



MINUTES

ORDINARY MONTHLY COUNCIL MEETING
COMMENCING 9.00AM

15 October 2008

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

COUNCILLORS: Margaret Thomson (*Mayor*), Brian Wakefield (*Deputy Mayor*), Melisa Hederics, Mark King, Don McKinnon, Sue Nichols, Peter Thompson, Bill Wheeldon and Ian Whitfield.

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*)

Note: The Mayor Margaret Thomson took the opportunity to wish Director Infrastructure & Assets Mr Bill Turner all the very best for his new appointment in Emerald Queensland and thanked him for the work he achieved in the period he was working at the Wentworth Shire Council.

4. APOLOGIES AND APPLICATION FOR LEAVE

Nil

5. CONFIRMATION OF MINUTES**Recommendation**

1. That the minutes of the ordinary Council meeting held Wednesday 24 September 2008 be adopted as circulated.
2. That the minutes of the Statutory Meeting of Council held Wednesday 24 September 2008 be adopted as circulated.

Moved Crs. Nichols and Wakefield that the minutes of the Ordinary Council meeting and the Statutory Meeting held Wednesday 24 September 2008 be adopted.

CARRIED

6. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Councillor Whitfield indicated that item 12.7.1 related to Country Energy where he is employed and declared a conflict of interest.

The General Manager tabled for the information of all Councillors the "Disclosures By Councillors And Designated Persons Returns" from all Councillors and Senior Staff as per Part 5A of the *Local Government (General) Regulation* 1999. All returns from Councillors and staff had been received and signed off by the General Manager.

7. PETITIONS AND MEMORIALS

Nil

Moved Crs. McKinnon and Nichols that an item relating to the General Information for Councillors No.4 Memorandum dated 10 October 2008 faxed to Councillors be admitted for consideration in accordance with Clause 18(3) of the code of Meeting Practice because of the need to discuss the process of making changes to Model Code of Conduct before the seminar to be conducted by the Department of Local Government at Balranald on 5 November.

CARRIED

Note: *The above business was discussed immediately before consideration of item 14.*

8. MAYORAL REPORTS**8.1 APPOINTMENTS BY THE MAYOR FOR THE PERIOD 24 September to 14 October 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 24 September to 14 October 2008.

Report

Date	Conference/Appointment
25 Sept	1. "222 in 100 days give a local a go" MADEC (Wesley Centre Mildura) 2. Opening of New Tech Centre and Classroom extension Pomona School
29 Sept	Mainstreet Events Committee Meeting (Visitor Information Centre)
1 Oct	Prayer for the Murray/Darling River System (Junction Park)
4 Oct	Country Music Awards (Arts Centre)
6 Oct	AGM Australian Inland Botanic Gardens
8 Oct	Opening Dareton Community Centre
10 Oct	1. Mayoral Meeting 2. Australian Business Week 2008 Awards Ceremony Sunraysia Tafe
13 Oct	Virgin Blue to Mildura (Mildura Brewery)
14 Oct	1. Riverwatch AGM Cr Hederics attending for Mayor (Mildura Rowing Club) 2. Public Libraries NSW South West Region Meeting (Council Chambers) 3. State Library Delegates Dinner (Kookaburra)

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

CARRIED

9. NOTICES OF MOTION

Nil

10. DELEGATES REPORTS

Nil

11. COMMITTEE MEETING REPORTS

Nil

12. OFFICERS' REPORTS

12.1 PRINCIPAL ACTIVITY: GOVERNANCE

12.1.1 Wentworth Shire Council Logo Colours

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Operations
File Reference:	File
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Copy of proposed logo

Recommendation

That Council resolves that the current Wentworth Shire Council logo be modified to incorporate the colour blue to represent the junction of the two rivers, and that a lined logo be used for appropriate purposes.

Purpose

To adopt an amended colour scheme for the Wentworth Shire Council logo.

Report

This issue of colours used in the current log has been discussed over recent months and it is now recommended to use two logos for different purposes. A number of minor variations have been presented to councillors previously.

The following logo, with the addition of blue fill for the junction of the river, is recommended to be used for signage and stationery where appropriate.



It is recommended that a lined logo, without colours, is used for products such as glasses etc. where appropriate.

The colours used for the logo will be coded and a guide prepared to detail the logo theme.

As the current logo is similar to a council crest, and may not be appropriate for some signage, it is recommended that a further logo be developed, focusing on the junction of the two rivers.

Conclusion

The resolution of colours for the logo will allow a number of projects to proceed.

Moved Crs. Whitfield and Wheeldon that the recommendation be adopted and that the changeover to the new logo occur at the conclusion of current stock levels with badges to be undertaken with the wording "Wentworth Shire Council" to be embroidered/printed in gold lettering on darker backgrounds.

CARRIED

Councillor Thompson requested that his vote be recorded against the motion.

12.1.2 Establishment of the Australian Council of Local Government (ACLG)

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Strategic direction
File & References:	File
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council notes the establishment of the Australian Council of Local Government and approves the attendance of the Mayor at the inaugural meeting to be attended by the Prime Minister on 18 November 2008.

Purpose

The purpose of this report is to advise of the formation of the ACLG and approve attendance of the Mayor at the inaugural meeting.

Report

On 18 September the Prime Minister, the Hon Kevin Rudd MP, and the Hon Anthony Albanese, Minister for infrastructure, Transport, Regional Development and Local Government, announced the establishment of the Australian Council of Local Government (ACLG) to forge a new cooperative engagement between the Commonwealth and local government. The creation of this Council has been endorsed by the president of the Australian Local Government Association, Councillor Paul Bell AM.

Mayors have been invited to the inaugural meeting of the ACLG to be hosted by the Prime Minister at Parliament House on 18 November 2008.

The one day meeting will give communities a real voice in addressing issues of vital national and local interest, including priorities for national and local infrastructure, tackling the challenges of our major cities and examining a process for recognition of local government in the Commonwealth Constitution.

Conclusion

The formation of ACLG is ground breaking meeting and may lead to a stronger partnership between the Federal Government and Local Government.

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

CARRIED

12.1.3 Constitutional Recognition of local Government

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Constitutional recognition of local government
File & References:	C6/17-6
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council approves the attendance of the Mayor and the General Manager at the Local Government Constitutional Summit to be convened by the Australian Local Government Association on 9-11 December 2008.

Purpose

The purpose of this report is to advise of a local Government Constitutional Summit to be held in Melbourne in early December and seek approvals for Council to be represented at this forum.

Report

Councillors will recall that the Australian Local Government Association met in November 2007 to consider constitutional recognition of local government. Council was represented at this meeting.

That meeting resolved to hold a forum to discuss and develop a way forward for local government to gain recognition in the Australian Constitution.

It is recommended that the Mayor and General Manager be represented at the Summit to be held on 9-11 December in Melbourne. It is expected that the Summit will be well represented by local government from all states.

The momentum to recognise local government in the Constitution has increased over the last twelve months and positive messages have been sent from the current

Federal Government with a view to engaging with local government to consider the proposition.

Conclusion

Wentworth Shire Council has had a strong stance on the need for local government to be formally recognized in the Australian Constitution. The Summit will be a milestone on the journey to that recognition.

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

CARRIED

12.1.4 Ceremony to Dedicate MacCabe Corner

Responsible Officer: General Manager
Author: General Manager
Implications: Nil
File & References: File
Attachments: Nil
Separately Circ.: Nil
Tabled: Nil

Recommendation

That Council notes the attendance of the Mayor and General Manager at the ceremony to dedicate MacCabe Corner 6 September 2008.

Purpose

The purpose of this report is to advise of the MacCabe Corner dedication Ceremony.

Report

A ceremony to dedicate MacCabe Corner was held on 6 September and was attended by the New South Wales and the Victorian Surveyors-General. Wentworth Shire Council was represented by Mayor, General Manager and partners.

The ceremony was held on the actual site at the junction of NSW, Victoria and South Australia, adjacent to the Murray River, situated 82km west of Westworth. The ceremony was attended by approximately 50 people. MacCabe's grandson, Michael MacCabe, attended the ceremony.

The dedication marked the last of a series of dedications of strategic markers on the NSW/Vic border.

MacCabe Corner was named after the surveyor Francis MacCabe who mapped the rivers of the Murray-Darling between 1848 and 1852. MacCabe had made a significant contribution to the later mapping of the borders by linking a survey of the Murray to other colonial border surveys.



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

CARRIED

12.1.5 Payment of Expenses and Provision of Facilities Policy

Responsible Officer: General Manager
 Author: General Manager
 Implications: Governance and policy
 File & References: S78-2
 Attachments: Payments of Expenses and Provision of Facilities Policy
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That Council advertises its intention to adopt the Payments of Expenses and Provision of Facilities Policy at its 19 November 2008 Ordinary Council Meeting unchanged from the existing policy.

Purpose

The purpose of this report is to review and adopt the Payment of Expenses and provision of Facilities Policy as required by the local Government Act S252.

Report

Council last amended the Payments of Expenses and Provision of Facilities Policy on 25 July 2007. It is a requirement of the Local Government Act to review and adopt the policy annually and provide the Department of Local Government with a copy (s252 of the Local Government Act). Pursuant to section 252, Council must formally adopt the policy even if the policy in question is the same as the existing one.

In accordance with S253 of the Act notice must be given of Council's intention to adopt or amend a policy on this subject matter allowing 28 days for making of public submissions.

A review of the existing policy had been undertaken. It is recommended that the policy be adopted unchanged.

Conclusion

The review and adoption of the policy is a requirement of the Local Government Act.

Moved Crs. Wakefield and Peter Thompson that the recommendation be adopted.

CARRIED

12.1.6 Christmas Leave Arrangements 2008/2009

Responsible Officer: General Manager
 Author: Manager Human Resources
 Implications: Operations
 File Reference: C9/7
 Attachments: Nil
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That all Council Offices and Depots close over the Christmas and New Year period as identified within the report.

