756961 Silver City Highway Mourquong in the Draft Rural Residential Strategy, and
2. That Council forward the Draft Strategy to the Director General – Department of Planning for endorsement.

Purpose

The purpose of this report is for Council to endorse the amendment to the adopted Rural Residential Strategy, by including the land known as lot 2 DP 835427 and lots 687 & 976 DP 756961 Silver City Highway Mourquong. The subject land has an area of 25.68 hectares.

Summary

Since the adoption of the Rural Residential Strategy at the December 2007 meeting of Council, a further submission has been received in relation to inclusion of the land known as lot 2 DP 835427 and lots 687 & 976 DP 756961 Silver City Highway Mourquong.

Report

In assessing the request on behalf of the owner of the land the selection criteria identified by the adopted strategy has been used in order to justify the inclusion.

1. Provision and availability of Council Services
The property is adequately serviced by power telephone and water already connected from the Silver City Highway frontage.
2. Access to transport corridors; for the purpose of access to employment, shopping and services
The property is located having frontage to River Road, Link road and the Silver City Highway. This property is 4.7 km from the Buronga Roundabout giving immediate access to the residential areas of Buronga Gol Gol Dareton and Mildura.
3. Candidate areas to be located within close proximity to existing rural residential developments
The property is immediately across River Road from already developed 1 © land.
4. Access by sealed roads
The property is surrounded on three sides by sealed roads being River Road, Link Road and the Silver City Highway
5. Consideration of adjoining land used
The property has in effect a buffer surrounding the it by way of the road infrastructure.
6. Consideration of land use constraints such as flooding, productive agricultural land, land suitability, native vegetation etc.
*In considering the constraints –
Flooding is not applicable
Productive Agricultural Land - is considered to no long considered viable for sustainable horticulture.
Native Vegetation – there is an area of native vegetation which will remain to form a drainage reserve for the development.*
7. Future potential residential development areas not being sterilized by rural residential development
The land is outside the identified Buronga Gol Gol urban growth area.
8. Freehold Land
The property consists of 3 freehold titles
9. Supply and demand.
Since the first draft of the strategy in 2005, there have been approvals issued for development of 54.53 Hectares of land.

Given that the subject land can satisfy all of the selection criteria in conjunction with the fact that since the initial draft 54.53 hectares has been approved for development, this inclusion will not alter the balance of supply and demand statistics.

Policy and Management Plan Implications

The Rural Residential Strategy will provide strategic direction for release of rural residential land.

Conclusion

The Rural Residential Strategy will provide formal direction for rural residential planning for the next ten years. A review of the strategy will be required on a 3-5 year cycle. The draft strategy will be amended to reflect this inclusion and forwarded to the Department of Planning.

Moved Crs. Wakefield and King that the recommendation be adopted.

CARRIED

Note: It was previously resolved that Item 12.7.1 and 11.4 be considered in closed Council under the confidential section.

12.7 PRINCIPAL ACTIVITY: RECREATION AND CULTURE

12.7.1 Budget Provision for Show Grounds Pavilion

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Management Plan
File Reference:	P50015/0003-02
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council includes provision in the Management Plan for a contribution of \$125,000 towards the proposed new Show Grounds Pavilion to enable the pursuit of funding opportunities for the balance of the project.

Purpose

The purpose of this report is to indicate a commitment to the proposed new Show Grounds Pavilion so that grant funding opportunities can be pursued.

Summary

At the November 2007 meeting of Council heard a presentation from Angus Whyte on the Wentworth Show Grounds Business Plan. Council subsequently resolved to:-

"...support this project in principle subject to suitable funding being obtained by the Wentworth Show Grounds Committee"

In order to have any success with applications for grant funding the Council needs to made a commitment to funding a share of the project, rather than just “support in principle”

Report

As noted above the Council has previously agreed to give “support in principle” to the project. However, success with applications for grant funding will only result if the Council has actually made a funding commitment to the project. This commitment can be conditional on the Show Grounds Committee succeeding in raising the balance of the funding required, which is expected to be around \$875,000. This, together with the Council commitment would give a project fund of \$1M.

The draft Management Plan 2008-2012 does not include any contribution to the proposed Pavilion hence it is the recommendation of this report that an amendment to the Management Plan be made to include a contribution of \$125,000 in the 2009/10 financial year. This contribution will enable the Show Grounds Committee to seek grant funding with considerably more confidence. The Council commitment would however, not be required until the remaining balance of \$875,000 has been raised.

