



## MINUTES

ORDINARY MEETING OF COUNCIL HELD AT  
PRESIDENTS ROOM, NUMURKAH VISITOR  
INFORMATION CENTRE, MELVILLE STREET  
NUMURKAH,  
MONDAY 22 FEBRUARY 2016

The meeting commenced at 5:00 pm.

### **PRESENT**

Councillor Gary Cleveland (Mayor)  
Councillor Kevin Bourke  
Councillor Ed Cox  
Councillor Brian Keenan  
Councillor Don McPhee  
Councillor Peter Mansfield  
Councillor Marie Martin  
Councillor Alex Monk

### **IN ATTENDANCE:**

Mark Henderson	Chief Executive Officer
Leanne Mulcahy	General Manager Corporate
Andrew Close	General Manager Infrastructure
Linda Nieuwenhuizen	Manager Communication and Governance

### **1. CALLING TO ORDER – CEO**

#### **RECORDING**

Consistent with section 72 of our Meeting Procedures Local Law, Council officers have been authorised to record the public session of this meeting using an audio recording device.

### **2. PRAYER**

Almighty God we humbly ask you to guide our deliberations for the welfare and benefit of the Moira Shire and its people whom we serve.

*Amen. Read by Mayor Cleveland.*

### **3. ACKNOWLEDGEMENT OF COUNTRY**

We, the Moira Shire Council, would like to acknowledge the traditional owners of the land upon which we meet and pay our respects to their Elders both past and present. *Read by Mayor Cleveland.*

### **4. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE**

Cr Wendy Buck is an apology for tonight's meeting.

### **MOTION**

CRS DON MCPHEE / KEVIN BOURKE

That Cr Wendy Buck's apology be accepted.

**5. DECLARATION UNDER ACTS, REGULATIONS, CODES OR LOCAL LAWS**

Nil

**6. DECLARATION OF ANY INTEREST OR CONFLICT OF INTEREST**

Nil

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**MOTION:**

CRS ALEX MONK / ED COX

"That the minutes of the Ordinary Council Meeting held on Monday, 14 December 2015, as prepared, be confirmed."

(CARRIED)

**8. COUNCILLOR REPORTS**

Cr Don McPhee reported on his attendance at 'Your Council Your Community - Local Government Act Review'. Residents and businesses, Councillors and council staff were invited to attend the community forums to hear about the Local Government Act review and contribute ideas for reform.

**9. OFFICER REPORTS FOR DETERMINATION**

FILE NO: 180.11.0002  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.1  
(TEAM LEADER - FINANCIAL  
ACCOUNTANT, RAMKI SUBRAMANIAM)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## FINANCIAL POSITION REPORT AS AT 31 JANUARY 2016

### 1. Executive Summary

The January 2016 finance report includes Rates and Charges totalling \$33.17 million (\$26.48 million in general rates, municipal charges, interest and legal charges and \$6.69 million in garbage collection charges, recycling and organic waste charges and environmental levy) which is recognised as income at the time of being levied.

For the month of January a total of \$0.08 million of receipts were collected for prior year's rate debtors, this brings the year-to-date total collected to \$1.52 million or 65.50% of the total outstanding as at 30 June 2015. Payments of outstanding rates are being actively managed and any rate payers who are experiencing difficulty are encouraged to contact Council officers to discuss options.

Sundry debtors are within acceptable levels with 2.21% of sundry debtors in excess of 30 days and are under active management. This represents a figure of \$9,781 out of the total of \$441,918.

Cash and Cash Equivalents balance as at 31 January 2016 is \$22.99 million.

Council's financial position as at 31 January 2016 continues to be satisfactory.

### MOTION

CRS ED COX / BRIAN KEENAN

That Council receives and notes the Financial Position Report as at 31 January 2016.

(CARRIED)

FILE NO: 180.07.0021  
3. OUR COMMUNICATIONS AND PROCESSES

ITEM NO: 9.1.2  
(TEAM LEADER - FINANCIAL  
ACCOUNTANT, RAMKI SUBRAMANIAM)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## QUARTERLY BUDGET REVIEW - DECEMBER 2015

### 1. Executive Summary

Council continues to actively manage its financial position. While the original budget for 2015/16 was in surplus, 50% of the Victorian Grant Commission funding (\$4.83 million) was received in the previous financial year instead of the budgeted current year, causing the current deficit. This is purely a timing issue and does not affect its overall positive cash position. The council has been able to further reduce its 2015/16 September deficit of \$2.40 million by a further \$0.41 million to \$1.99 million as detailed in Discussion 2.1.

