

# WENTWORTH SHIRE COUNCIL

## MINUTES

ORDINARY MONTHLY COUNCIL MEETING  
COMMENCING 9.00AM

19 November 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 Derek Wiseman (*Acting Director, Infrastructure & Assets*)  
Mr Adrian Krake (*Manager Administration*)  
Mrs Jill Davidson (*Executive Assistant*)

**4. APOLOGIES AND APPLICATION FOR LEAVE**

Apology received from Ms Terri Maguire Director Corporate & Community Services.

***Moved Crs. King and Wakefield that the apology received from Ms Terri Maguire be received and noted.***

**CARRIED**

**5. CONFIRMATION OF MINUTES****Recommendation**

1. That the minutes of the ordinary Council meeting held 15 October 2008 be adopted as circulated.
2. That the minutes of the Extraordinary Council meeting held 11 November 2008 be adopted as circulated.

***Moved Crs. Nichols and Wheeldon that the minutes of the Ordinary Council meeting held 15 October 2008 be adopted.***

**CARRIED**

***Moved Crs. McKinnon and Hederics that the minutes of the Extraordinary Council meeting held 11 November 2008 be adopted.***

**CARRIED**

**Note:** The General Manager advised that a meeting had been convened on 13 November 2008 in relation to pursuing water saving initiatives as requested at the Extraordinary Council Meeting held on 11 November. He advised that the initiative to provide a tap timer for each property owned by a pensioner and/or a senior card holder would be rolled out as soon as possible and would cost in the order of \$5,000 which was provided for in the current management Plan. He also advised that further meetings would be held to discuss ways of promoting water wise activities and a number of water initiatives tabled at the meeting.

## 6. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Councillor Nichols declared a less than significant conflict of interest with Item 9.1 Family Day Care due to the fact that she is a Councillor at the Mildura Rural City Council.

Councillor King declared a pecuniary interest in Item 12.14.2 Pooncarie Weir as he is Chair of the Catchment Management Authority.

*Moved Crs. Wheeldon and Wakefield that the declarations be received and noted.*

**CARRIED**

## 7. PETITIONS AND MEMORIALS

Nil

## 8. MAYORAL REPORTS

### 8.1 APPOINTMENTS BY THE MAYOR FOR THE PERIOD 16 OCTOBER TO 19 NOVEMBER 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 16 October to 19 November 2008.

### Report

Date	Conference/Appointment
17 Oct	Western Division Mid Term Cobar
18 Oct	Official Opening Alcheringa Pavilion
20 Oct	Meeting with Barkindji Elders
21 Oct	Meeting Inspector Kylie Smith re skate park
22 Oct	Childrens Tribute to the Rivers – Junction (photographic session
23 Oct	Madec AGM
24 Oct	AIBG Committee meeting
26 Oct	Ellerslie & Dareton Fire Station openings & new Fire Truck presentation
27 Oct	AIBG Committee meeting

31 Oct	Councillors Workshop Meeting with Shadow Minister Greg Hunt with Water Authorities (Junction)
5 Nov	Councillor Training Balranald
6 Nov	Wentworth Aerodrome Tour for visitors
7 Nov	La Trobe Arts Studio Opening Mildura
10 Nov	AIBG Committee meeting
11 Nov	Remembrance Day
12 Nov	RAMROC meeting – Jerilderie
13 Nov	Meeting on water initiatives
15 Nov	Opening International Food Festival Buronga School
18 Nov	Australian Council of Local Govt Meeting with Prime Minister Canberra

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

**CARRIED**

**Note:** The Mayor gave a verbal report on a meeting in Canberra on 18 November with the Prime Minister and Cabinet for the Council of Local Government Mayors meeting.

## **9. NOTICES OF MOTION**

Nil

***Councillors Nichols declared a less than significant conflict of interest in Item 9.1 due to the fact that she is a Councillor at the Mildura Rural City Council and vacated the Council Chambers at 9.17am.***

### **9.1 FAMILY DAY CARE**

Responsible Officer: Councillor Peter Thompson  
 Author: Councillor Peter Thompson  
 Implications: Management Plan and Policy  
 File Reference: C7/14-3  
 Attachments: Nil  
 Separately Circ.: Nil  
 Tabled: Nil

### **Recommendation**

That a cost benefit study be undertaken to consider options for Council or a New South Wales based organisation to undertake Family Day Care service.