Policy and Management Plan Implications

There are implications for the Management Plan in 2009/10 subject to the balance of the funding being successfully raised.

Conclusion

The Council needs to confirm its support for the proposed new Pavilion at the Wentworth Show Grounds and make a commitment to fund its share of \$125,000 so that the Show Grounds Committee can pursue grant funding with some confidence.

Moved Crs. King and Wakefield that a commitment for the provision of \$125,000 towards the proposed new Pavilion at the Wentworth Show Grounds.

CARRIED

12.7.2 Trusteeship Buronga Boy Scouts

Responsible Officer: Director Infrastructure and Assets
Author: Reserves and Acquisitions Officer
Implications: Nil
File Reference: P50002/0007
Attachments: Letter Department of Lands & Letter Electric Light Theatre Inc
Separately Circ.: Nil
Tabled: Nil

Recommendation

1. That Council considers a proposal to accept Trusteeship of Reserve 89255 Buronga Boy Scouts Hall and determines a course of action in relation to this report.
2. That if agreeable Council requests a change of purpose to include Community Purposes and enter into a form of agreement that secures occupation of the reserve by the Electric Light Theatre Inc. (ELT)

3. That Council advises the Department of Lands of a suitable name for the reserve, being, Buronga Community Arts Reserve.

Purpose

The purpose of this report is to provide sufficient information to Council to enable a considered decision to be made regarding the future trusteeship of Reserve 89255.

Summary

The Department of Lands and the Electric Light Theatre are seeking Council's agreement to accept trusteeship of Reserve 89255.

Report

On 13 September 2007, a representative from ELT Inc approached Council with the view of identifying the trustee of Reserve 89255 as the Theatre Group were interested in occupying the vacant building on that reserve for the purpose of equipment storage. At that time it was established that the South Australian Boy Scouts held the trusteeship. The Boy Scouts have not used the building for 10 years. The Girl Guides have occupied this reserve but have not done so for over 3 years. The Department of Lands have written to advise that the South Australian Boy Scouts would be willing to relinquish the reserve in favour of Wentworth Shire Council. The options for ELT are to enter into an agreement directly with the Department of Lands or for Wentworth Shire Council to accept trusteeship and enter into an agreement with the ELT.

The letter from ELT indicates that: -

- ELT are a not for profit youth theatre organisation which has been performing for 23 years.
- ELT would prefer to have an agreement with Council.
- ELT are willing to pay rates, maintenance and offered \$150 per annum licence fee.
- ELT have cleaned up the area ~ RAO site visit 2 June 2008 confirms this has occurred.

Policy and Management Plan Implications

The Buronga Boy Scouts building is currently insured by Wentworth Shire Council, as the income from the reserve must be spent on the reserve any income derived from the proposed occupation would assist in offsetting this cost.

Conclusion

The Department of Lands supports the occupation of Reserve 89255 by the Electric Light Theatre. Council needs to establish if they will accept trusteeship of this reserve.

Moved Crs. Wheeldon and King that the recommendation be adopted.

CARRIED

12.7.3 Report On The Wentworth Regional Tourism Inc. Meeting Held 5 May 2008

Responsible Officer: Director Corporate and Community Services
Author: Director Corporate and Community Services
Implications: Nil
File Reference: E1/12-7
Attachments: Nil
Separately Circ.: Minutes of WRTI 5 May 2008
Tabled: Nil

Recommendation

That Council receives and notes the minutes of Wentworth Regional Tourism Inc. meeting held 5 May 2008.

Purpose

To advise Council of the business undertakings of Wentworth Regional Tourism Incorporated.

Summary

The minutes of the WRTI Committee meeting which were held on 5 May 2008 at the Wentworth Visitor Information Centre are submitted for the information of Council and include the following:-

- Tourism Booklet
- Correspondence In
- Correspondence Out
- Financial Report
- General Business
- Items for Discussion – Business Excellence Awards 2008, Broken Hill Booklet, Country Music Festival, Mildura/Wentworth Tourism Week

Report

The minutes are self explanatory

Moved Crs. King and Nichols that the recommendation be adopted.

CARRIED

12.8 PRINCIPAL ACTIVITY: BUILDING CONTROL**12.8.1 Rural Addressing – Adoption Of Locality Names**

Responsible Officer: Director - Development & Environment
Author: Director - Development & Environment
Implications: Policy
File & References: L1/41
Attachments: Nil
Separately Circ.: Maps on Display
Tabled: Nil

Recommendation

That Council submits to the Geographical Names Board the proposed locality boundaries including the maps and supporting documentation addressing compliance with the Geographical Names Boards guidelines.