There are a number of challenges in achieving such an extensive and far-reaching capital works program of \$14.08 million in the current year, but with 60% nearing completion, the expectation is full delivery as at 30 June 2016. This is the largest capital program ever committed in one financial year and this cements the council's commitment to improving the Shire, whilst retaining a conservative outlook and strong cash balance for future years.

There is a small increase in the September budget of \$13.99 million of \$80,000 to \$14.08 million for the Witt Street Car Park, but this is funded by additional developer contribution.

The projected cash position as at 30 June 2016 is expected to be \$16.86 million, an increase of \$0.24 million on the figure projected as the September 2015 review.

The movements are detailed in forecast overview table in the next page. Council continues to closely monitor expenditure and income throughout the 2015/16 financial year. Operating cash flow is detailed in table 2.3.

### MOTION

CRS ALEX MONK / ED COX

That Council notes and approves the projections for the 2015/16 financial year contained in the December 2015 quarterly budget review.

(CARRIED)

FILE NO: 1  
7. DELIVER SOUND FINANCIAL MANAGEMENT

ITEM NO: 9.1.3  
(MANAGER FINANCE, SIMON RENNIE)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## INVESTMENT AND CASH MANAGEMENT POLICY

### 1. Executive Summary

This report provides the revised Investment and Cash Management Policy which contributes to the safe and effective management of Councils cash resources.

### MOTION

CRS ED COX / DON MCPHEE

That Council adopt the revised Investment and Cash Management Policy.

(CARRIED)

FILE NO: 123456  
7. DELIVER SOUND FINANCIAL MANAGEMENT

ITEM NO: 9.1.4  
(TEAM LEADER REVENUE, AMANDA  
CHADWICK)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## RATES & CHARGES POLICY

### 1. Executive Summary

This report provides the revised Rates & Charges Policy which contributes to the effective management of Councils financial resources.

### MOTION

CRS ALEX MONK / BRIAN KEENAN

That Council adopt the revised Rates & Charges Policy.

(CARRIED)

FILE NO: 123456  
7. DELIVER SOUND FINANCIAL MANAGEMENT

ITEM NO: 9.1.5  
(TEAM LEADER REVENUE, AMANDA  
CHADWICK)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## FINANCIAL HARDSHIP POLICY

### 1. Executive Summary

The Financial Hardship Policy will assist Council in recovering unpaid rates and charges by offering payment plans and waiver of interest for those persons suffering financial hardship.

### MOTION

CRS PETER MANSFIELD / ED COX

That Council adopt the Financial Hardship Policy.

(CARRIED)

FILE NO: 100.01  
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.6  
(MANAGER GOVERNANCE AND  
COMMUNICATIONS, LINDA  
NIEUWENHUIZEN)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## COUNCIL PLAN QUARTERLY UPDATE

### 1. Executive Summary

Council adopted a revised Council Plan in June 2015. This report provides an update of progress against the goals and objectives identified in this Plan.

### MOTION

CRS ALEX MONK / ED COX

That Council note the progress against the Council Plan 2013-17.

(CARRIED)



FILE NO: F15/71  
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.7  
(MANAGER PROPERTY, RISK AND  
COMPLIANCE, BRUCE BERG VON LINDHE)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## LEASE OF YARRAWONGA HOLIDAY PARK

### 1. Executive Summary

On 28 September 2015 Council resolved to give public notice of its intention to enter into a 21 year lease of the Yarrowonga Holiday Park with the Yarrowonga Holiday Park Committee Inc (YHPC).

The public consultation process was conducted in accordance with section 223 of the Local Government Act 1989 (LGA). At the close of business on 2 December 2015, Council had received one written submission which did not contain a request to be heard.

### MOTION

CRS DON MCPHEE / PETER MANSFIELD

That Council:

- 1) Receive the submissions in response to the public consultation process.
- 2) Resolve to enter into the lease of the Yarrowonga Holiday Park with the Yarrowonga Caravan Park Committee and seek Ministerial consent of the lease.
- 3) Authorise the CEO to sign and seal the lease document.