### **Purpose**

To consider the comparison in costs for Council to undertake Family Day Care in lieu of coming under the Mildura Rural City Council program which is Victorian based legislation.

### **Report**

At present the Family Day Care service is presently being administered by the Mildura Rural City Council. There are clearly differences between the Victorian and New South Wales Family Day Care legislations. The Family Day Care Centre in

Broken Hill is run by a Committee. Balranald residents are serviced by the Deniliquin Family Day Care Centre.

While registered Family Day Care centres in NSW Sunraysia remain fairly stable in number, multiple centres now exist in Dareton, Gol Gol, Buronga and a second centre is about to open in Wentworth. A single centre operates in Euston which is also seen as part of our area.

To run a Family Day Care Centre, application must be made for a licence to the Dept of Community Services. New centres are approved on a sustainable needs basis and as such, some across the border utilisation will still occur in both directions.

There is some evidence that in some areas a demand exists for more licensed family day care centres. One carer claims to be booked out for two years and is forced to turn many away but generally the supervision and administration by Mildura Rural City Council is of a good standard.

Some of the problems presently encountered by Mildura Rural City Council include differing school holiday periods and remote centre locations in NSW Sunraysia. There are significant differences between the NSW and Victorian acts and the NSW act is generally recognized as tougher to comply with.

Mildura Rural City Council services over seventy centres of which at least nine will be operative in NSW in the near future.

There are now several "After School Hours Carers" operating within our shire. These should also be licensed and trained in an appropriate way and have the same need for supervision and administration that Family Day Care centres require. These appear to be privately funded at the moment

I would request a cost benefit study be undertaken by staff which would see that service administered by our Shire or perhaps a New South Wales based body. The channels for funding for Carers and other administrative details would need to be explored.

Hopefully the study will prove to be advantageous to both Councils.

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

**CARRIED**

***Councillor Nichols returned to the Chamber at 9.22am.***

## **10. DELEGATES REPORTS**

Councillor Nichols advised that she and Councillor McKinnon attended the Official Opening of the Multipurpose Room and Aircraft hangars at the Wentworth Aerodrome on Sunday 26 October 2008

## **11. COMMITTEE MEETING REPORTS**

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**11.1 REPORT ON THE MINUTES OF THE MAINSTREET COMMITTEE MEETING HELD 29 SEPTEMBER 2008**

Responsible Officer: Director Corporate & Community Services  
Author: Tourist Information Officer  
Implications: Nil  
File & References: S48  
Attachments: Nil  
Separately Circ.: Minutes of meeting held 29 September 2008  
Tabled: Nil

**Recommendation**

That Council receives and notes the report.

**Purpose**

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

**Summary**

Items of discussion of the Committee included:-

- John Egge lane sign
- Crown Hotel footpath
- New street signs strengthened
- Thank you letter to be sent to Fishers
- NSW Heritage Council's visit a success
- Tour of the Murray Stage 13 bike race 6 September 2008
- Country Music Festival "Mainstreet Music Market" a success
- Mainstreet Christmas Eve Street Party
- Inkberry tree not healthy
- Weeds and dead trees to be removed

**Report**

The minutes are self explanatory.

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

**CARRIED**

**12. OFFICERS' REPORTS****12.1 PRINCIPAL ACTIVITY: LEADERSHIP, GOVERNANCE & STRATEGIC PLANNING****12.1.1 Payment of Expenses and Provision of Facilities Policy**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Governance and Policy  
File & References: C9/7

Attachments: Nil  
Separately Circ.: Council policy  
Tabled: Nil

### **Recommendation**

That Council reaffirms its current Payment of Councillors Expenses and Provision of Facilities Policy and adopts it in accordance with Section 252 of the Local Government Act 1993.

### **Purpose**

The purpose of this report is to formally adopt the Payment of Councillors Expenses and Provision of Facilities Policy as required by Section 252 of the Local Government Act 1993 (the Act).

### **Summary**

This report details the requirements of Section 252 of the Act in relation to Payment of Councillors Expenses and Provision of Facilities Policy. The policy must be adopted by Council annually by 30 November 2008 and a copy of the policy must be forwarded to the Local Government Department.

### **Report**

Council reviewed its policies in relation to payment of Councillors expenses and provision of facilities and equipment in accordance with the Act.