Purpose

The purpose of this report is for Council to endorse the establishment of locality names throughout the Shire as the first step in the process of Rural Addressing.

Summary

Rural addressing is an involved process that will affect the entire community. The consultative approach adopted for this project will ensure that residents, businesses and other interested parties have the opportunity to offer their input and suggestions.

The Geographical Names Board (GNB) has a statutory responsibility to determine definitive boundaries for suburbs and localities throughout New South Wales.

The GNB works closely with local councils when defining boundaries because local residents are one of the most significant users of the names.

The process of determining boundaries is one of acknowledging existing names and formalising their extent according to common local usage.

An address locality is a division of the landscape that has defined limits—a suburb in urban areas or a locality in rural areas. It is the legal name that is used as the last line of address with the postcode.

Report

Rural addressing is a collaborative community project administered by the Department of Lands and local councils. It is a simple, straightforward means to identify and locate rural properties throughout Australia.

Rural addressing assigns an individual number to a property in accordance with set rules. The number is based on a distance from the starting point—usually a road intersection—with odd numbers on the left and even numbers on the right. To assist the community and service providers, rural addressing will provide new road and locality signs, as well as individual property number plates.

The process for determining address localities is outlined in the *Geographical Names Act 1966*.

The key points of this procedure are:

- Anyone can place a proposal to the GNB to create or amend an address locality. However, the GNB requires that the local council must concur with the proposal.

Comment: Council will place the proposal to the GNB.

- The GNB recommends that the local council ensures wide community support through public consultation prior to its concurrence.

Comment: In preparation of the maps consultation has taken place with local landowners to gain their input for suitable locality names.

- The proposal is then submitted to the GNB. It should include a map showing the proposed boundaries and supporting documentation addressing compliance with the GNB's guidelines.
- The GNB will then consider the proposal. If approved, it will advertise the proposal in a local newspaper and the NSW Government Gazette (the Gazette) and will also provide maps for public exhibition.
- The community will have one month to comment on the proposal. If no objections are received, the address locality will be formalised by way of notice in the Gazette and the local council will be notified.
- If objections are received, the local council is asked to provide feedback. The GNB will either re-advertise the proposal, abandon the proposal or make a recommendation to the Minister for Lands for final determination.
- Councils can then implement boundaries and names on signposts, rates database etc. It is also a good idea for the council to prepare an item for the local media confirming the determination of the names and boundaries.

The above summary of the process to achieve full implementation of the project is estimated to take a minimum of 12 months from the time of commencement.

Conclusion

Rural addressing has been identified in Council's Management Plan for several years. To effectively commence the process Council should submit to the Geographical Names Board a proposal for locality names throughout the Shire.

The General Manager left the Council Chambers at 3.28pm.

Moved Crs. Nichols and King that amendments to the map made by the Director Development & Environment located in the Council Chambers and agreed to by Councillors be adopted.

CARRIED

12.9 PRINCIPAL ACTIVITY: ROADS AND BRIDGES

12.9.1 Street Trees

Responsible Officer:	Director Infrastructure & assets
Author:	Director Infrastructure & Assets
Implications:	Policy and Management Plan
File Reference:	S9/5-3
Attachments:	Photographs
Separately Circ.:	Obligations for management of street trees(CONFIDENTIAL)
Tabled:	Nil

Recommendation

That Council notes this preliminary report on street trees and requests a further report(s) on the removal of street trees which require regular trimming to ensure clearance to power lines or create a potential hazard to other infrastructure, with any trees removed being replaced by more suitable species or alternative structures.

Purpose

The purpose of this report is to obtain a Council position on the future management of street trees.

Summary

Many street trees require regular trimming to give adequate clearance to overhead power lines. The cost of this trimming is at least \$30,000 per year. This cost could be avoided if the trees causing the problem were removed and replaced with suitable species or alternative structures as appropriate.

There are also obligations for Councils to be aware of in the management of street trees in order to avoid or minimise future risks or potential liabilities.

Report

The Council spends at least \$30,000 each year for the trimming of trees to give the necessary clearance to overhead power lines. The offending trees have to be trimmed on a regular basis depending on their growth rates. It could be suggested the expenditure of this money is unnecessary as it could be avoided if only suitable species of trees were planted under power lines or, as necessary, the trees were removed altogether.