(CARRIED)

FILE NO: F13/503  
5. DEMONSTRATING GOOD GOVERNANCE

ITEM NO: 9.1.8  
(GOVERNANCE RECORDS OFFICER,  
MARGARET HINCK)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## ASSEMBLIES OF COUNCILLORS

### 1. Executive Summary

The records of the Assembly of Councillors reported during the month of December 2015 are attached to this report. No records of assembly were reported for the month of January 2016.

Inclusion of the attached records of Assembly of Councillors in the Council agenda, and incorporation into the Minutes ensures Council meets its statutory obligations under section 80A of the Local Government Act 1989 (the Act).

### MOTION

CRS KEVIN BOURKE / DON MCPHEE

That Council receive and note the attached Records of Assembly of Councillors.

(CARRIED)

FILE NO: 52015107  
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.1  
(TOWN PLANNER, MARTINA FOLEY)  
(CHIEF EXECUTIVE OFFICER, MARK  
HENDERSON)

**52015107 - USE AND DEVELOPMENT - INTENSIVE ANIMAL HUSBANDRY  
(PIGGERY) AT 913 MURRAY VALLEY HIGHWAY, STRATHMERTON**

**1. Executive Summary**

Planning permit application 5/2015/107 is for Use and Development – Intensive Animal Husbandry (Piggery) at 913 Murray Valley Highway, Strathmerton. The proposal consists of the staged development of a large piggery. It will include:

- Three piggery pens, each housing 840 finishing pigs (total 2520)
- Seven sow pens (total 100 sows)
- Two sheds for weaner and grower pigs (variable total)
- Feed facility
- Earthen water storage (clean water)
- Effluent treatment collection system, solids separation plant, anaerobic ponds
- Concrete bunkers for dry and clean manure
- Access roads
- Staff and visitor amenities block including office, meeting room, bathroom facilities for showers, toilets and kitchen/dining area
- Stone fruit orchard stage 1 comprising over 30,000 trees
- Possible reactor capsule for effluent treatment system

There are 2 triggers for the permit:

- Section 2 use in the Farming Zone and
- Development (Buildings and works) in the Farming Zone

The application was referred and extensively advertised. Advertising consisted of a site notice and a letter to all adjoining property owner/occupiers. Five objections have been received from nearby landowners.

It is considered that the proposed use and development should not create any undue negative amenity impacts. The application satisfies the policies of the Moira Planning Scheme and it is recommended that the application be approved, subject to conditions.

**MOTION**

CRS MARIE MARTIN / KEVIN BOURKE

That Council defer application 52015107 for one month for consultation between the objectors, applicant, Councillors and staff.

(CARRIED)

FILE NO: 52015303  
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.2  
(TOWN PLANNER, MARTINA FOLEY)  
(GENERAL MANAGER INFRASTRUCTURE,  
ANDREW CLOSE)

**52015303 - APPLICATION FOR A BOUNDARY REALIGNMENT AND VARIATION  
OF AN EASEMENT - 68 & 138 KEMPS ROAD, KATUNGA**

THIS ITEM WAS WITHDRAWN

FILE NO: 5/2015/232  
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.3  
(TOWN PLANNER, MELISSA LOTITO)  
(GENERAL MANAGER INFRASTRUCTURE,  
ANDREW CLOSE)

**APPLICATION FOR THE USE AND DEVELOPMENT OF LAND FOR A SINGLE DWELLING - 6915 GOULBURN VALLEY HIGHWAY, YARROWEYAH**

**1. Executive Summary**

Planning Permit application 5/2015/232 was received on 24 July 2015 and seeks approval for the use and development of land at 6915 Goulburn Valley Highway, Yarroweyah for a dwelling in the Farming Zone and the Land Subject to Inundation Overlay. The land was being used for the breeding of alpacas.

The use of the land for a dwelling is a Section 2 – Permit Required Use within the Farming Zone. Any buildings and works associated with a Section 2 Use triggers a planning permit. Further, the subject lot is located within the Land Subject to Inundation Overlay, a permit is required to construct a building or to construct or carry out works; this includes a habitable building. Therefore, there are three triggers for the subject application.

The application was advertised and referred internally and externally to relevant authorities. At the time of writing this report, two objections have been received.

The application submitted did not include the application requirements specified for the Farming Zone. On two separate occasions further information requests were sent to the Applicant to provide the information required. The responses provided were lacking in detail, to the extent that the applicant has not satisfactorily demonstrated that a dwelling is reasonably associated with the agricultural use on the land and therefore it is considered that the proposal is not consistent with the Moira Planning Scheme.