Purpose

The purpose of this report is to set arrangements for all Council Office and Depots over the Christmas and New Year period.

Summary

This report sets out the staffing arrangements for Council Office and Depot closures over the Christmas and New Year period. All arrangements have taken into consideration minimal disruption to the community as possible while allowing staff the opportunity to reduce excess leave entitlements.

Report

All staff will be required to take accrued leave entitlements for those days not prescribed as Public Holidays. Public holidays for 2008/2009 include Thursday 25 December 2008, Friday 26 December 2008, and Thursday 1 January 2009. It is proposed that the following office closure arrangements are in place:

Wentworth Council Office	Closed Thursday 25 December – Friday 2 January
Depots and Workshop	Closed Monday 22 December – Monday 26 January
Wentworth Library	Closed 12.30pm Wednesday 24 December
Buronga Library	Closed Wednesday 24 December
Dareton Library	Closed Wednesday 24 December
All Libraries	Reopen 10.30am 2 January
Tourism Information Centre	Closed Thursday 25 December 08 Open 10am – 2pm Friday 26 December 08 Open 10am – 2pm Thursday 1 January 09

During this period certain staff will be performing on call and critical duties to ensure essential services are still maintained.

Policy and Management Plan Implications

The arrangements set out within the report are in line with previous practices.

Conclusion

The arrangements set out in this report will cause minimal disruption to the community and allow staff to reduce leave entitlements.

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

CARRIED

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

Responsible Officer: Director Corporate & Community Services
 Author: Manager Administration
 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 September 2008 were \$368,932.77 After allowing for pensioner subsidies, the total Rates and Charges collected are now 36.26% of the levies. A summary of the Rates and Charges situation as at September, 2008 is as follows:-

<u>Levies</u>		
Balance Outstanding at 30 June 2008	1,252,480.20	
Rates & Charges Levied 16 July 2008	5,685,701.95	6,938,182.15
+ Additional Water Charges	443,658.86	
+ Supplementary Rates & Charges	15,835.73	
+ Additional Charges	9,930.09	
- Credit Adjustments	18,762.05	
- Farmland 20% capped	1,078.82	
- Abandonments	77.52	449,506.29
		7,387,688.44
<u>Deductions</u>		
- Payments	2,527,824.38	
- Less Refunds of Payments	1,989.10	2,525,835.28

- Pensioner Subsidy:- Government Subsidy	84,300.48	
Council Subsidy	68,964.95	153,265.43
Total Rates/Water Charges Outstand		\$4,708,587.73

Note: For comparison purposes 37.16% of the levy had been collected at the end of September 2007.

Reconciliation And Balance Of Funds Held As At 30 September, 2008

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 30 September, 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 September, 2008 \$2,976,608.84 Dr

Add: Receipts for Period Ending 30 September, 2008
Rates, Debtors, Miscellaneous 791,972.05

Less: Payments for Period Ending 30 September, 2008
Cash Book entries for this Month 1,302,878.97

Cash Balance As At 30 September 2008 \$2,465,701.92 Dr

Investments

Bank	TD/C.Bill		
LGFS	FI 30 Days @ 7.52% due 30/9/2008	924,972.41	
SGE Credit Union	TD 60 Days @ 7.93% due 8/9/2008	1,200,000.00	
Savings & Credit Loan	TD 61 Days @ 7.87% due 12/11/2008	1,300,000.00	
SGE Credit Union	TD 63 Days @ 8.25% due 7/10/2008	1,000,000.00	
Bank West (Sydney) Bank	TD 60 Days @ 7.45% due 10/10/2008	1,500,000.00	
SGE Credit Union	TD 62 Days @ 7.96% due 13/10/2008	1,300,000.00	
Bendigo Bank	TD 60 Days @ 7.56% due 14/10/2008	2,000,000.00	
Bank West	TD 60 Days @ 7.50% due 7/11/2008	1,000,000.00	
Bendigo Bank	11am at call Account	1,500,000.00	11,724,972.41
TOTAL			\$14,190,674.33

Commitments

Details	Amount	
Internal Restrictions	\$	\$
- Employee Entitlements	1,196,089	
- Doubtful Debts	129,946	
- Tip Remediation	125,950	
- Future Development Reserve	298,138	
- Murray Street Acquisition	200,000	
- Plant Replacement Reserve	152,230	

- Water Fund	1,807,455	
- Sewer Fund	734,769	
Total Internal Restrictions		4,644,577
External Restrictions		
- Trust	191,053	
- Developer Contribution Reserve	533,599	
- Unexpended Grants	3,818,874	
Total External Restrictions		4,543,526
Total Commitments as at September 2008		9,188,103

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 and that details of Council's loans be included in future monthly Council reports. Further that the draft General Purposes Financial Report presented to Council be adopted.

CARRIED

12.2.2 Annual Financial Statements – Signing and Movements to Restricted Cash Assets

Responsible Officer: Director Corporate & Community Services
 Author: Director Corporate & Community Services
 Implications: Financial
 File Reference: F4/1
 Attachments: Nil
 Separately Circ.: Nil
 Tabled: Annual Financial Statements

Recommendation

That Council:

1. Approve the signing of the General Purpose Financial Reports made pursuant to Section 413(2) (c) of the Local Government Act 1993 and the Local Government Code of Accounting Practice and Financial Reporting and the Special Purpose Financial Reports.
2. Note the increase in surplus funds as at 30 June 2008
3. Adopt the movements to and from Restricted Cash Assets (Reserves) at 30 June 2008 as detailed in the attached schedule.

Purpose

To present Council with the Audited Financial Statements for the year ended 30 June 2008 and to seek Council approval for the transfer of funds to Reserves.

Summary

The Annual Audit of Council's financial reports will be finalised by WHK Thomsons Audit Services prior to 12 October and a draft copy of Council's General Purpose Financial Reports and Special Purpose Financial Reports will be tabled at the October Council meeting.

Report

The 2007/2008 annual Financial Reports have been audited by WHK Thomsons Audit Services in draft form and will be completed by 12 October 2008. It is a requirement of the Local Government Act that Council prepare a statement on the General Purpose and Special Purpose Financial Reports prior to sign off by the auditor. These Statements must be signed by the Mayor, one Councillor (normally the Deputy Mayor), the General Manager and the Responsible Accounting Officer.

The statement is required to be signed and included in the Financial Statements prior to the auditor providing the final reports. The financial statements together with the auditors reports must be forwarded to the Department of Local Government by 7 November 2008.

The 2007/2008 financial reports are the third set of statements to be prepared in accordance with Australian Equivalents to International Financial Reporting Standards (AIFRS). The new standards have meant that the preparation of the financial statements have been a far more extensive and demanding task as the basis for measurement and disclosure of amounts shown in the financial reports have changed. The auditor will address Council at the November Council Meeting on 19 November.

A copy of the Financial Statements will be tabled on the day of the Council meeting for your information including the Income Statement, Balance Sheet, Statement of Changes in Equity and the Statement of Cash Flows.

A summary of the financial performance of Council and financial position of Council is detailed as follows.

Income Statement

The income statement presents a net operating surplus of \$3.5m for the year. These results include capital grants and contributions of \$2.3m and a net operating result before capital grants and contributions of \$1.2m compared with \$2.3m in 2006/2007.

Revenues decreased by \$0.4m in 2007/08. A comparison between 2006, 2007 and 2008 is listed below:

	2008	2007	2006
• Rates and Annual Charges	\$5.3m	\$5.0m	\$4.3m
• User Charges and Fees	\$2.1m	\$2.9m	\$2.9m
• Interest on Investments	\$0.9m	\$0.5m	\$0.3m
• Other Revenue	\$0.5m	\$1.2m	\$0.2
• Grants & Contributions	\$7.3m	\$6.5m	\$7.9
• Profit from Disposal of Assets	\$0.2m	\$0.6m	\$0.1m
Total Revenue	\$16.3m	\$16.7m	\$15.7m

Expenses decreased by \$0.2m in 2007/2008. A comparison between 2006, 2007 and 2008 is listed below:

	2008	2007	2006
• Employee Costs	\$4.9m	\$5.0m	5.0m
• Materials and Contracts	\$3.4m	\$3.6m	2.5m
• Borrowing Costs	\$0.3m	\$0.4m	\$0.4m
• Depreciation & Amortisation	\$3.1m	\$3.0m	\$3.0m
• Other Expenses	\$1.1m	\$1.0m	\$1.1m
Total Expenditure	\$12.8	\$13m	\$12m

The income statement details a comparison to the original budget as adopted by Council. It is important to note that whilst the adopted Council budget is prepared on balanced budget scenario, the Income Statement is not intended to represent a funding statement. The statement excludes Capital expenditure and includes non-cash items such as depreciation and does not differentiate between income received for restricted and non restricted purposes e.g. specific purpose grants and contributions.

Balance Sheet

The balance sheet details a summary of Council's total assets, liabilities and total equity as at 30 June 2008.

The net assets of Council (total assets less total liabilities) have increased by \$13m during the 2007/2008 reflecting the net operating result for the year as shown on the balance sheet. This amount included an upward movement in Land, Buildings, Land Improvements, Other Structures, Plant and Equipment, Furniture and Fittings and Office Equipment through a revaluation of these classes of assets. This resulted in an increase of \$9.5m as the net revaluation amount.

Total current assets have increased by \$4.4m primarily in the areas of cash and investments (\$4.0m), receivables (\$0.3) with a (\$0.1) increase in Inventories.

Infrastructure, property, plant and equipment increased by \$10.0m reflecting net asset purchase/construction and disposals (\$1.6m) less depreciation (\$3.1m) and the revaluation. Council's total infrastructure assets are written down to 84.12% of their fair value.