There are clear examples of relatively young trees that have had 25% or more of their canopy, removed to provide clearance to power lines. The extent of canopy that is removed will only increase as the trees grow. These trees cannot be called attractive and their appearance will probably get worse as the trees get older. Examples are demonstrated in the attached photographs.

In addition to the trimming costs to keep trees clear of power lines there are a number of other costs, which have to be funded annually for the management of street trees.

These costs include:-

- Collection, pick-up and disposal of leaves from deciduous trees,
- Damage caused by tree roots to road pavements, kerbs, footpaths and other assets,
- Pruning dead wood from trees as they age,
- Ultimate removal at the end of a trees life.

The Council is currently operating under a 1995 "Work and Service Agreement between Murray River Electricity and Wentworth Council for the Pruning of Trees". Country Energy have proposed a new Agreement which involves the Council establishing a long term strategy for the identification, removal and replacement of unsuitable vegetation species that are or have the potential to threaten the reliability and safety of the electric power network. If such a strategy is adopted along with the implementation of a new Power Line Vegetation Management Agreement the Shire will no longer be required to pay costs associated with the trimming of Council vegetation in order to maintain the required clearances from Country Energy's distribution and supply networks.

At present there are approximately 550 trees identified as currently or having the potential to come within the statutory clearances and an annual percentage of

removal and replacements would need to be established. Community consultation on an issue such as this may be required.

The proposal from Country Energy provides a win/win outcome but the pre-requisite is the finalizing of the Power Line Vegetation Management Agreement. This document is nearing completion subject to the clarification of a few matters of detail, which are currently being discussed with Country Energy.

It must be noted however, that clearance from overhead power lines is only one of the problems (either actual or potential) of street trees. Other problems, as noted above, include leaf fall and root damage.

It must also be recognized that street trees do provide significant shade and that this is a definite benefit during the heat of summer. The benefit of shade must however be considered against the negatives such as trimming costs, appearances of trimmed trees, leaf clean up and root damage. If shade is a necessity, and in some locations it will be defined as such then alternative options can be considered. A key factor will be to assess and compare "the whole of life cost" as opposed to the initial cost. The regular annual cost associated with some trees will, in some cases, have a surprising impact on the whole of life cost.

Policy and Management Plan Implications

The draft budget within the Management Plan 2008 – 2012 includes \$25,000 per year for the removal and replacement of trees under power lines.

Given the Country Energy proposal to meet the costs of tree trimming subject to Council adopting an acceptable strategy, there could be a reduction in costs (for tree trimming) of up to \$30,000 per annum.

Conclusion

This report identifies a number of issues regarding street trees and seeks future direction from the Council. A move towards whole of life costs is a key factor.

The General Manager resumed his chair at 3.30pm.

The Director Development & Environment left the chambers at 3.30pm.

The Director Development & Environment resumed his chair at 3.31pm.

Moved Crs. King and Wakefield that the report be received and that a further detailed report be submitted to a future Council meeting for consideration.

CARRIED

12.10 PRINCIPAL ACTIVITY: BUSINESS UNDERTAKINGS

12.10.1 Draft Guidelines for Capital Expenditure Projects

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Management Plan
File Reference:	F4/3-3
Attachments:	Nil
Separately Circ.:	Capital Expenditure Project Guidelines May 2008
Tabled:	Nil

Recommendation

That Council notes the release of the Department of Local Government draft Capital Expenditure Project Guidelines.

Purpose

To advise of the release of the draft Capital Expenditure Project Guidelines for comment.

Summary

The Department of Local Government has released draft guidelines for comment in relation to Capital Expenditure Projects for infrastructure facilities, renovations and extensions when expected to cost in excess of \$1,000,000 (GST exclusive). This report contains comments that will be used for a submission to the Department.

Report

The Local Government Department has released draft Public Expenditure Project Guidelines that will assist Councils in the preparation and review of certain Capital Expenditure Projects.

The Department advises that “the overriding principles of the Guidelines are accountability and proven financial management of Council resources”.

Councils are not obliged to undertake a Capital Expenditure Review for projects costing \$1,000,000 or less (excluding GST). However for all Capital Expenditure Projects (buildings, structures, renovations, etc.) over \$1,000,000, regardless of funding sources, Councils are to undertake a Capital Expenditure Review in accordance with the guidelines.

There are additional requirements for Capital Expenditure Projects where project costs are expected to exceed the total of Council’s annual ordinary rate revenue of \$10,000,000, whichever is the lesser.

Councils are also required to notify the Department of Capital Expenditure Projects where they are expected to exceed \$5,000,000.