The subject land in its entirety is subject to inundation and not appropriate for residential use. The application was referred to the Goulburn Broken Catchment Management Authority. The Authority has objected to the granting of a permit due to the flooding regime of the subject lot. A second objection was received by a neighbour.

It is therefore recommended that Council refuse the application.

FILE NO: 5/2015/232  
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.3  
(TOWN PLANNER, MELISSA LOTITO)  
(GENERAL MANAGER INFRASTRUCTURE,  
ANDREW CLOSE)

**APPLICATION FOR THE USE AND DEVELOPMENT OF LAND FOR A SINGLE  
DWELLING - 6915 GOULBURN VALLEY HIGHWAY, YARROWEYAH (cont'd)**

**MOTION**

CRS ED COX / ALEX MONK

That a Notice of Refusal be issued for Planning Permit Application No. 52015232 on the following grounds:

1. The proposal is not consistent with State Planning Policy.
2. The proposal is not consistent with the Local Planning Policy, in particular the objectives of the *Agricultural Policy* set out in Clause 22.01.
3. The proposal does not accord with the decision guidelines of the Farming Zone and Land Subject to Inundation Overlay.
4. The proposal does not achieve the purpose of the Farming Zone.
5. The Applicant has not provided adequate detail to allow the proposal to be assessed.
6. The Applicant has not demonstrated that the proposal is consistent with State Planning Policy.
7. The Applicant has not demonstrated that the proposal is consistent with the Local Planning Policy, in particular the objectives of the *Agricultural Policy* set out in Clause 22.01.
8. The Applicant has not demonstrated that the proposal is consistent with the purpose or the decision guidelines of the Farming Zone. In particular the application has not complied with Clause 35.07-5 – Application requirements for dwellings.

(CARRIED)

FILE NO: F15/204  
2. IMPROVING MOIRA'S LIVEABILITY

ITEM NO: 9.2.4  
(STATUTORY PLANNING COORDINATOR,  
PETER STENHOUSE)  
(GENERAL MANAGER INFRASTRUCTURE,  
ANDREW CLOSE)

## DEVELOPMENT PLAN - BANKSIA CLOSE, NUMURKAH

### 1. Executive Summary

A request has been received to approve a Development Plan for an infill site in Banksia Close Numurkah. The proposed plan contains 7 lots.

The Development Plan was not required and has not been referred or specifically advertised.

The Development Plan has been reviewed and assessed by the Development Assessment Team.

The Development Plan has generally satisfied the requirements of the Development Plan Overlay of the Planning Scheme.

It is recommended that the Development Plan for Banksia Close be approved.

### MOTION

CRS KEVIN BOURKE / MARIE MARTIN

That Council approve the Development Plan for Banksia Close showing 7 lots with vehicular access from Russell Street and Maple Crescent and pedestrian access from Banksia Close.

(CARRIED)

FILE NO: 11.1  
6. GOVERNANCE

ITEM NO: 10.1  
(EXECUTIVE ASSISTANT TO CEO, ROBYN  
BONADDIO)  
(GENERAL MANAGER - CORPORATE,  
LEANNE MULCAHY)

## ACTION OFFICERS LIST

### 1. Executive Summary

The attached Action Officers' List provides an update on the status of actions from previous Council meetings. It is provided to Councillors in order to keep them informed of progress.

### MOTION

CRS DON MCPHEE / KEVIN BOURKE

That Council receive and note the Action Officers' List.

(CARRIED)



FILE NO: D15/78411  
3. BUILD ON OUR ECONOMIC STRENGTHS IN  
AGRICULTURE, MANUFACTURING AND  
TOURISM

ITEM NO: 13.1  
(MANAGER STRATEGIC PROJECTS, MARK  
FOORD)  
(GENERAL MANAGER INFRASTRUCTURE,  
ANDREW CLOSE)

## MURRAY GOULBURN RECYCLED WATER SUPPLY

### 1. Executive Summary

An agreement has existed for many years for the transfer of recycled waste water from the Murray Goulburn site in Cobram to farms in the area. The supply and use of the water has been successful and has been operating for some time. A change of ownership of one of the farms has occurred and the agreement for this farm is to be signed in accordance with past practice.