Current liabilities consist mainly of payables, borrowings and employee leave entitlements. The overall current liabilities have increased by \$2.5m primarily due to an increase in the amount of creditors at balance date and an increase in current loan repayments. This is not considered to be an area of concern as Council maintains a practice of paying invoices on a weekly basis after approval processes.

Non current liabilities decreased slightly by \$1.0m reflecting a decrease in loan borrowings.

Available Cash at Bank (Excluding Investments)

The available working capital of Council has increased from \$1.4 at 30 June 2007 to \$4.1m at 30 June 2008 due to timing of revenue received. It is considered that approximately \$1.5m is adequate to manage day to day operating requirements and provides Council with a capacity to respond to unforeseen events and opportunities.

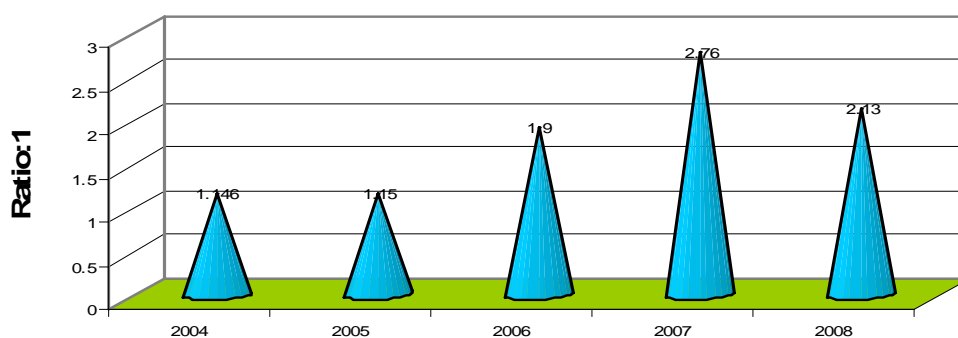
Financial Indicators

There are a number of key ratios included in the financial reports that provide an indication of liquidity and financial capacity of Council. These are presented below and graphically illustrate the movement over the last five years.

Unrestricted Current Ratio

This ratio provides an assessment of the adequacy of working capital and the ability to satisfy obligations in the short term for the unrestricted activities of Council. The ratio measures current assets (less restricted assets) divided by current liabilities (less specific purpose liabilities).

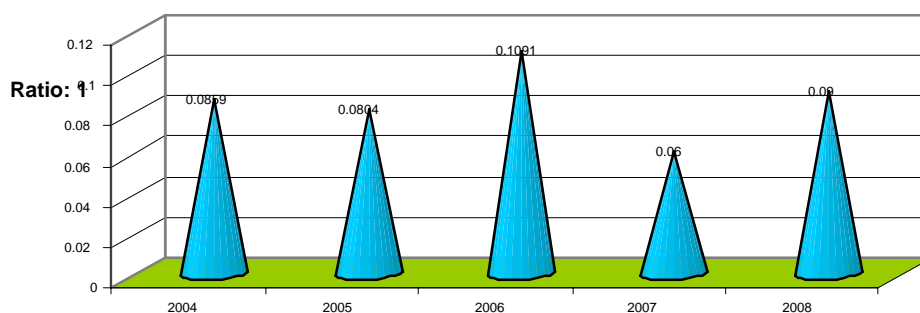
Unrestricted Current Ratio



Debt Service Ratio

The Debt Service Ratio expresses the impact of loan principal and interest repayments on the discretionary revenue of Council. The ratio is calculated by dividing the debt servicing costs by the revenue exclusive of specific purpose grants and contributions.

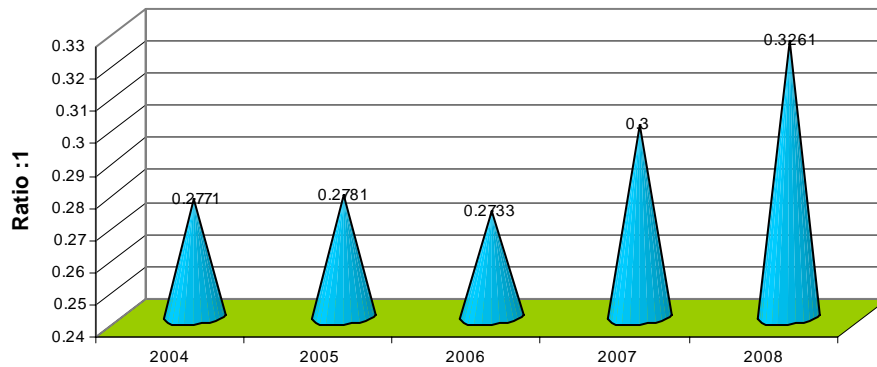
Debt Service Ratio



Rates and Annual Charges Coverage Ratio

This ratio assesses the degree of dependence upon revenues from rates and annual charges. The ratio is calculated by dividing revenue from rates and annual charges by total revenue from continuing operations shown in the income statement.

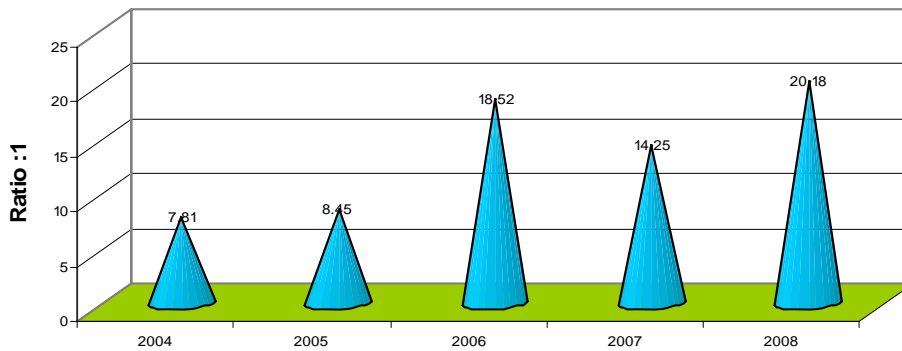
Rates & Annual charges Coverage Ratio



Rates and Annual Charges Outstanding Ratio

This ratio assesses the adequacy of recovery efforts. The increase in this ratio results from a significant rate debtor that is currently in dispute.

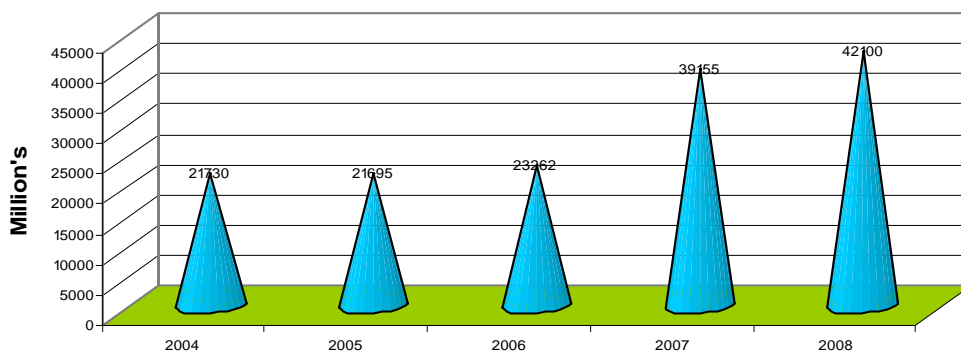
Rates & Annual Charges Outstanding Percentage



Condition of Infrastructure – Estimated Cost to Bring Infrastructure to a Satisfactory Standard

Council is required to report each year on the condition of its public infrastructure and the estimated cost to bring it to a satisfactory standard. The estimates as at June 30 2007 are detailed in the following chart.

Estimated Cost to bring Infrastructure to Satisfactory Standard



Condition of infrastructure – Estimated funding shortfall in funding for maintenance of infrastructure.

The main areas of concern are in the Public Roads Network (\$26m) and Sewer Infrastructure (\$13m). Other shortfall areas are Public Buildings (\$1.6m), Water Infrastructure (\$0.7m) and Drainage Works (\$0.8m).

Reserves

The following table represents all transfers in and out of Council's reserves.

Reserve Transfer Schedule 2006/2007

Reserve	Opening Balance	Transfer to Reserve	Transfer from Reserve	Closing Balance
	\$'000	\$'000	\$'000	\$'000
Developer Contributions	599	84	90	593
Plant Replacement Reserve	348	527	196	679
Future Development Reserve	298	212		510
Asset Revaluation Reserve	89,532	9,489		99,021

Auditors Presentation to Council

The auditor will attend and present his reports on the statements to the November Council Meeting.

Policy and Management Plan Implications

Operating Revenue and Expenditure is measured against the original Budget in the 2007/2008 Management Plan.

Conclusion

It is a requirement under the Local Government Act that the Financial Statements be approved by Council prior to the auditor preparing the audit reports. This report details a summary of the Financial Reports and provides some analysis and explanation of the financial results as at 30 June 2008.

Council remains in good financial position as at 30 June 2008 as evidenced by the liquidity indicators detailed in this report. Despite these positive indicators, the challenges facing Council with major Infrastructure requirements as detailed in our 10 year Capital Works Plan and Council's Water and Sewer Business Plans remain valid. The gap between the annual maintenance allocation and the requirements to maintain infrastructure at a satisfactory level is quite significant.

Please note that the Auditors cannot finalise their Management Letter until the financial reports are signed and if there are any significant changes in the finalisation process, the changes will be highlighted at the November Council Meeting.

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

CARRIED

12.3 PRINCIPAL ACTIVITY: PUBLIC ORDER AND SAFETY

Nil

12.4 PRINCIPAL ACTIVITY: HEALTH SERVICES

12.4.1 Wentworth Shire Council Community Partnership with the Cancer Council

Responsible Officer:	Director Corporate & Community Services
Author:	Director Corporate & Community Services
Implications:	Social Plan, Management Plan
File & References:	C7/10
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That the Wentworth Shire Council acknowledges the high level of physical and emotional suffering, premature death and financial burden caused by cancer in this community and by becoming a Cancer Council Community Partner, we undertake to help lower the impact of this insidious disease in our community by –

- Learning about and adopting new policies that will help reduce the incidence of cancer in our area.
- Supporting Cancer Council advocacy campaigns that will benefit the people of our community.
- Using our communication channels, venues and networks to help deliver Cancer Council information and education.
- Allowing free use of Council venues and other resources for support group meetings, education programs and other activities that benefit cancer patients and their families in our area.
- Supporting Cancer Council efforts in our area to raise money for cancer research, prevention and support.