It is intended that the Guidelines be adopted under the provisions of Section 23A of the Local Government Act 1993. As such, Councils must consider these Guidelines before committing to Capital Projects.

The Guidelines, which have been separately circulated to Councillors, include details on Council responsibilities, the minimum review requirements for capital expenditure, and comments on the public consultation process required.

Policy and Management Plan Implications

The Guidelines will need to be followed for any project in excess of \$1,000,000.

Conclusion

The Guidelines will introduce a number of new requirements for the evaluation of projects over \$1million.

Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

12.10.2 Purchase of 6x4 Tandem Drive Tip Truck and Tri-axle Dog Trailer

Responsible Officer: Director Infrastructure & Assets
Author: Director Infrastructure & Assets
Implications: Nil
File Reference: PT13/5
Attachments: Nil
Separately Circ.: Comparison Spreadsheet
Tabled: Nil

Recommendation

1. That Council approves the tender of Johnson's Truck and Coach Service for the supply of a 6x4 Tandem Drive Tip Truck and Tri-axle Dog Trailer in accordance with the specifications at the tendered price of \$181,643.00.
2. That Council agrees to the use of the LG Pro tender process for relevant future plant purchases.

Purpose

The purpose of the report is to approve the purchase of a new 6x4 tandem drive tip truck and tri-axle dog trailer to replace the existing 1997 tip truck and dog trailer.

Summary

The report is self-explanatory.

Report

The existing truck and dog trailer, Unit 503, is approximately 11 years old and has traveled around 360,000km. Quotes for a replacement unit have been requested.

Earlier this year Local Government Procurement (LGPro) called tenders for a number of items of plant and equipment with the objective of providing benefits to local authorities who would be able to contact the preferred supplier list direct with prices to be provided in accordance with a defined process and subject to regular audit by LGPro. The tender process initiated by LGPro resulted in only one complying tender for tip trucks and dog trailers. Although the process conducted by LGPro is certainly robust there is only one supplier from whom a price can be requested which does not give any certainty, other than the robust tender process, that the best possible value for money has been obtained.

A quote was originally requested from the LGPro nominated supplier but in order to be doubly sure of the quoted amount it was decided that additional prices would be requested from two other local truck distributors.

The result was as follows:-

1. Johnson's Truck & Coach Service
2008 UD GW 470 truck plus trailer with bisalloy dump bodies of total 25 cubic metres capacity for \$261,643 incl GST. Trade In offer for 1997 UD unit of

\$80,000, which results in a change over cost of \$165,130 excl GST, or \$181,643 incl GST.

2. Mildura Truck Centre

2008 Isuzu truck plus trailer with hardox dump bodies of total 22 cubic metres capacity for \$254,069.20 incl GST. Trade In offer for 1997 UD unit of \$77,000, which results in a change over cost of \$160,972.00 excl GST, or \$177,069.20 incl GST.

3. Mitchell Trucks

No Quote submitted

The specific requirements for the new unit were a steel or toughened alloy body for both the truck and dog trailer, proven after sales service, cost of service and parts, fuel economy and residual value after 10 years and approximately 360,000km.

The 2008/09 budgets include funding of \$170,000 excl GST for a replacement tip truck and dog trailer.

While both offers meet the required specifications, the offer from Johnson Trucks exceeds the specification in that it offers a stronger body, a larger cubic carrying capacity, greater GCM and axle loading, and longer service intervals. Although the change-over price is slightly dearer, the previously listed benefits would be of greater economic benefit to Council over the life of the truck. It is therefore recommended that the offer of \$181,643 from Johnson's Truck and Coach Services be the recommended tender.

It should also be noted that the LGPro tender process meets all of the statutory requirements for tendering by local authorities. In this case additional prices were requested in order to be satisfied that best value for money is being achieved. Since this has now been proven it is intended that future purchases of new plant will be based on quotes for the LGPro suppliers, even if there is only one available.

Policy and Management Plan Implications

There are no implications as the purchase is provided for in the budget.

Conclusion

The recommended tender is clearly the best offer.

Moved Crs. King and Wakefield that the recommendation be adopted.

CARRIED

12.10 PRINCIPAL ACTIVITY: DOMESTIC WASTE MANAGEMENT

Nil

12.11 PRINCIPAL ACTIVITY: WATER SUPPLIES

12.11.1 Changes to Water Restrictions for Wentworth Shire

Responsible Officer: General Manager
Author: General Manager
Implications: Changed water restriction guidelines
File Reference: W2/11-6
Attachments: Nil

Separately Circ.: Nil
Tabled: Nil

Recommendation

1. That Council notes the report of the outcome of the meeting with the Minister for Water, the Honourable Nathan Rees.
2. That Council considers a supplementary report in relation to water restrictions.