The policy has been separately circulated to Councillors and it is not intended to make any changes to the current policy. Therefore, the policy is being simply put to council for adoption to comply with the Act by 30 November. The policy was advertised as required and no submissions were received.

### **Policy and Management Plan Implications**

Nil.

### **Conclusion**

The policy is a requirement of the Local Government Act and the necessary procedures have been followed.

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

**CARRIED**

### **12.1.2 Amendments to the Complaints Handling Policy**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Governance & Policy  
File Reference: C9/7  
Attachments: Amended Complaints Handling Policy  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council resolves to adopt the amended "Complaints Handling" policy No.CP11 as attached.

**Purpose**

To consider amendments to the "Complaints Handling" policy.

**Report**

The "Complaints handling" policy No.CP11 has been amended to include references to what a complaint does not include and references throughout the policy to Council's Records Management System "TRIM".

**Policy Implications**

Amendments to the policy.

**Conclusion**

The amendments provide more clarity and update operational references.

***Moved Crs. King and Thompson that the recommendation be adopted.***

**CARRIED**

**12.1.3 Use of Communication Devices Policy**

Responsible Officer:	General Manager
Author:	General Manager
Implications:	Governance & Policy
File Reference:	C9/7
Attachments:	Council policy
Separately Circ.:	Nil
Tabled:	Nil

**Recommendation**

That Council receives and notes the updated "Use of Communication Devices" Policy.

**Purpose**

To advise Council of information received regarding electronic signatures mentioned in the policy.

**Report**

Council's Policy "Use of Communication Devices" CP85, paragraph 2 (e) indicated the following:-

- e) Scanned signatures may be altered to give the appearance that a document has been officially executed. As such, scanned signatures should not be used in any circumstances.

Advice has now been received that electronic signatures are now relevant and carry legal weight. Therefore Council Policy CP85 has been amended to incorporate the new change.

### **Policy Implications**

There are no policy implications associated with the updated information on scanned signatures.

***Moved Crs. Nichols and King that the recommendation be adopted subject to the following clause being inserted under "2. Security Context:-***

***(e) Scanned signatures may be used on Council documents."***

**CARRIED**

### **12.1.4 Australia Day January 2009**

Responsible Officer:	General Manager
Author:	Executive Assistant
Implications:	Nil
File Reference:	E7/2-5
Attachments:	Nil
Separately Circ.:	Nomination forms – to be filled out by Councillors & faxed back
Tabled:	Nil

### **Recommendation**

That Council receives and notes the report.

### **Purpose**

To advise Council of the Australia Day nominations received as at 31 October 2008 with a view to considering at an appropriate forum winners of each Australia Day Award.

### **Summary**

At the time of writing this report, Council have received 4 nominations for Citizen of the Year (2 nominations being for the same person), no nominations for Young Citizen of the Year, no nominations for Young Sportsperson of the Year, 1 nomination for Sportsperson of the Year and 1 nomination for Community Group of the Year.

### **Report**

Each year the Council seeks nominations from the community for Citizen of the Year, Young Citizen of the Year, Sportsperson of the Year, Young Sportsperson of the Year and Community Group of the Year. When Council has considered the nominations an announcement will be made in the form of a media release to the public advising of the nominees. The Awards will be presented at the official Australia Day ceremony at the Wentworth Wharf on Monday 26 January 2009.

### **Policy and Management Plan Implications**

Nil

### **Conclusion**

The nominations for Australia Day awards for 2009 will be announced to the public when a decision on each category winner has been considered by Council.

**Councillor Nichols requested that this item be classified as confidential under section 10A(2)(a) of the Local Government Act 1993.**

**The Mayor advised that this matter will be classified confidential because it is not in the public interest to reveal the details of the winners of the Australia Day Awards at this time.**

***Moved Crs. Wakefield and Wheeldon that item 12.1.4 be referred to the confidential section of the Council meeting (closed Council) to allow information on nominees for Australia Day awards to be discussed and decisions to be made on the winners.***

**CARRIED**

### **12.1.5 Internal Audit Guidelines for Councils and County Councils**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Governance  
File Reference: F4/1-3  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Internal Audit Guidelines (Ref: Circ. 08-64)

### **Recommendation**

That the meeting notes the report.

### **Purpose**

To advise of the new guidelines and likely implications in relation to its implementation.

### **Summary**

The Department of Local Government (DLG) has issued internal audit guidelines for councils and county councils (previously provided to councillors). The guidelines will be used to further develop Council's internal audit function.