Further, the Wentworth Shire Council nominates the Community Development Officer and the Library Manager as the dedicated Relationship Managers for this community partnership.

Purpose

To seek Council approval to enter into a community partnership with the Cancer Council NSW for the purpose of helping and benefitting families that have been impacted by cancer within our Council area.

Summary

The Cancer Council NSW has approached Council to enter into a community partnership: a formal relationship between The Cancer Council NSW and the Wentworth Shire Council. This involves Council affirming its commitment to reduce the impact of cancer in the local community by –

- Learning about and adopting new policies that will lead to a reduction in the incidence of cancer;
- Supporting Cancer Council advocacy campaigns that benefit the residents of Wentworth Shire Council.;
- Using Council communication channels, venues, staff and networks to disseminate Cancer Council health promotion and patient support materials;

- Helping the Cancer Council to support patients and their families in our community by allowing use of Council venues for support group meetings and education programs; and
- Supporting Cancer Council efforts to raise money in the local area.

Report

Cancer directly affects one in three people in the community – and everyone else will see and feel the impact in physical and emotional suffering, premature death and financial burden. Australians have identified it as their number one health concern (Roy Morgan poll).

While Local Government does not have control over spending in hospitals or Medicare, there are many ways to help reduce the impact of cancer on our community, and Councils are well placed to provide a real boost to the wellbeing of residents.

The Cancer Council NSW has been working with Local Government across NSW on an informal basis for a long time through a range of activities, including Relay For Life, Smoke-free playgrounds, advice on sun-safety for workers, and the provision of free cancer information through local libraries.

When Council becomes a Community Partner, The Cancer Council NSW will provide materials, draft policies, and a suggested range of activities free of charge. Each year, new programs will be developed to help educate and support councils, their residents and their staff. In the coming year these will include the provision of cancer information and support centres in local libraries; advice on shade provision in childcare centres and skin cancer prevention materials for older residents.

The Cancer Council NSW will also provide free health-related copy for use in Council columns in newspapers and in Council newsletters.

Council is required to nominate two senior staff as Relationship Managers with the Cancer Council. These people will receive all correspondence from The Cancer Council NSW regarding the Partnership, and will facilitate future contact with appropriate Council staff as needed.

The Cancer Council NSW will provide information updates on a quarterly basis to Council's Relationship Managers. Council will then be able to decide which programs to participate in.

Conclusion

The Wentworth Shire staff already supports some Cancer Council NSW events such as Australia's Biggest Morning Tea, Daffodil Day and other fundraising activities.

Becoming a Community Partner with the Cancer Council NSW will provide significant benefits for our residents ranging from campaigns and cross promotions in conjunction with Seniors Week, Youth Week, Health Activities and Volunteers Day, provision of stands and cancer information for our libraries, fundraising events, sun protection activities in childhood programs, seminars and learning sessions and allow Council to purchase wholesale products for sun protection for outdoor Council workers.

After Council has approved the proposal to become a Community Partner, the Cancer Council NSW will attend either a Council Meeting, a public forum or a Cancer Council event to perform a Partnership Ceremony with Council.

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

CARRIED

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 September 2008.

Summary

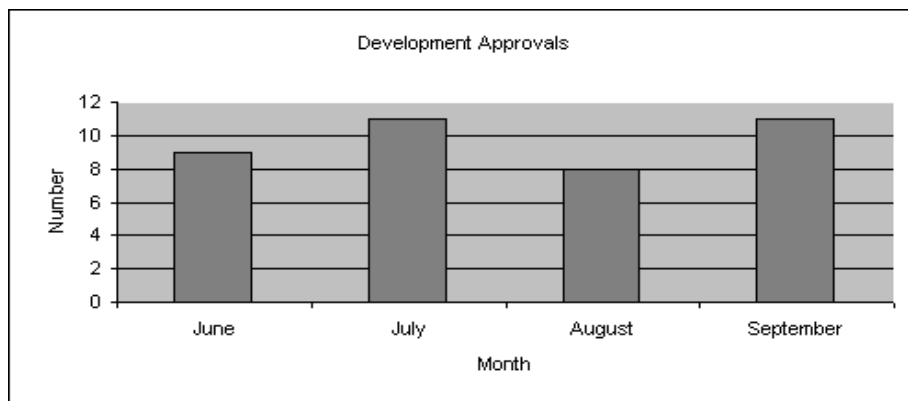
For the month of September there were eleven Development Applications approved under delegated authority by the Director - Development & Environment. The estimated cost of the approved development is \$893,846.00.

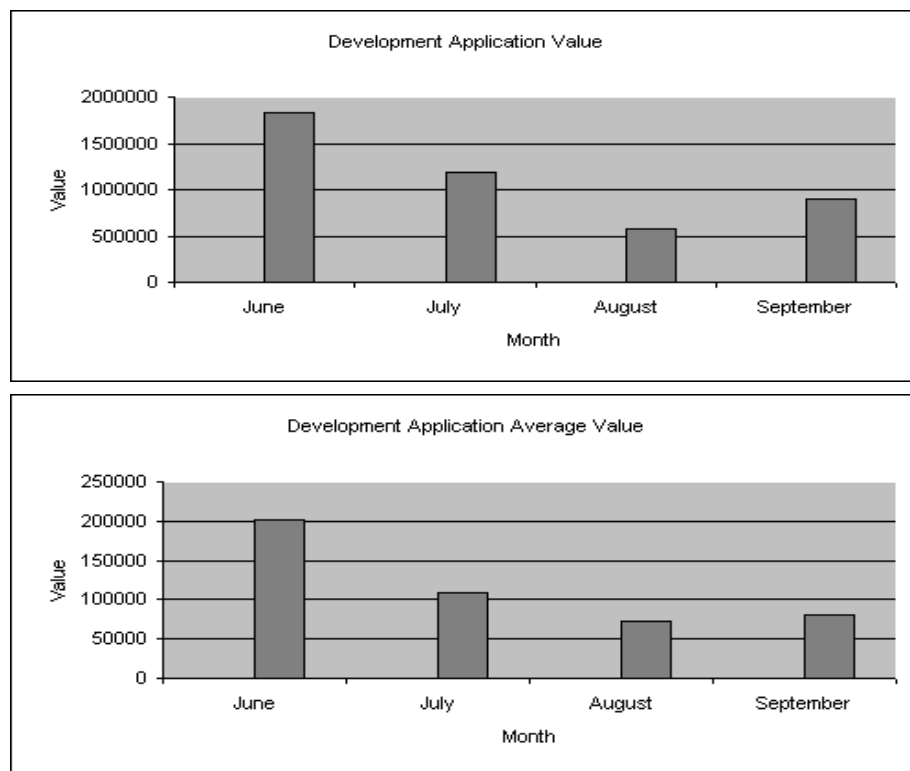
Report

DA No	OWNER / APPLICANT	LOCATION	DEVELOPMENT TYPE & VALUE	NO. DAYS	DATE APPROVED
08/102	KA & M Rix A Melrose	Darling River adjacent to lot 52 DP818929 Wentworth Street Wentworth	Mooring Site	40	Approved STC 08/09/2008
08/115	GG Pohlner Brent Williams & Associates	Lot 2 DP826428 Boeill Creek	Storage Shed (\$10,000)	28	Approved STC 09/09/2008
08/105	Wentworth Shire Council	Thegoa Lagoon Reserve	Remove existing regulator and replace with new and	70	Approved STC 9/9/2008

			remodel existing channel inlet (\$400,000)		
08/110	RWG & EM Jolly	Darling River Adjacent to Lot 54 Wentworth Street Wentworth	Construction of Jetty & Mooring Site	40	Approved STC 15/09/2008
08/119	Cookes Pools and Spas (CE & AM Lush)	Lot 45 DP 1025499 The Cobb & Co. Way Gol Gol	Swimming Pool (\$52479.00)	5	Approved STC 19/9/08
08/112	MJT Vanek Brent Williams & Associates	Lot 64 DP 1098922 (92) Pitman Avenue Buronga	Storage Shed (\$21,467)	23	Approved STC 22/9/2008
08/126	BJ & CL Power GJ Gardner Homes	Lot 3 DP1060701 (9) Wilga Road Gol Gol	Dwelling (\$385,000)	10	Approved STC 22/9/2008
08/106	Buronga Caravan Park GP & GL Trood	Lot 1 DP 1032974 Sturt Highway Buronga	Clearing of Willow Trees	6	Approved STC 22/09/2008
08/057	G & G Fasolino 99 Adams Street Wentworth	Lot 38 DP 9444 Hume Road Pomona	Two Lot subdivision	105	Approved STC 22/9/08
08/116	Caltex Australia Petroleum Pty Ltd	Lot 12 DP 759074 Adams Street Wentworth	Demolition and removal of Above Ground Infrastructure and Underground Fuel Tanks	38	Approved STC 23/9/2008
08/125	RJ Kuhn	Lot 1 DP 364109 Reserve Road Coomealla	Remove existing shed and replace with a demountable storage/studio (\$24,900)	14	Approved STC 29/09/2008

Month	DA's Approved	Value	Average
June	9	\$1,822,600	\$202,511
July	11	\$1,193,100	\$108,464
August	8	\$583,765	\$72,971
September	11	\$893,846	\$81,259
Total	39	\$4,493,311	\$465,205





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

CARRIED

12.6.2 Home and Community Care Program

Responsible Officer: Director Corporate & Community Services
 Author: Director Corporate & Community Services
 Implications: Social Plan, Management Plan
 File & References: C7/10
 Attachments: Nil
 Separately Circ.: Nil
 Tabled: Nil

Recommendation

That Council note and receive the report on the services provided through the Home and Community Care Program to the Wentworth Shire region.