Purpose

To report on the outcomes of the meeting with the Water Minister, the Honourable Nathan Rees.

Summary

A meeting was held with the Minister for Water and the outcome was a change to Wentworth Shires Water Restriction Guidelines, including the ability for residents to water lawns on one designated hour per week.

Report

The Mayor, Councillor Margaret Thomson, Councilor Ribarits and the General Manager met with the Minister for Water, Nathan Rees, on 3 June 2008 to discuss Council's submission in relation to water restrictions.

The Minister granted approval for a trial period which involved one hour of watering of residential lawns weekly.

Staff are currently working with the Department of Water and Energy on the guidelines. A supplementary report will be tabled at the meeting setting out the guidelines for the trial.

Policy and Management Plan Implications

The trial period may lead to a permanent change in the water restriction guidelines.

Conclusion

The meeting with Minister Rees was positive and approval was granted for limited watering of lawns subject to a trial period.

Moved Crs. Ribarits and Nichols that the watering of lawns by residents in the Shire other than Buronga and Gol Gol commence from Sunday (22 June) from 6pm to 7pm with residents of Buronga and Gol Gol commencing watering of lawns from 6pm to 7pm from the second week of July due to the low water level of the Murray River weir pool.

CARRIED

12.12 PRINCIPAL ACTIVITY: SEWERAGE SCHEMES

13. REPORT MATRIX

13.1 REPORT MATRIX FROM PREVIOUS COUNCIL MEETING

Responsible Officer: General Manager
Author: Executive Assistant

Implications: Nil
File & References: S268
Attachments: Report Matrix
Separately Circ.: Nil
Tabled: Nil

Recommendation

That Council receives and notes the report matrix.

Purpose

The purpose of this report is to advise Councillors of the action from reports that were to be undertaken by Senior Staff.

Summary

The report matrix lists the items presented at the last Council meeting and indicates action that is needed to be taken or is to be taken by Senior Staff that the items raised are completed satisfactorily.

Report

The report is attached and is self-explanatory.

Policy and Management Plan Implications

Implications to policies or the Management Plan are detailed in the matrix.

Conclusion

The matrix is submitted for the Councillors' information to ensure actions required are completed satisfactorily.

Moved Crs. King and Wheeldon that the recommendation be adopted.

CARRIED

14. QUESTIONS WITHOUT NOTICE

Cr. Wheeldon

1. Advised that the public toilets near the Wentworth Caravan park do not open until 10am and requested that they be opened earlier at approximately 7.30am when staff commence duties.

(The Director Infrastructure & Assets advised that he was only aware of the public toilets situated by the Wentworth Town Hall were locked and would investigate this matter).

Cr. Ribarits

1. Enquired as to why the playground equipment at Wilkinson park was fenced off.
(The Director Infrastructure & Assets advised that he will investigate this matter).
2. Enquired as to whether Council pays for HECS fees and training for some or all staff members?

(The General Manager advised that any arrangements before his arrival have been honoured and he was aware that HECS fees have been included in some arrangements. No new arrangements involving HECS payments have been made since 16/4/07. The General Manager advised that he favoured a part contribution from staff and any arrangements would be treated on a case by case basis).

Cr. Nichols

1. Requested a report on the acreage of irrigable land not being used for that purpose and indicated that the information is easily available. She indicated that approximately 1,000 properties in Merbein had been identified and advised that this is a social cost to Council and that Council needs to be prepared.

(The Director Development & Environment was advised that Sunrise21 or the Rural Counselling Service would be able to assist with statistics).

Cr. Ward

1. Advised that for the last 8 years he had advised Council that the dirt road at Pomona between Burke & Mitchell roads was in a very poor state and after the recent rains was very "mushy" and indicated that bitumenising the road would be a good idea.

(The Director Infrastructure & Assets advised that there is a criteria for prioritizing sealing of roads and advised that the request would be added to the roads program).

2. Advised that the right hand turning lane towards Tuckers Creek on the Silver city Highway and the roundabout near the Fergy Monument in Adelaide Street were very corrugated and needed urgent maintenance. They were a danger to vehicles especially motor bikes.

(The Director Infrastructure & Assets advised that the RTA is responsible for the Silver City Highway/Tuckers Creek road and that the roundabout near the Fergy Monument is on the works program to be undertaken shortly).