### Attachments

Nil

### MOTION

CRS ED COX / BRIAN KEENAN

That Council authorise the Chief Executive Officer to sign and attach the Council seal to documents in relation to the supply and delivery of recycled water from the Murray Goulburn plant in Cobram to surrounding farm properties.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 14

**GENERAL BUSINESS****Clause 62 of Council's "Meeting Procedures Local Law 2007 (No 1 of 2007) states:****62. Urgent or general business**

1. Business which has not been listed on a meeting agenda may only be raised as urgent or general business if the majority of Councillors are present and it is agreed to by a resolution of the Council.
2. Notwithstanding sub-clause (1), if all Councillors are not present, the Chairperson may rule the matter is of urgency and accept an urgency motion to deal with the business which has not been listed on the meeting agenda.
3. An urgency motion can be moved without notice.
4. Only the mover of an urgency motion may speak to the motion before it is put

**MOTION**

CRS PETER MANSFIELD / MARIE MARTIN

That items of general business be considered.

(CARRIED)

Cr Kevin Bourke spoke about the basin plan constraints strategy on the Lower Goulburn and his concerns regarding the impact of the environmental flows on farming operations and Council assets.

Question: Cr Marie Martin asked for an update on the Supreme Court dealings in relation to the stockpile of tyres at Numurkah, and the VCAT hearing in relation to the liquor outlet.

Answer: Chief Executive Officer responded that officers are currently drafting further documents for the Supreme Court as the tyres have not been removed and we are seeking enforcement of the judgement.

General Manager Infrastructure advised the VCAT hearing regarding the liquor outlet in Numurkah was held last week and that we are waiting on the judgement.

Question: Cr Peter Mansfield asked what is the position in regard to issuing of fire permits.

Answer: Chief Executive Officer advised that Council's previous resolution was interpreted incorrectly and that Council did not resolve not to issue fire permits, but rather resolved to endorse the Municipal Fire Prevention Officer's use of discretionary power in relation to issuing of permits. It was hoped that Council's decision would prompt discussion with the MAV and CFA to work out a solution that would remove the risk from Local Government. People can access permits by going directly to the CFA website. It is envisaged that a solution will be in place by next season. Council is conscious that farmers will need to burn off to be ready for planting winter crops and officers are working on the details to issue permits, however this will not happen until the summer heat has moderated.

FILE NO: VARIOUS

ITEM NO: 14

**GENERAL BUSINESS****MOTION**

CRS PETER MANSFIELD / MARIE MARTIN

That items of general business be considered.

(CARRIED)

**Murray Darling Basin Plan impact and considerations****1. Executive Summary**

The Murray Darling Basin Plan continues to influence community and business confidence and investment on and off farm across the Moira Shire. These concerns are shared by Councils along and on both sides of the Murray River and with other neighboring municipalities.

This report outlines Moira Shire's views on the Plan and the efforts by Council to ensure the views of our community, business and Council are shared with decision makers.

**MOTION**

CRS ED COX / MARIE MARTIN

That

1. Council note the Murray Darling Basin Plan submission prepared by the Goulburn Murray Irrigation District Water Leadership Forum and
2. endorse the recommendations contained in this report.

(CARRIED)

FILE NO: VARIOUS

ITEM NO: 15

**QUESTIONS FROM THE PUBLIC GALLERY**

**Clause 63 of Council's "Meeting Procedures Local Law 2007 (No. 1 of 2007) states:**

**63. Question Time**

1. At every ordinary meeting of the Council a maximum of 30 minutes may be allocated to enable members of the public to submit questions to Council.
2. The time allocated may be extended by unanimous resolution of Council.
3. Sub-clause (1) does not apply during any period when the Council has resolved to close a meeting in respect of a matter under section 89 (2) of the Act.
4. To assist the accurate recording of minutes and addressing any questions that may require written response or follow up, the Chief Executive Officer may require questions to be submitted in writing on a form approved or permitted by Council.  
No person may submit more than two (2) questions at any one (1) meeting.  
The Chairperson or member of Council staff nominated by the Chairperson may read a question to those present.

No question must be so read unless:

- (a) the person asking the same is in the gallery at the time it is due to be read;  
and
- (b) the person asking the question reads the same when called upon by the Chairperson to do so.

A question may be disallowed by the Chairperson if it:

- (a) relates to a matter outside the duties, functions and powers of Council;
- (b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- (c) deals with a subject matter already answered;
- (d) is aimed at embarrassing a Councillor or a member of Council staff;
- (e) relates to personnel matters;
- (f) relates to the personal hardship of any resident or ratepayer;
- (g) relates to industrial matters;
- (h) relates to contractual matters;
- (i) relates to proposed developments;
- (j) relates to legal advice;
- (k) relates to matters affecting the security of Council property; or
- (l) relates to any other matter which Council considers would prejudice Council or any person.