Purpose

The purpose of this report is to inform Council of services available to the frail, aged or disabled residents within the Shire.

Summary

The Home and Community Care (HACC) Program provides community care services to frail aged and younger people with disabilities, and their carers.

The HACC Program provides services such as domestic assistance, personal care as well as professional allied health care and nursing services, in order to support older Australians, younger people with a disability and their carers to be more independent at home and in the community and to reduce the potential or inappropriate need for admission to residential care.

In New South Wales, the Home Care Service of NSW is the major provider where nearly 50% of total hours delivered in this program are for domestic assistance.

The two providers of these services are the Home Care Service of NSW in Dareton and the Wentworth District Home and Community Care Services based at the Wentworth District Hospital.

Report

Some of the services funded through the HACC Program include:

- nursing care;
- allied health care;
- meals and other food services;
- domestic assistance;
- personal care;
- home modification and maintenance;
- transport;
- respite care;
- counselling, support, information and advocacy;
- assessment.

The HACC Program delivers high quality, affordable and accessible services in the community that are essential to the well being of eligible older Australians, younger people with a disability, and their carers.

The Program aims to support these people to be more independent at home and in the community, and reduce the potential or inappropriate need for admission to a residential care facility.

The Program is a key element of the Australian Government's aged-care policy and its vision for a world-class community care system.

The Australian Government provides approximately 60 per cent of funding for the program and maintains a broad strategic policy role.

The State and Territory Governments provide the remaining percentage of funding, and are the primary point of contact for HACC service providers and consumers.

The state and territory governments are also responsible for program management, including the approval and funding of individual HACC services in their jurisdictions.

In 2008 – 2009, \$1.788 billion will be provided for the HACC Program nationally, an increase of over 8 per cent compared to funding in 2007 – 2008.

Of this, the Australian Government will provide \$1.090 billion, and the remaining \$698 million will be contributed by state and territory governments.

Currently, approximately 3,500 organisations are funded through HACC, which provide services to around 800,000 people each year.

HACC funded organisations include –

State Government services (such as Homecare of NSW);

- local government services, church organisations (e.g. St Vincent de Paul);
- community organisations (e.g. community aid centres);
- charitable bodies (e.g. St John Ambulance).

The program is designed to support people whose capacity for independent living is at risk, or who are at risk of premature or inappropriate admission to long-term residential care. Eligibility does not depend on age or income. However, not all those eligible are able to receive an immediate service. HACC providers use priority of access guidelines to manage demand for services.

The HACC program in Victoria

The program is jointly funded by the Australian and Victorian governments in a 60/40 ratio. The budget for 2006-07 is about \$440 million from both governments, including an additional \$55.7 million from the Victorian Government. Local governments also make substantial contributions to total resources. Clients generally pay fees for HACC services.

The main types of service are listed below. Domestic assistance (home help or housekeeping)

- Personal care
- Nursing (community nursing, home nursing)
- Allied health services (physiotherapy, podiatry, dietetics, etc)
- Food services (meals on wheels and centre-based meals)
- Planned activity groups
- Property maintenance
- Respite services
- Linkages packages
- Friendly Visiting/Telelink/Respite/Transport Services provided by volunteers (Volunteer Coordination)

There are about 470 such agencies in Victoria. (The Department of Human Services does not directly provide HACC services or assess people for eligibility).

Direct enquiries about obtaining a HACC service can be made to these agencies:

- Local Councils are major providers of HACC services throughout Victoria, and can arrange referrals to other providers if necessary.
- Community health centres provide physiotherapy, podiatry and other allied health services.
- Victoria, the local hospital or community health centre is generally a provider of HACC home nursing.
- Ethnic organisations and Koori organisations directly provide some HACC services and can generally offer advice and referrals to others.
- Aged Care Assessment Services (ACAS) provide comprehensive assessments for frail older people in order to help them access services that

are appropriate to their care needs. ACAS will arrange referrals to HACC providers, if this is appropriate, following assessment.

In NSW the Department of Ageing, Disability and Home Care administers HACC Program

The Home Care Service of NSW is a major provider of the Home and Community Care (HACC) Program in NSW. The aim of the HACC Program is to assist frail older people, younger people with a disability and their carers with basic tasks of daily living to enable them to live at home.

Under the HACC Program, Home Care provides the three main service types of domestic assistance, personal care and respite. Nearly 50 per cent of total hours delivered are domestic assistance. Some local branches, particularly in rural areas, also deliver other HACC services such as food services and transport.

Home Care focuses on providing basic levels of service (less than 10 hours per four week period) to enable the maximum number of people to be assisted to remain in their own home. Higher levels of service are provided on a more limited basis. The High Need Pool is a HACC-funded program that provides for clients assessed as needing 60 hours or more of in-home personal assistance per four week period.

Access and intake for the majority of Home Care's HACC-funded services is through the Referral and Assessment Centre (RAC). Access for the Aboriginal Home Care Service is carried out by assessors located in the local Aboriginal Home Care Branch.

Home Care has defined three service level bands based on hours of service per four week period. Access to the service is determined by an assessment of the client's eligibility and need and the local branch's capacity within the relevant service band. These three service bands are in addition to the High Need Pool which is managed under separate eligibility and access guidelines. The bands do not apply to Aboriginal Home Care.

Existing HACC Services in the Wentworth Shire Council region are:

Home Care Service of NSW

5027 4011

58 Sturt Place

DARETON NSW 2717

Provides services assisting and supporting the frail, aged or disabled to live independently in their own homes, including home modification and Community Aged Care Packages.

Hours: Monday and Friday 9am to 4pm

Wednesday and Thursday 9am to 1pm

**Wentworth District Home and
Community Care Services (HACC)**

5027 7125 or 5027 2345

Wentworth District Hospital

Silver City Highway

WENTWORTH NSW 2648

Providing home-based respite care, community transport, home

modifications and maintenance to assist people with a disability, who are frail and/or aged, and their carers, to remain safely in their own homes.

Hours: Monday – Friday 9am to 5pm

Conclusion

The Home and Community Care Program in NSW is provided and managed by Home Care Services of NSW in Dareton and Wentworth District Home and Community Care Services based at the Wentworth District Hospital.

If Council considers taking over some of the services provided by HACC without appropriate funding, it would be another cost shifting exercise from the Federal and State Governments and other services may suffer as a consequence if additional resources are not approved.

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

CARRIED

12.7 PRINCIPAL ACTIVITY: RECREATION AND CULTURE

Councillor Whitfield declared a conflict of interest in item 12.7.1 and left the chambers at 9.36am.

12.7.1 “In Principle” Agreement with Country Energy for Power Line Vegetation Management

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Management Plan
File Reference:	
Attachments:	Executive Summary
Separately Circ.:	Proposed Agreement
Tabled:	Nil

Recommendation

That Council adopts the “In Principle” Agreement with Country Energy for Power Line Vegetation Management.

Purpose

To promote the proposed agreement.

Summary

Country Energy has proposed a new arrangement for the management of trees under power lines. If the Council implements an effective program for the management of these trees the Council will no longer have to pay costs associated with trimming the trees to maintain the required clearances.

Report

Under the current operating agreement Country Energy or its nominated subcontractors undertake the trimming of Council trees to maintain specified clearances from the electrical and supply networks. Costs associated with these works are then forwarded to the Council for payment. These costs can exceed \$25,000 per annum.

Country Energy has proposed that the Council establish a long-term strategy for the identification, removal and replacement of unsuitable vegetation species that have or are likely to have the potential to threaten the reliability and safety of the distribution and supply networks. In return for the effective implementation of the program and in conjunction with the proposed "In Principle" Agreement the Council will no longer be required to pay costs associated with the trimming of Council's trees to maintain the necessary clearances from power lines.

There is already provision in the budgets for an annual expenditure of \$25,000 for the removal and replacement of trees under power lines hence entering into the proposed Agreement will not result in any additional costs being incurred.

Policy and Management Plan Implications

If the proposed Agreement is implemented there will be positive impact on the Management Plan as costs of trimming trees will no longer have to be met by the Council. The cost of any work needing to be done by the Council under the "In Principle" Agreement is already covered by existing budgets.

Conclusion

The proposed Agreement between Country Energy and the Council will potentially result in a win/win outcome.

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

CARRIED

Councillor Whitfield returned to the Council Chambers at 9.43am

12.7.2 Licence Buronga Wetland

Responsible Officer:	Director Infrastructure and Assets
Author:	Reserves and Acquisitions Officer
Implications:	Governance
File Reference:	E6/21-4
Attachments:	Survey diagram
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

- (a) That Council resolves to enter into a licence agreement to occupy Reserve 71778 as an interim measure until the area can be formally acquired.
- (b) That Council resolves to affix the Council Seal to the licence agreement.

Purpose

The purpose of this report is to provide sufficient background information to enable a considered decision to be made regarding the proposed licence.

Report

In 2007 Council received advice from Department of Lands (Lands) which stated that Reserve 71778 Buronga Wetland was being used for purposes inconsistent with the use for which it was gazetted being "Future Public Requirements".

In 1992 the Department gave consent to the installation of water main and pipelines and the acquisition of the pump site and easements for the pipelines. Reference was made to additional improvements for which Council has not sought owner's consent, including toilets, pedestrian bridge, playground equipment, park bench seating, walking paths and irrigated lawn.

The Department noted that whilst Council had developed the reserve without authorisation, the use of the reserve is in the public interest. Lands have granted approval for additional uses being "public recreation" and "urban services" and appropriate gazettal has occurred.