### **Report**

Council currently has an Internal Audit and Risk Committee that was formed over 12 months ago preempting the new DLG direction. The guidelines are all about ensuring that councils' systems and processes are effective and efficient.

Guidelines generated by the Director General come under section 23A of the Local Government and councils "must take any relevant guidelines issued under this section into consideration before exercising any of its functions." Council's internal audit program will be developed with the assistance of these guidelines.

The internal audit program will consider the following:

- How the guidelines can be efficiently integrated into council operations

- Adjustments to be made in terms of our current Internal Audit and Risk Committee
- A review of the level of resources required to deal with this new focus on internal audits and risk management
- Potential resource sharing with other councils
- Possible links to the current requirements of the Statewide, Statecover and Department of Local Government Promoting Better Practice programs
- Need to review Council's current risk profile in light of these guidelines

### **Policy and Management Plan Implications**

Governance arrangements and resource levels.

### **Conclusion**

The guidelines provide a valuable resource for Council's internal audit program.

***Moved Crs. Wakefield and Whitfield that the recommendation be adopted.***

**CARRIED**

### **12.1.6 Amendments to the Media Statement Policy**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Governance & Policy  
File Reference: C9/7  
Attachments: Amended Policy No. CP37  
Separately Circ.: Current Policy No. CP37  
Tabled: Nil

### **Recommendation**

That Council resolves to adopt the amended "Media Statement" policy No.CP37 as attached.

### **Purpose**

To consider amendments to the "Media Statements" policy.

### **Summary**

Self explanatory.

### **Report**

The current Media Statement policy, which was reviewed in November 2006, has been revised and enhanced by including additional clauses relating to a cross reference to Council's Code of Conduct and the reason for media statements.

The amended media statements policy was previously issued to Councillors at its workshop on 31 October 2008.

**Policy Implications**

Amendments to the current policy.

**Conclusion**

The amendment provides a closer link with references to the Code of Conduct.

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

**CARRIED**

**12.1.7 RAMROC Meeting on 12 November 2008**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Policy & Governance  
File Reference: C6/12-2  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council notes the report on the Riverina and Murray Regional Organisation of Councils meeting held on 12 November.

**Purpose**

To consider feedback from the meeting.

**Summary**

Self explanatory.

**Report**

The Riverina and Murray Regional Organisation of Councils met on 12 November 2008.

As the meeting had not been held at the time of writing this report a verbal report will be presented to the meeting by the Mayor and the General Manager.

Key Items to be considered at the meeting include:

- Commonwealth Government's Water for the Future Plan
- Murray Darling Basin Authority – Basin Community Committee Membership
- Alcohol related crime – campaign for reduced liquor trading hours
- Changes to staff policy – NSW Public Schools
- Local Government elections review
- Australian Council of local Government Forum and Local Government Constitutional Summit – long term sustainability of local government

**Policy and Management Plan Implications**

Governance.

## Conclusion

Nil.

**Note:** The General Manager provided feedback on the meeting as the meeting was held after close of the agenda. He raised the following points.

- Well attended meeting on 12 November 2008
- Representations by the CEO of Murrumbidgee Division of General Practice together with Professor Nicki Hudson, Graduate School of Medicine, University of Wollongong.
- Presentations by the NSW Police - concerns raised again about Police numbers
- Support for an extensive marketing and advocacy campaign with theme "Water for Food" running through to mid 2009 and targetting politicians and other Government officials, media, communities and education sectors
- Alcohol related crime - campaign for reduced trading hours - regional licensing co-ordinated to meet with representatives of RAMROC councils at a workshop in early December
- Changes to staffing policy - NSW Public Schools - resolution to make direct representations from RAMROC to NSW Minister of Education & Training requesting clarification of any proposed education department staffing policy which will adversely alter staff capacity in relation to NSW Rural Public Schools
- Local Government Election Review - resolution for Councils in RAMROC to only pay expenses based on 2004 expenditure plus 13% CPI since that time
- Constitutional recognition - RAMROC to be represented
- Policing - RAMROC to make representations to Minister for Police in relation to gaining greater incentives for Police transfers
- DPI closures throughout the State - RAMROC to express concerns about the closures as a result of mini-budget
- Payroll Tax Exemption - RAMROC to object to the removal of any exemption that applies to Local Government
- Rural Fire Service Contributions - RAMROC to undertake further research to possible increases of funding from Local Government and depending on the outcome, RAMROC to strongly object to any increase
- RAMROC to write to the Minister for Planning requesting that greater flexibility be provided in changing the LEP in relation to properties where water has been removed.
- Water/Sewer Inquiry - as a result of the mini-budget water and sewer funding for projects will be suspended for the next 2 years. It would also appear that the report on the water/sewer inquiry will be reported to State cabinet shortly to be followed by a consultation period in coming months