All questions and answers must be as brief as possible, and no discussion may be allowed other than for the purposes of clarification.

The Chairperson may request a Councillor or member of Council staff to respond, if possible, to the question.

A Councillor or member of Council staff may require a question to be put on notice until the next Ordinary meeting, at which time the question must be answered, or elect to submit a written answer to the person asking the question.

A Councillor or member of Council staff may advise Council that it is his or her opinion that the reply to a question should be given in a meeting closed to members of the public . The Councillor or member of Council staff must state briefly the reason why to reply should be so given and, unless Council resolves to the contrary the reply to such question must be so given.

FILE NO: VARIOUS

ITEM NO: 15

**QUESTIONS FROM THE PUBLIC GALLERY**

**15.1 Heather De Vallon - Cobram**

Question: A land owner on the eastern side of Ritches Road has put in a crossing with no drive over head walls, is Council aware of this?

Answer: Chief Executive officer advised that he would take the question on notice.

**15.2 Michael Oakes - Nathalia**

Question: What works have occurred to date at Griffiths Lane following the meeting held last year?

Answer: Chief Executive Officer advised that officers did a longitudinal study of the upstream of boundary fence and the crown of the reconstructed road which is on average just over 100mm higher than the upstream fence line which does not suggest a significant levee bank. Council recognises that the area is a floodway and have undertaken to do design work to improve cross fall drainage.

Answer: General Manager Infrastructure advised that information has been received from the Catchment Management Authority that has assisted with design preparations for works by identifying potential channels adjacent to the roadway where culverts could be located. These proposed works will go into the draft capital works budget for Councils' deliberations.

**15.3 Lou Cook - Numurkah**

Question: What authority has Council got to acknowledge the traditional owners at the commencement of a Council Meeting?

Answer: The Chief Executive Officer responded that authority was given by a resolution of Council.

**15.3 Brad Udy- Strathmerton**

Question: What restrictions would be put on neighbouring properties if the proposed piggery was to go ahead?

Answer: The Chief Executive Officer responded that the only restrictions councils could impose are under the planning scheme. The area in question is zoned farming and each development application would be considered on merit.

**15.4 Ian Price – Numurkah**

Question: Do you agree that the seniors hub project cost was \$1.3 million which the shire committed \$600k to and the community contributed \$50k on a \$1 to \$12 basis that community funding was to supplement the shire and the community funding be expended only when the shire \$600k was spent and this was to ensure everything would be fitted out?

FILE NO: VARIOUS

ITEM NO: 15

**QUESTIONS FROM THE PUBLIC GALLERY**

**Answer:** Chief Executive Officer responded that in broad terms the approved budget of the project was \$1.3m. The total cost of the project was between \$1.35m to \$1.4m total spend. It is not correct that Council committed \$600k. In 2011 a budget submission referred to an amount of \$600k which was referred to budget consideration. This amount was never committed through the formal adoption budget process, because Council received Local Government Infrastructure funding of \$1m .

The project cost of \$1.3 m incorporated the government funding, \$250K Council rate payer funding and \$50k community fund raising. In reality the \$50K fund raising was used to procure furnishings, fittings and equipment to support the finished project. We have a difference in opinion regarding the \$600k which officers have researched very carefully. It was submitted into the budget process by the building Redevelopment Committee but never committed by Council.

**Question:** Did the shire make a disproportionate substitution for the community's contribution to the shire's advantage?

**Answer:** The Chief Executive Officer advised that Council never had control in any effective form of the community fund raising. In terms of clarity, the suggested calculation represents the value of the tender and the community fundraising to underpin your conclusion. What is not taken into account in the calculation is the design, landscaping, parking and project supervision, all of which brought the total project cost closer to \$1.4m.

**15.5 Gillian Brown - Numurkah**

**Question:** Why hasn't Council prepared an acquittal statement for the Numurkah Senior's hub project to enable the Redevelopment Committee to identify unexpended capital?

Following the meeting held last week when will the Redevelopment Committee get the answers around the acquittal and the disbanding of the Senior's Hub Redevelopment Committee?