The Department, however, did state that the additional use of urban services authorises the wetland area, but does not validate the pumpsite and pipelines. Action to acquire the pump site and associated easements as shown by yellow highlight on the attached survey diagram is to be undertaken as a priority."

Policy and Management Plan Implications

The annual licence fee is \$165 which can be accommodated in the current Infrastructure and Assets budget.

Conclusion

The cost to legitimise the current occupation is the best value outcome that can be achieved at this time.

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

CARRIED

12.8 PRINCIPAL ACTIVITY: BUILDING CONTROL

12.8.1 Proposed Two (2) Lot Rural Subdivision

Responsible Officer:	Director - Development & Environment
Author:	Director - Development & Environment
Implications:	Policy, Statutory
File & References:	DA08/093
Attachments:	Schedule 1
Separately Circ.:	Application, plans, supporting documentation, Q&A Information Sheet - SEPP (Rural Lands) 2008
Tabled:	Nil

Recommendation

That Council approves Development Application No. 08/093 for a two (2) lot subdivision on Lot 405 in Deposited Plan Number 756961 Pitman Ave Buronga subject to conditions as attached.

Purpose

The purpose of this report is to identify to Council the assessment process now involved to interpret compliance with the farm adjustment provisions repealed from the Wentworth Local Environmental Plan. That is how the proposal complies with the new and existing Environmental Planning Instruments (EPI's), i.e. Rural Lands SEPP 2008 and the relevant clauses and objectives of the Local Environmental Plan 1993.

Summary

An application to subdivide an area of 6500 square metres from an existing lot of 3.17 hectares was received on the 16 June 2008. The application was lodged by Freeman and Freeman on behalf of the owners, M & L Saunders. The accompanying documentation states that the owners wish to retain their house and garden and sell the balance of the property, so that it can remain being used for agricultural purposes. It is currently used for market gardening. Another horticulturist has expressed an interest in purchasing the land and adding to his holding. On the face of it, this application had the opportunity to be approved under the repealed provisions of the Local Environmental Plan. The application must now be assessed considering the provisions of the new SEPP (Rural Lands) 2008 in conjunction with the Wentworth Local Environmental Plan 1993.

Report

This application is the first one received by Council since the farm adjustment clause was repealed by the introduction of State Environmental Planning Policy (SEPP) Rural Lands 2008. The relevant sections of the SEPP are copied with comments in *italics*.

The aims of the SEPP are:

- (a) To facilitate the orderly and economic use and development of rural lands for rural and related purposes.

Comment: The proposal sets out to subdivide the land into two lots, one for the excision of the existing dwelling (6500 square metres) and the balance continues to be utilised for market gardening.

- (b) To identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State.

Comment: Note. These will be considered later in this report.

- (c) To implement measures designed to reduce land use conflicts

Comment: The subdivision of the land does not change the use of the land. The dwelling is in existence and the balance of the land is currently used for market garden.

- (d) To identify State significant agricultural land for the purpose of ensuring the on going viability of agriculture on that land, having regard to social, economic and environmental considerations,

Comment: Noted. Not relevant to this application.

- (e) To amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

Comment: Wentworth Local Environmental Plan 1993 was amended by the repealing of Clause 13 (6A), being the farm adjustment clause.

8. Rural Subdivision Principles as identified in the SEPP:

- (a) the minimisation of rural land fragmentation,

Comment: The proposal creates another small allotment within the general rural zone. While this may be considered as fragmentation, the subdivision pattern is similar to adjoining land.

- (b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses

Comment: The subdivision of the land does not change the use of the land. The dwelling is in existence and the balance of the land is currently used for market garden.

- (c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands

Comment: The proposal is consistent with the pattern of allotments surrounding the land. The area was considered as part of the Draft Rural Residential. It fails due to the constraint of flooding.

- (d) the consideration of the natural and physical constraints and opportunities of land,

Comment: The land is bounded by the Murray River and Pitman Avenue. The adjoining land has a similar subdivision pattern as this proposal.

- (e) ensuring that planning for dwelling opportunities takes account of those constraints.

Comment: Noted. Not relevant to this application.

9. Rural Subdivision for agricultural purposes:

- (1) The objectives of this clause are to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for development in the relevant zone.

Comment: This proposal takes advantage of the flexibility of being able to subdivide land below the minimum lot size in the Local Environmental Plan.

- (2) Lands in a rural zone may, with consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size otherwise permitted for that land.

Comment: The proposal intends to utilise the flexibility of this provision.

- (3) However, such a lot cannot be created if an existing dwelling would, as a result of the subdivision, be situated on the lot.

Comment: The balance of the land being for primary production is vacant.

(4) A dwelling cannot be erected on such a lot.
Comment: This would be a condition of consent.

(5) *State Environmental Planning Policy No 1 – Development Standards* does not apply to a development standard under this clause.
Comment: Noted.

Clause 10 of the SEPP deals with matters to be considered in determining development applications for rural subdivisions or rural dwellings, they are:

(1) This clause applies to land in a rural zone, a rural residential zone or an environment protection zone.

Comment: Applies to this application.

(2) A consent authority must take into account the matters specified in subclause (3) when considering whether to grant consent to development on land to which this clause applies for any of the following purposes:

(a) subdivision of land proposed to be used for the purposes of a dwelling

Comment: Applies to this application.

(b) erection of a dwelling

Comment: Not applicable

(3) The following matters are to be taken into account:

(a) the existing uses and approved uses of land in the vicinity of the development,

Comment: This proposed subdivision pattern is consistent with adjoining land.

(b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,

Comment: The proposed subdivision does not change the land use of the land

(c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b)

Comment: As stated above the proposal is compatible with surrounding land use.

(d) if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone.

Comment: As stated above the proposal is compatible with surrounding land use.

(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).

Comment: Not applicable. See above comments.

The Q & A Information Sheet distributed by the Department of Planning has also been used to assist in the assessment of the application in light of the new SEPP. In particular the following questions are relevant to this application.

Q. If I want to subdivide my land to sell a lot to my neighbour for agricultural can I still retain my house?

A. Yes, provided the lot subdivided for primary production does not have a house erected upon it (clause 9).

Comment: This is the proposal of the applicant. Clause 9 has been considered above.

Q. Can minimum lot sizes standards in an LEP be varied?

A. Yes, Under the provisions of State Environmental Planning Policy –Development Standards a development standard such as minimum lot size can be varied with the concurrence of the Director general of Planning. The Rural Lands SEPP enables the Minister to establish an independent Rural Lands Planning Panel to provide advice to the Director-General of the Department of Planning Panel to provide advice to the Director-General of the Department of Planning on applications which seek to vary a development standard (clauses 14-22). The report from the Central West Panel strongly recommended this approach to ensure applications of exceptional merit could be considered by an expert panel and such advice could be given to the Director General prior to determining the matter. At the time of gazettal of the SEPP no Panels have been established.

Comment: While this is noted and is relevant to other standards of development the utilization of this way forward contravenes Clause 9 (5) of the SEPP (Rural Lands)

Q. What does the Rural SEPP say about subdividing rural land for agriculture (with no dwelling provisions?)

A. There is a special provision in the Rural Lands SEPP to allow farmers to subdivide land below the minimum lot size in the LEP to sell it to another farmer for agricultural purposes. This will enable flexibility in primary production and allow farm adjustment to respond to changing trends in agriculture. The lot proposed to be subdivided for primary production can not be created if a dwelling is built on it. A dwelling can not be built on a vacant lot created under this provision of the SEPP (clause 9)

Comment: This is the proposal of the applicant.

The following are the objectives and relevant clauses of the Wentworth Local Environmental Plan (WLEP) 1993.

Objectives of zone

The objectives of this zone is to promote the proper management and utilization of resources by:

- (a) protecting enhancing and conserving:
 - (i) agricultural land in a manner which sustains its efficient and effective agricultural production potential,
 - (ii) soil stability by controlling and locating development in accordance with soil capability,
 - (iii) forests of existing and potential commercial value for timber production,
 - (iv) valuable deposits of minerals, coal, petroleum and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits,
 - (v) trees and other vegetation on environmentally sensitive land where the conservation of the vegetation is significant to scenic amenity or natural wildlife habitat or is likely to control land degradation,
 - (vi) water resources for use in the public interest, and

- (vii) localities of significance for nature conservation, including areas with rare plants, wetlands and significant wildlife habitat,
- (b) preventing the unjustified development of prime crop and pasture land for purposes other than agriculture,
- (c) facilitating farm adjustment, and
- (d) minimizing the cost to the community of:
 - (i) the fragmented and isolated development of rural land, and
 - (ii) providing, extending and maintaining public amenities and services.

Clause 13(3) of the Wentworth LEP states that:

The Council must not consent to the subdivision of land within Zone No 1 (a) if there is a dwelling house erected on the land unless the proposed lot on which the dwelling-house will stand after the subdivision:

- (a) will have an area of at least 10,000 hectares, if the lot consists of pastoral land, or
- (b) will have an area of at least 10 hectares, if the lot consists of horticultural land.

Comment: While the proposal does not comply with this standard it is clear that it fits within the flexibility of the new SEPP (Rural Lands) 2008.

Context and Setting

The subject land is 3.174 hectares. The property is bounded by Pitman Ave on the eastern and southern boundaries, the Murray River on the western boundary, the northern boundary is adjacent private property. The house, shed and garden will be contained within proposed Lot 1 with the balance of the land currently used for growing vegetables.

Floodplain

The subject land is located in a part floodway part high hazard area in accordance with the Kinhill 1995 report.

The application has been referred to the flood engineers and they have attached several conditions pertaining to flooding, servicing and matters requiring compliance to Council Policy regarding development on a floodplain.

Referrals

Internally the application has been referred to Health and Building and Assets and Infrastructure, externally to Country Energy. At the time of writing this report a response from Country Energy had not been received. Both Health and Building and Infrastructure and Assets have requested conditions to be imposed on any approval.