***Moved Crs. Wakefield and Whitfield that the recommendation be adopted.***

**CARRIED**

### **12.1.8 Performance Report – First Quarterly Review Of Council's Management Plan 2008/2009 (year ending 30 September 2008)**

Responsible Officer: General Manager  
Author: General manager  
Implications: Performance  
File Reference: F4/3-2

Attachments: Summary of Performance  
Separately Circ.: Nil  
Tabled: Nil

### **Recommendation**

That Council receives and notes the report.

### **Purpose**

The purpose of this report is to provide Council with an update on Council's performance measured against the Management Plan for the year 2008/09 in accordance with Section 407 of the Local Government Act 1993 and to provide and maintain effective and efficient management of the Shire according to community needs.

### **Summary**

The Management Plan performance requirements have been reviewed by each Director to the September 2008 quarter and this report summarises actual performance against required performance and reflects the activities of Council and statistical information for the 2008/09 financial year.

### **Report**

The review is a progress report on the performance and delivery of Council services as compared with the targets and standards set in the Plan.

The attachment summarises performance based on Council's goals, objectives and actions for year ending 30 September 2008. Therefore, this report is a summary at that time notwithstanding that a number of actions will have progressed markedly since that time.

The style of the report has been changed to meet likely changes to integrated reporting to be introduced by the Department of local Government in the near future and also to develop further the measuring of performance as required by the Organisational Review. The report now provides for a stronger link between what has to be done and who is accountable for actions.

The objectives and actions listed in the attachment come directly from Council's 10 Year Plan (4 Year Focus) Management Plan 2008-12 adopted in June 2008. Only those objectives and actions that relate to the operational year ending 30 June 2009 are being reported on. Therefore, if a reference number is missing from a sequence of objectives or actions it is likely that this relates to an action for future years.

The performance report has a hierarchy of Codes under Council's five main themes as follows:-

- G represents a goal
- O represents an objective
- A represents an action

The report identifies officers responsible for actions, the current status of the actions and target to be met in the first quarter (QT) and the assessed actual progress

(QAct). A number represents the percentage completed and where there is no number that means that the action is to be commenced later in the year.

The organisation, as at 30 September 2008, was well on track in terms of delivering on the actions identified in the Management Plan. However, staff turnover in the areas of engineering and finance, namely the key departures of manager Finance and Director Infrastructure and Assets, and the difficulty in recruiting a planner and engineering staff, most likely will impact on the overall results attained for the 2008/09 year if casual and contract staff are not available to maintain individual programs and projects.

As this format has been used for the first time in a reporting sense it is likely that this model will be enhanced over the next few months.

### **Policy and Management Plan Implications**

Progress on Management Plan 2008/09.

### **Conclusion**

Council's performance in relation to delivering on its objectives and actions for the quarter ending 30 September 2008 was well on track.

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

**CARRIED**

## **12.2 PRINCIPAL ACTIVITY: FINANCIAL PLANNING & ORGANISATIONAL DEVELOPMENT**

### **12.2.1 Financial Report**

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

### **Recommendation**

That Council receives and notes the financial report.

### **Purpose**

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

### **Summary**

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

**Report****Collection Of Rates And Charges**

Collections for the month of October 2008 were \$147,134.23. After allowing for pensioner subsidies, the total Rates and Charges collected are now 38.21% of the levies. A summary of the Rates and Charges situation as at 31 October, 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	15,967.10	
+ Additional Charges	20,505.43	
- Credit Adjustments	18,403.87	
- Farmland 20% capped	1,078.82	
- Abandonments	415.72	460,232.98
		7,398,415.13
<u>Deductions</u>		
- Payments	2,674,958.61	
- Less Refunds of Payments	2,307.86	2,672,650.75
- Pensioner Subsidy:-		
Government Subsidy	69,364.32	
Council Subsidy	84,788.63	154,152.95
Total Rates/Water Charges Outstand		\$4,571,611.43

Note: For comparison purposes 39.72% of the levy had been collected at the end of October 2007.