**Answer:** Chief Executive Officer responded that Council has provided the acquittal to the State Government and Council's commitment has been spent. There are no remaining funds. The redevelopment committee was not formally established by Council resolution, it was a steering committee that concluded when the project was completed.

**15.6 Kevin Shanahan**

**Question:** Has anyone taken into consideration the impact that the proposed piggery would have on the underground water and drainage?

**Answer:** Chief Executive Officer advised that the application was still live and has been deferred by Council for further consideration. With any planning application conditions would apply to address any impact and the relevant authorities such as GM Water and the Catchment Management Authority would have to be satisfied with the conditions. Furthermore with any planning applications objectors have the right to appeal as well as the applicant on the decision made.

FILE NO: VARIOUS

ITEM NO: 15

**QUESTIONS FROM THE PUBLIC GALLERY**

**15.7 Joy Hutchins - Nathalia**

Question: Is there an update on the proposed closure of Power Street Nathalia?

Answer: General Manager Infrastructure advised the school has withdrawn the application for the time being.

**15.8 Bridget Goulding - Katunga**

Question: How many days after receiving notification of a proposed planning development does an objector have to respond?

Answer: The Chief Executive Officer advised that the statutory obligation is 14 days however Council continues to receive objections up until the matter is considered by Council at a Council meeting.

Question: Is that 14 working days? And when should have we been notified of the application?

Answer: The Chief Executive Officer advised that it was a two week period. The planning application was received in mid-2015 and it is now February. The proposal is a serious planning application for a legitimate agricultural use within the farm zone.

**15.9 John Hays**

Question: What was the costing of resheeting Koonoomoo Mywee Road?

Answer: General Manager Infrastructure advised that he would take the question on notice to provide correct figures.

**15.10 Bill Welsh**

Question: Has there been any preliminary discussion regarding the proposed drug rehabilitation centre?

Answer: Chief Executive Officer advised that conversations had been at a senior level in November and where the company was encouraged to understand community feedback in preparing an application. As these types of applications are sensitive the company wants to gauge the communities reaction to the proposal before lodging an application. Council does not have a planning application for this proposal.

Question: When is an application likely to be lodged?

Answer: Chief Executive Officer advised that is at the call of the applicant. When or if Council receive an application it would be well advertised in the media.

**15.11 Ethan Shaw**

Question: How are they going to run the piggery when the developers don't live in the country?

Answer: Chief Executive Officer advised that a lot of overseas investors run successful businesses and the application proposes 20 effective full time jobs and 15 seasonal jobs.

FILE NO: VARIOUS

ITEM NO: 15

**QUESTIONS FROM THE PUBLIC GALLERY**

15.12 **Sue Aldridge**

Question: Can Council comment on this document, which was a community feedback /participation survey sent out in 2008 to set up a steering committee made up of a number of local groups within Numurkah in partnership with Moira Shire to come together to develop a master plan and secure funding for the Senior's Hub.

Answer: Chief Executive Officer advised that as the survey was sent out in 2008 he was not directly involved and believes the survey was a genuine effort to engage interested stakeholders. The project is a credit to all those involved and the fantastic facility is a testament to everyone's hard work and dedication.



FILE NO: VARIOUS

ITEM NO: 16

**MEETING ADJOURNMENT****MOTION**

CRS ALEX MONK / MARIE MARTIN

That the meeting be adjourned for 10 minutes.

(CARRIED)

The meeting adjourned at 6:49 PM

**MOTION**

CRS ALEX MONK / DON MCPHEE

That the meeting be resumed.

(CARRIED)

The meeting resumed at 7:08 PM

**MOTION**

CRS ED COX / BRIAN KEENAN

That pursuant to Sections 89(2) (b) (d) and (h) of the Local Government Act, 1989, this meeting of Council be closed to members of the public in order for Council to discuss personnel and contractual matters which the Council considers would prejudice the Council or any person.  
(CARRIED)

**MOTION**

CRS MARIE MARTIN / DON MCPHEE

That the recommendations of the 'Closed' Meeting of Council be adopted and the award of tenders disclosed in the open minutes.

(CARRIED)

**SUCCESSFUL TENDERS**

**C035/15 - ROADSIDE WEED AND RABBIT CONTROL**  
A.S and D.M Knowles Pty Ltd T/A Greenacres

**C009/15 - PHOTOCOPIERS, PRINTERS & SERVICES**  
Canon Australia Pty Ltd

**MEETING CLOSED**  
**7:32PM**