Policy and Management Plan Implications

Assessed pursuant to Section 79C (1) of the Environmental Planning and Assessment Act 1979 and the provisions of any Environmental Planning Instrument, Wentworth Shire Council Local Environmental Plan 1993, State Environmental Planning Policy Rural Lands 2008.

Conclusion

With the repeal of the farm adjustment clause, the minimum lot size in a horticultural area is determined to be 10 hectares. The proposal fails to meet some standards of Wentworth Local Environmental Plan, the West Road area in Buronga consists of smaller allotments (less than 10 hectares) and as such the creation of a house allotment and an allotment of 2.524ha is considered to be in keeping with the character of the area. The assessment of the proposal against the provisions of SEPP (Rural Lands) 2008 indicates compliance with that Environmental Planning Instrument and hence approval is recommended.

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

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the motion: Councillors

1. Wheeldon
2. King
3. Thompson
4. Nichols
5. Whitfield
6. Wakefield
7. Hederics
8. McKinnon
9. Thomson

Against the motion: Councillors Nil

Note: The General Manager was asked whether a mover and seconder were required when calling for a division and he advised that he will provide more details on this issue in general. He also advised that he will be reviewing the Wollongong Council report and indicated that a report will be forthcoming for the information of Councillors.

12.9 PRINCIPAL ACTIVITY: ROADS AND BRIDGES**12.9.1 Local Traffic Committee Meeting Minutes**

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

Recommendation

That Council receives and notes the report.

Purpose

To report on the Local Traffic Committee Meeting of 21 August 2008

Summary

Local Traffic Committee Meeting, discussions regarding completed and ongoing works in progress and outcomes.

Report

The Minutes of the meeting are self explanatory.

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

CARRIED

12.9.2 Fuel Tender

Responsible Officer:	Director Infrastructure and Assets
Author:	Reserves and Acquisitions Officer
Implications:	Operations
File Reference:	PT13/3
Attachments:	Nil
Separately Circ.:	Evaluation matrix Griffith City Council
Tabled:	Nil

Recommendation

- (a) That Council accepts the tender submitted by Tasco Inland Fuels via the RAMROC Tender 17-07/08 for fuel supply for a period of two years, from the end of the current contract.
- (b) That the Council Seal be affixed to the contract document.

Purpose

To provide sufficient information for a considered decision to be made regarding this tender.

Report

March 2008 Wentworth Shire Council was invited to participate in a joint tender for supply of bulk automotive fuel by Murray ROC and RIVROC Councils who combined to become RAMROC. The coordination of the tender process was undertaken by Griffith City Council.

Wentworth Shire Council (WSC) did participate however as WSC has an existing contract due to expire 31 December 2008, Council indicated that the new arrangement could only start once that commitment had been met. The original tender was called for a term of two years 1 July 2008 to from 30 June 2010. At the time of tender call the period was reduced to 1 September to 30 June 2010.

Tenders were called and closed 3 July 2008. Two tender responses were received for Wentworth Shire Council. One tender was from the existing local supplier the other from an organisation who produces "Environment Friendly Fuel".

The evaluation summary is attached. The best value option for Wentworth Shire Council is to accept the tender from Tasco Inland Fuels for a period of two years. In order to align with other similar contracts it is suggested the term of the contract be from 1 January 2009 to 31 December 2010.

Policy and Management Plan Implications

The expenditure for this contract financial year 2007/2008 was \$585,000. This tender process meets the statutory requirements without expense to Council.

Conclusion

Tasco Inland Fuel has consistently provided excellent service to Wentworth Shire Council and has been the only organisation willing to transport fuel to worksites in remote areas on unsealed roads.

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

CARRIED

12.10 PRINCIPAL ACTIVITY: BUSINESS UNDERTAKINGS

12.10.1 Mildura Tourism Navigation Strategy and Tourism Signage Policy for Wentworth Shire Council

Responsible Officer:	Director Corporate & Community Services
Author:	Director Corporate & Community Services
Implications:	Management Plan, Tourism
File & References:	E1/12-7
Attachments:	Wentworth Shire Council Draft Tourism Signing Policy 2008
Separately Circ.:	Mildura Tourism Navigation Strategy
Tabled:	Nil

Recommendation

That Council adopts the Wentworth Tourism Signage Policy and notes the Mildura Tourism Navigation Strategy.

Purpose

The purpose of this report is for Council to adopt a Tourism Signage Policy for Wentworth and to note the final Mildura Tourism Navigation Strategy.

Summary

General road and tourism signage across both the Wentworth and Mildura local government areas has been an ongoing issue for industry and stakeholders. To address this, stakeholders were invited from across both councils, in addition to Tourism Victoria and VicRoads, to form a Navigation Committee for the region. Key issues identified by that committee included a lack of consistency in signage, outdated signage and unclear ownership of existing signs. It was determined by the committee that development of clearer navigation solutions would need to be broken down into manageable stages given the size and complexity of the project.

Mildura Tourism Board committed \$15,000 towards a Navigation strategy for the region last financial year. There have been numerous Navigation Committee meetings held since the start of the project in September 2007. A consultant who specialises in tourism signage was contracted to assist in development of this strategy. The consultant's project scope included consumer research, conducting an audit of existing signs, stakeholder facilitation (including industry forums and

meetings) and development of a navigation strategy. The consultant was also responsible for the development of a tailored tourism signing policy for each Council.

The overall Navigational signage project has been undertaken jointly between the following stakeholders: Mildura Tourism; Mildura Rural City Council; Wentworth Shire Council; Wentworth Regional Tourism; VicRoads; Tourism Victoria; both Visitor Centres and portfolio Councillors, Cr Sue Nichols for Wentworth Shire Council and Cr Mark Eckel for Mildura Rural City Council.

Funding for the project was provided by the following: Mildura Tourism \$15,000; Mildura Rural City Council \$6,250; Wentworth Shire Council \$1250; and Wentworth Regional Tourism \$1250.

The Mildura Tourism Navigation Strategy has been completed but members of the Navigation Committee will continue to meet on a monthly basis initially and then bi-monthly until the Strategy has been rolled out. It will be beneficial for Council to be represented at these meetings by appropriate Wentworth staff and Councillor representation.

Wentworth Shire Council administration has been supplied with a copy of the specific Wentworth Tourism Signage Policy and a final copy of the overall Mildura Tourism Navigation Strategy.

Report

- The project has met the following objectives which are evidenced in the strategy:
 - To compile and present key data to stakeholder groups that convey how the region's visitors are navigating the region to access attractions & services
 - To introduce to stakeholders the notion of a best practice, practical signing system and application/assessment protocols based on consumer behaviour
 - To examine and rationalise the network of tourist drive signing
 - To provide the local road authorities with a strategy that reflects the navigational needs of visitors and equity for tourism operators. This included recommended governance procedures for the cost-effective management of a signage system.
 - Underpinned by research and consultation, and in accordance with respective NSW and Victorian signing guidelines, preparation of individual tourism signing policies for use by each Council.
- This work will now be utilised to source funding to roll-out recommendations from the strategy. This will be undertaken and continued by the Navigation Committee that has been in place since the inception of the project.
- The Wentworth Shire Council policy will provide greater clarity and ease of processing signage requests by council officers. It is based on the State guidelines for tourism signage in NSW.
- Tourism operators will be educated through various forums and fact sheets on the new strategy and policies in place for both Wentworth and Mildura councils.

Conclusion

Stakeholders from NSW and Victoria were part of the Navigation Committee for the region with issues regarding inconsistent signage, outdated signage and unclear ownership of existing signs. All the issues were addressed in the Mildura Tourism Navigation Strategy to provide clearer navigation solutions for both the Mildura region and the Wentworth Shire.

The Wentworth Shire Tourism Signage Policy 2008 will provide clear guidelines for Wentworth staff as well as Tourism operators and allow for consistency within the Shire.

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

CARRIED

12.11 PRINCIPAL ACTIVITY: DOMESTIC WASTE MANAGEMENT

12.11.1 Transfer Station Opening Hours and Costs

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Depends on decision
File Reference:	W1/1-2
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

- (a) That Council agrees in principle to proposed new transfer station hours for Wentworth and Coomealla, subject to these hours being advertised and feedback from residents being generally supportive.
- (b) That Council notes any change to the fees payable at transfer stations will require a contract variation, for which the details and costs will be reported to a later meeting.

Purpose

To consider revisions to transfer station opening hours and the possibility of "free" access for ratepayers.

Summary

The Contractor, Transpacific Cleanaway has proposed changes to transfer station opening hours for Wentworth and Coomealla.

The original contract required 20 hours per week on set days for each transfer station but over time these have been varied so that the Wentworth site is open 22.5 hours per week and the Coomealla site 18 hours per week.

There is currently a charge at each transfer station, which is revenue for the contractor. Any change to allow for dumping without charge will therefore remove revenue from the contractor that will have to be covered by a variation to the contract.

Report

Transpacific Cleanaway have proposed changes to the hours for the Wentworth and Coomealla transfer stations. Hours for Pomona are not proposed to change.

At present the Wentworth facility is open 8.00am – 5.00pm on Wednesdays and Sundays and 12.30pm – 5.00pm on Fridays or 22.5 hours per week. The Coomealla facility is currently open 8.00am – 12.30pm Tuesdays and Thursdays and 8.00am – 5.00pm Saturdays or 18 hours per week.

The proposed changes allow for each site to be open daily except Saturdays with the Wentworth site open from 8.00am - 12 noon Sunday to Friday and Coomealla open 1.00pm – 5.00pm also Sunday to Friday. For both sites the changes mean each site would be open for 24 hours per week (rather than 22.5 and 18) and can be accommodated within existing costs. The major change is that both sites will be open 6 days per week but both will be closed on Saturdays.

Subject to Council approval, in principle, of the proposed changes to opening hours the changes will need to be publicly advertised to determine the level of support or opposition to the changes. Once feedback has been received the details will be reported back to Council for a final decision.