Cr. Wakefield

1. Advised that at the last Mungo Joint Committee meeting a question was asked whether the Traditional owners of the land could be acknowledged on Council's entry signs.

(The Mayor indicated that a submission will be forthcoming from a group of people that encompasses this proposal and that clarification of the Traditional owners will need to be undertaken).

2. Advised that in the recent newsletter there was an article advising residents that the Mungo National Park/Arumpo road was shared between the Wentworth and Balranald Shire Councils but he indicated this was incorrect as owners of Garnpang station had purchased land and that Mungo National park was entirely in the Wentworth Shire.

Cr. McKinnon

1. Enquired as to when the official opening of the Alcheringa Oval Pavilion would occur and also enquired as to whether the lighting tower was in the original plans.

(The Director Development & Environment advised that he had received an email from the Department of Transport & Regional Services indicating that they require one month's notice of the official opening date and that it is the decision of Council when the opening is to be undertaken. This will be decided in August when the General Manager resumes his duties).

Cr. Wakefield

1. Advised that not enough money is available for the Alcheringa Oval Pavilion to have new carpet for both the old and new sections.
(The Director Development & Environment advised that after reconciliation of all works that have been undertaken and completed, there may be the possibility of funds available to purchase more carpet).

Cr. Nichols

1. Advised that a letter of congratulations should be sent to the Bendigo Bank for their significant monetary contributions to the community.

15. NEXT MEETING – 16 July 2008**16. CONFIDENTIAL ITEMS****16.1 Closed Council****16.1.1 Outstanding Payment of Rates – Assessment Number 12222**

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Governance
File & References:	P357/0
Attachments:	Nil
Separately Circ.:	Previous report
Tabled:	Nil

Recommendation

- a) That Council resolves to go into closed council to consider this item together with any later reports tabled at the meeting.
- b) That pursuant to section 10A (1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(b) the personal hardship of any resident or ratepayer.
- c) That the correspondence and reports relevant to the subject businesses be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Purpose

To advise Council of progress with respect to an outstanding payment of rates.

Summary

Self explanatory.

Report

The previous report in relation to the outstanding matter of rates concerning the ratepayer has been separately circulated.

The matter and information relates to the following:

- (b) *the personal hardship of any resident or ratepayer.*

This matter is classified confidential because it is not in the public interest to reveal the details of matters relating to the hardship of a ratepayer.

As a matter of procedure and in accordance with Council's Code of Meeting Practice the Mayor is required to invite the public to make representations to the Council meeting before this part of the meeting is closed, as to whether that part of the meeting should be closed.

Note: the Mayor invited anyone from the gallery to make representations as to whether the meeting should be closed. No representations made.

Moved Councillors King and Wakefield:-

- a) **That Council resolves to go into closed council to consider Outstanding Payment of Rates – Assessment No.12222**
- b) **That pursuant to section 10A (1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of sections 10A(2) (b) as mentioned previously.**
- c) **That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.**

16.1.2 General Manager's Annual Performance Review (including Contractual Conditions of Senior Staff

Responsible Officer:	Mayor
Author:	Mayor
Implications:	Operations
File Reference:	T76
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

- a) That Council resolves to go into closed council to consider this item together with any later reports tabled at the meeting.
- b) That pursuant to section 10A (1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(a) "Personnel Matters concerning particular individuals (other than Councillors)".
- c) That the correspondence and reports relevant to the subject businesses be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Purpose

To finalise the General Manager's Annual Performance Review and setting of the performance agreement for the next period of review.

Report

The matter and information relates to the following:

(a) *Personnel Matters concerning particular individuals (other than Councillors).*

This matter is classified confidential because it is not in the public interest to reveal the details of matters relating to the General Manager's Annual Performance Review.

As a matter of procedure and in accordance with Council's Code of Meeting Practice the Mayor is required to invite the public to make representations to the Council meeting before this part of the meeting is closed, as to whether that part of the meeting should be closed.

SUPPLEMENTARY REPORT**General Manager's Annual Performance Review (including Contractual Conditions of Senior Staff)**

Responsible Officer: Mayor
Author: Mayor (Review) and the General Manager (S339 Provision)
Implications: Operations
File Reference: T76
Attachments: Nil
Separately Circ.: Nil
Tabled: Nil

Recommendation

That Council resolves that the General Manager's review period be aligned with the financial year and be conducted by the whole of Council.