**Reconciliation And Balance Of Funds Held As At 31 October, 2008**

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

Combined Bank Acc.

<u>Cash Balance as at 1 October, 2008</u>	\$2,465,701.92 Dr
<u>Add:</u> Receipts for Period Ending 31 October, 2008 Rates, Debtors, Miscellaneous	1,061,612.05
<u>Less:</u> Payments for Period Ending 31 October, 2008 Cash Book entries for this Month	952,400.23
<u>Cash Balance As At 31 October 2008</u>	\$2,574,913.74 Dr.

Investments

Bank	TD/C.Bill		
LGFS	FI 30 days @ 7.63% due 30/10/2008	925,548.07	
SGE Credit Union	TD 60 Days @ 7.93% due 7/11/2008	1,200,000.00	
Savings & Loans Credit Union	TD 61 Days @ 7.87% due 12/11/2008	1,300,000.00	
SGE Credit Union	TD 30 Days @ 7.85% due 6/11/2008	1,000,000.00	

Bank West (Sydney) Bank	TD 31 Days @ 6.65% due 10/11/2008	1,500,000.00	
SGE Credit Union	TD 60 Days @ 6.96% due 12/12/2008	1,300,000.00	
Bendigo Bank	TD 60 Days @ 6.25% due 15/12/2008	2,000,000.00	
Bank West	TD 60 Days @ 7.5% due 7/11/2008	1,000,000.00	
Bendigo Bank	11am at call Account	1,500,000.00	11,725,548.07
<b>TOTAL</b>			<b>\$14,300,461.81</b>

Commitments

Details	Amount	
<b>Internal Restrictions</b>	\$	\$
- Employee Entitlements	1,318,110	
- Doubtful Debts	129,946	
- Tip Remediation	125,950	
- Future Development Reserve	510,259	
- Murray Street Acquisition	200,000	
- Plant Replacement Reserve	831,320	
- Water Fund	1,809,218	
- Sewer Fund	679,038	
Total Internal Restrictions		5,603,841

<b>External Restrictions</b>		
- Trust	182,329	
- Developer Contribution Reserve	592,599	
- Unexpended Grants	2,759,356	
Total External Restrictions		3,534,284
Total Commitments as at 31 October 2008		9,138,125

**Policy and Management Plan Implications**

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

**Conclusion**

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

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

**CARRIED**

NAME	INSTITUTION	PURPOSE	INTEREST RATE	LOAN AMOUNT \$	AMOUNT OUTSTANDING \$	DUE DATE
Loan 176	National Australia Bank	Wentworth Water Supply Construction	7.439%	180,000.00	48,387.23	25/08/2011
Loan 178	National Australia Bank	Water Supply Construction	6.008%	118,598.00	82,703.22	28/01/2015
Loan 180	National Australia Bank	Construction of Sewer Works	6.012%	105,368.00	73,432.49	23/02/2015
Loan 181	National Australia Bank	Buronga/Gol Gol/Dareton/Pooncarie Water Filtration	6.96%	2,180,000.00	706,676.75	19/08/2012
Loan 182	National Australia Bank	Buronga/Gol Gol Sewerage Augmentation	6.96%	178,000.00	57,345.07	19/08/2012
Loan 187	National Australia Bank	Buronga/Gol Gol Sewerage Augmentation	7.084%	1,454,000.00	792,519.26	19/11/2009
Loan 195	National Australia Bank	Midway/Memorial Gardens	6.904%	1,700,000.00	1,270,072.76	30/06/2021
Loan 198	Commonwealth Bank	Wentworth Streetscape	6.15%	220,000.00	68,149.24	25/01/2011
Loan 199	National Australia Bank	Wentworth Aerodrome	6.904%	300,000.00	252,581.84	23/06/2023
TOTAL					3,351,867.86	

**Adjournment**

*At 10.02am moved Crs. McKinnon and Hederics that Council suspend standing orders to receive a presentation by Council's Auditor Wayne Williams.*

**CARRIED**

**Note:** Wayne Williams of WHK Thomsons made a presentation to Council on the Audited Financial Reports for year ending 30 June 2008.