With regard to the suggestion that ratepayers be given “free” access to transfer stations some further work will need to be done before the details and a recommendation can be made to Council. The Contractor currently retains all revenue and if access becomes “free” a variation to the contract will have to be negotiated. In effect this will mean the monthly payment to the Contractor for managing the transfer stations will have to be increased by the level of lost revenue.

There are however, two factors that will also have to be considered. If access is “free” there may be increased usage by people from outside of Wentworth Shire who currently have to pay for refuse disposal elsewhere. A possibility is that only residents or ratepayers who can prove their entitlement would get “free” access. This will increase the administration function of the Contractor and also create an environment for possible disputes and/or arguments. There is also a strong suggestion that waste management should be considered as a “user pays” service in the same way as water and sewer.

Policy and Management Plan Implications

Management plan implications will be created if a contract variation results from any decision of Council. The impact may however, not be great.

Conclusion

Transpacific Cleanaway as Contractor for Council's transfer stations has suggested a change to opening hours for consideration by Council prior to be publicly advertised.

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

CARRIED

Councillor Wheeldon and Nichols requested that their votes be recorded against the motion.

Adjournment

At 10.15am moved Crs. King and Wakefield that Council adjourn the meeting in order for the Mayor to conduct a citizenship ceremony for Paul Swarbrick.

CARRIED

At 10.52am Council were addressed by Mr Rod Trowbridge CEO Milduratourism and also Ms Jan Ziino, Chairperson Wentworth Regional Tourism Inc.

Resumption

At 11.21am moved Crs. King and Wakefield that Council resumes the Council meeting, with all Councillors present.

CARRIED

12.11.2 Roadside Litter Problem

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Nil
File Reference:	
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

Recommendation

That Council notes this report and endorses the proposed actions.

Purpose

To advise of intentions and proposals for the collection of roadside litter.

Summary

The RTA requires litter to be picked up on the Sturt and Silver City Highways and pay a nominal rate per kilometre for this to be done. There is also a significant problem on some Shire roads on which it is intended to trial the use of interested volunteer groups.

Report

The Road Maintenance Council Contracts (previously SIMC) between the Council and the RTA includes an item for *Clean Detritus and Litter* from the Sturt and Silver City Highways. The annual funding equates to around \$180 per kilometer per year. Once labour, plant and travel costs are included the funding allows only 2.5 hours per kilometer per year, which is inadequate to keep the roadsides clear.

On local roads the cost of picking up bottles, plastics, cans, old tyres, wood and general refuse has to be accommodated within the general maintenance budget for the road pavement and corridor. Clean up work is generally done when there is time available at the end of a day. Realistically this does not occur very often, as the main priority for the limited roading budget is the road itself.

There has been recent interest from a number of community groups including Landcare, Rotary, Apex and Lions to participate in cleaning up roadsides on a voluntary basis. A pre-requisite for all groups to carry out work on roads is public liability insurance.

Roads identified initially include Renmark Road to Perry Sandhills, Silver City Highway to Pomona turnoff, River Road between Dareton and Buronga, Silver City Highway from Buronga to Arumpo Road turnoff and Sturt Highway from Gol Gol to Bottle Bend.

The first clean-ups may take place towards the end of October. The Shire's input will be the provision of collection bags and gloves plus a "volunteer" staff member with a vehicle, trailer and OH&S induction. Initially it is intended to spend about two hours with as many people as possible from the respective groups and find out what distance can be covered. This will give an indication of the possible future achievement rate.

Policy and Management Plan Implications

As proposed there will be no additional costs to the Council.

Conclusion

The regular dumping of bottles, cans and other rubbish from moving vehicles is a definite problem. The use of interested volunteer groups is proposed as a trial to address the problem.

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

CARRIED

12.12 PRINCIPAL ACTIVITY: WATER SUPPLIES

Nil

12.13 PRINCIPAL ACTIVITY: SEWERAGE SCHEMES

Nil

13. REPORT MATRIX

13.1 REPORT MATRIX FROM PREVIOUS COUNCIL MEETING

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Nil
File & References:	S268
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Report Matrix

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. Wakefield and Whitfield that the recommendation be adopted.

CARRIED

Moved Crs. Wakefield and Whitfield that the item of a proposal from RAMROC for a marketing and lobbying campaign for an Irrigation Leadership Summit and Business Plan Proposal be admitted for consideration in accordance with Clause 18(3) of the Code of Meeting Practice because of the need for Council to make a decision on a monetary contribution to the RAMROC proposal before the next scheduled Council meeting.

CARRIED

Moved Crs. McKinnon and Wakefield that Council contributes towards the RAMROC campaign for an Irrigation Leadership Summit and Business Plan Proposal.

CARRIED

Note: The following business was admitted for consideration by resolution of Council immediately after item 7 in the agenda.

Moved Crs. McKinnon and Nichols that no additional clauses be added to the Council's adopted Model Code of Conduct.

CARRIED

14. QUESTIONS WITHOUT NOTICE**Cr. Wheeldon**

1. Questioned whether any action had been undertaken to commence reinstating land previously taken off residents with river frontages.
(The Director Development & Environment advised that action had commenced. He indicated a report will be undertaken and submitted for Council consideration).
2. Enquired as to who owned the land adjacent to the end of the Wentworth aerodrome and Silver city Highway.
(The Director Infrastructure & Assets advised that this is Crown Land and unable to be acquired by the Council).

Councillor Wakefield vacated the Council Chambers at 12.07pm.

Cr. Peter Thompson

1. Advised that there were Acacia trees on the corner near Keenan's Drive and the Silver City Highway and were a dangerous visibility problem when entering the highway from Keenan's Drive.
2. Indicated that he would like to wish the Director Infrastructure & Assets Mr Bill Turner all the very best on his new vocation and indicated that the comments made in an online media outlet were very unfair.

Councillor Wakefield returned to the Council Chambers at 12.10pm.

Cr. Nichols

1. Enquired as to whether the submission to the Sunraysia Area Consultative Committee regarding "Regional Community Infrastructure Plans" had been completed and if so did it include the provision of rail link, sealing of the Wentworth aerodrome and a new hospital building.
(The General Manager advised that the submission had been sent but had not included the request for a new hospital building).
2. Advised that the Councillors name plates in the Council Chambers were not stuck on properly and looked unprofessional.

Cr. Whitfield

1. Advised that there were Acacia trees that had been bulldozed into a heap near the corner of Silver City Highway and River Road and indicated that if Council had undertaken the removal of the unwanted trees that they should have been removed and not just left on the road reserve.

Cr. Wakefield

1. Enquired as to whether there is an official setback for trees to be planted on highways as trees had been planted by a resident near the area of Dawn Avenue and Sturt Highway.
(The Director Infrastructure & Assets will investigate this matter).

Cr. Hederics

1. Enquired as to whether the Council slashes roadsides near Stanley Winery as that particular area is very high with growth and is a fire hazard.

(The Director Infrastructure & Assets advised that Council does slash roadsides and that there is a works program in place to slash all roadsides).

2. Advised that on River Road there is a large citrus block with dead trees and enquired that as this is a serious fire hazard can the owners be made to bulldoze the trees and remove the hazard.

(The Director Development & Environment advised that this matter has been raised with the Fire Control Centre and advised that a relative of the owner has been contacted and requested to slash the area but that the trees are to remain).

Cr. Peter Thompson

1. Indicated that all walkways especially Gol Gol east need to be kept clean and tidy and free of weeds.

Cr. McKinnon

1. Enquired as to when will a meeting be called regarding the George Gordon Oval.

(The Director Development & Environment advised that a concept plan is being prepared and details of the plan will be discussed on the bus tour arranged after the Council meeting today. As Councillor McKinnon was not going to be on the bus tour a copy of the plan was to be provided to him by the Director).

2. Indicated that buffer zones needed to be acted on by Council and was aware that a meeting was planned for Thursday with a developer regarding a current buffer zone problem.

(The Director Development & Environment advised that he will be raising concerns with the developer at the meeting from residents. The Director also advised that a letter received in 2000 from the developer indicated that residential subdivisions were encroaching on his horticultural land. The Director will establish the status of the tree screening planted upon the Simonetta property).

Cr. Nichols

1. Advised that in LG Weekly Circular No.39 dated 3 October Item 4 Capital Assistant Programs indicates grants of up to \$30,000 are available and that funds should be sought to upgrade McLeod Oval and also the provision of a skate park.

(The Director Development & Environment advised that these matters are already being investigated).

Cr. Wakefield

1. Indicated that the skate park location has not been confirmed as yet and that a different location would be a far better resolution.

Cr. McKinnon

1. Indicated that the location of the proposed skate park to the area in George Gordon Oval would be a far better proposal than Sturt Place.

(The Director Development & Environment advised that the new Inspector of the Dareton Police Patrol has the same view as the previous Inspector with regards to the incorrect placement of the skate park in Sturt Place. There could be security issues with the skate park being incorporated in Sturt Place especially the possibility of increased graffiti on the water tower, personal vehicles of Police officers on duty etc.)

15. NEXT MEETING

19 November 2008

16. CONFIDENTIAL**16.1 Confidential Staff Matter**

Moved Crs. Nichols and King:-

- a) That Council resolves to go into closed Council to consider the confidential staff matter.
- 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)(a) Personnel Matters concerning particular individuals (other than Councillors).
- 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

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

Closed Council

Council closed its meeting to consider the item 16.1 at 12.25pm. The public and media left the chamber.

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

CARRIED

Open Council

Council went into open Council at 12.50pm.

The Director Infrastructure & Assets reported to Council the reasons for his resignation and made comments in relation to a number of inaccuracies reported in the Mildura Independent Star on Saturday 11 October 2008.

The General Manager undertook to provide Councillors with a copy of the Mildura Independent article.

There being no further business the meeting closed at 12.50pm.