That Council delegates to the Mayor the signing of the performance agreement for the General Manager for the period 16 April 2008 to 30 June 2009, as discussed at the 10 June 2008 review meeting.

That Council ratifies the General Manager's performance is of better than satisfactory standard, as reflected by the scoring on the performance assessment, and accordingly resolves to pay a discretionary bonus in accordance with the contract of 3%.

That Council resolves to receive the report from the General Manager pursuant to Section 339 of the Local Government Act pertaining to the contractual conditions of senior officers.

Purpose

To advise Council of the contractual conditions pertaining to senior staff, note the outcomes of the review meeting with General Manager and to set the performance criteria for the period to 30 June 2009.

Note: the Mayor invited anyone from the gallery to make representations as to whether the meeting should be closed. No representations made.

Moved Councillors King and Wakefield:-

- a) That the supplementary report on Contractual Conditions of Senior Staff be admitted for consideration.
- b) That Council resolves to go into closed council to consider this item together with any later reports tabled at the meeting.
- c) That pursuant to section 10A (1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(a) "Personnel Matters concerning particular individuals (other than Councillors)".
- d) That the correspondence and reports relevant to the subject businesses be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

16.1.3 Budget Provision for Show Grounds Pavilion (formerly item 12.7.1)

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Management Plan
File Reference:	P50015/0003-02
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council includes provision in the Management Plan for a contribution of \$125,000 towards the proposed new Show Grounds Pavilion to enable the pursuit of funding opportunities for the balance of the project.

Purpose

The purpose of this report is to indicate a commitment to the proposed new Show Grounds Pavilion so that grant funding opportunities can be pursued.

Summary

At the November 2007 meeting of Council heard a presentation from Angus Whyte on the Wentworth Show Grounds Business Plan. Council subsequently resolved to:-

"...support this project in principle subject to suitable funding being obtained by the Wentworth Show Grounds Committee"

In order to have any success with applications for grant funding the Council needs to made a commitment to funding a share of the project, rather than just "support in principle"

Report

The Council needs to confirm its support for the proposed new Pavilion at the Wentworth Show Grounds and make a commitment to fund its share of \$125,000 so that the Show Grounds Committee can pursue grant funding with some confidence.

The Mayor advised that this item is classified as confidential under section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for the business relating to the following:-

- (d) Commercial information of a confidential nature that would, if disclosed:
- (i) Prejudice the commercial position of the person who supplied it, or
 - (ii) Confer a commercial advantage on a competitor of the Council, or
 - (iii) Reveal a trade secret.

This matter is classified confidential because it is not in the public interest to reveal the details of commercial information relating to the business of undertaking a funding application for the Showgrounds Pavilion.

Note: the Mayor invited anyone from the gallery to make representations as to whether the meeting should be closed. No representations made.

Moved Councillors King and Wheeldon:-

- a) That Council resolves to go into closed council to consider contractual arrangements for making an application for the Showgrounds pavilion project.
- b) That pursuant to section 10A (1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of sections 10A(2) (d) as mentioned previously.
- c) That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

CARRIED

Closed Council

Council closed its meeting to consider items 16.1, 16.2 and 16.3 at 3.58 pm. The public and media left the chamber.

Moved Crs. King and Wheeldon that Council move out of Closed council and move into Open Council.

CARRIED

Open Council

Council went into open Council at 4.18pm.

The Mayor read out the following resolutions from Closed Council:-

16.1.1.Outstanding Payment of Rates – Assessment Number 12222

That Council continues to pursue its current legal proceedings

16.1.2 General Manager's Annual Performance Review (including Contractual Conditions of Senior Staff)

That Council resolves that the General Manager's review period be aligned with the financial year and be conducted by the whole of Council.

That Council delegates to the Mayor the signing of the performance agreement for the General Manager for the period 16 April 2008 to 30 June 2009, as discussed at the 10 June 2008 review meeting.

That Council ratifies the General Manager's performance is of better than satisfactory standard, as reflected by the scoring on the performance assessment, and accordingly resolves to pay a discretionary bonus in accordance with the contract of 3%.

That Council resolves to receive the report from the General Manager pursuant to Section 339 of the Local Government Act pertaining to the contractual conditions of senior officers.

16.1.3 Budget Provision for Show Grounds Pavilion (formerly item 12.7.1)

That a commitment for the provision of \$125,000 towards the proposed new Pavilion at the Wentworth Show Grounds.

Note: That item 12.2.4 was considered at this point of the meeting at 4.20pm.

There being no further business the meeting concluded at 4.22pm.