*At 10.28am the meeting was adjourned for a morning tea break.*

**Resumption**

*At 10.48am moved Crs. King and Wakefield that Council resumes the Council meeting, with all Councillors present.*

**CARRIED**

**12.2.2 Annual Financial Reports – Presentation to the Public and Council of the Audited Financial Reports by WHK Thomsons**

Responsible Officer: Director Corporate & Community Services  
Author: Terri Maguire  
Implications: Statutory Requirement  
File Reference: F4/1  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Audited Financial Reports and Auditor's Report

**Recommendation**

That Council notes the presentation of Council's Audited Financial Reports as presented by WHK Thomsons.

**Purpose**

In accordance with Section 418(1)(b) of the Local Government Act 1993, public notice was given that the Audited Financial Reports of the Wentworth Shire Council for the period ended 30 June 2008 will be presented by Council's Auditor at the November Council Meeting on 19 November 2008.

**Summary**

A brief summary of Council's position was reported to Council at the October Council meeting.

WHK Thomsons are scheduled to present to Council and the Public on 19 November 2008.

Any person may, in accordance with section 420 of the Local Government Act 1993, make a submission to Council with respect to the Audited Financial Reports or Auditors Report within 7 days from Saturday, the 8<sup>th</sup> of November, 2008.

All submissions received within the 7 day period will be tabled at the November Council Meeting.

**Report**

A copy of the Audited Financial Reports for the year ending 30 June 2008 including the Auditors Report will be separately circulated for your information.

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

**CARRIED**

**12.2.3 Financial Review of Council's 2007/2008 Management Plan as at 30 September 2008**

Responsible Officer: Director Corporate and Community Services  
Author: Director Corporate and Community Services  
Implications: Management Plan and Adopted Budget  
File: S501  
Attachments: Adopted Budget Summary 2008/2009  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council receives the September Financial Review and adopts the variations to the 2008/2009 Management Plan adopted at the Council Meeting of the 18th June 2008.

**Purpose**

In accordance with S407 (1) of the Local Government Act 1993, Council's financial performance has been reviewed against the 2008/2009 Management Plan for the period ended 30 September 2008.

**Summary**

A full review of Council's Income, Operating Expenditure and Capital Expenditure has been made. On review it has been identified that a number of variations are required to be made against the original budget due to unforeseen circumstances, changes in response to Council's requirements, Council's Policies and decisions. Council's revenue and expenditure is reviewed on a monthly basis to identify any areas of concern.

You will note that 56.5% of the full year's Revenue Budget has been recognised as revenue. This is due to \$600,000 received from sale of land at Mourquong and rate revenue recognised as income when rate notices are raised, with all unpaid rates appearing in the Balance Sheet as Rate Debtors until payment is made.

26.6% of the overall Expenditure Budget has been spent with variances ranging from 12% to 34% in the functional areas against the original budget. This trend is normal in the initial three months of any financial year as many July payments are accrued back to the previous financial year. The accrued payments have been offset by a number of payments that are due and payable in the first few months of the financial year such as insurances and some major contributions. In addition to the normal movements within the first three months of the financial year there is a need for some variances to be approved in some areas.

**Report**

A Budget Summary is attached for your information identifying the Adopted Budget, Year to Date Actual Revenue and Actual Expenditure to 30 September 2008, the Adopted budget and the proposed September Budget.

All Capital expenditure is being reviewed prior to commencement due to the current situation with water restrictions. 18.5% of the total Capital Budget was been spent in the first quarter.

A list of Proposed Variation to the Original Budget is attached for your approval.

#### GOVERNANCE

This area includes Mayoral, Members and General Manager expenses as associated with governance duties.

##### Revenue

No variances required

##### Expenditure

A variation is required for Election expenses as a result of Council requesting the cost of the election to be spread over a two year period. This will result in a reduction of \$33,000 in the expense budget. This amount will be budgeted in the 2009/2010 financial year.

#### CORPORATE SERVICES

Administration Services include the Finance area, Records Management and Information Technology Section.

##### Revenue

Council's Financial Assistance Grant needs a favourable variation of an additional \$154,910 due to advice from the NSW Local Government Grants Commission received after the budget was set.

##### Expenditure

No variations are required in this area.

#### OPERATIONS ADMINISTRATION

Operations Administration includes Operations Management, Occupational Health and Safety, the Works Depots, the Workshop and the Store.

##### Revenue

No Variation required

##### Expenditure

Unfilled positions in this area could possibly result in some savings throughout the year. However, some funds are being used for consultants and there is uncertainty in the possibility of securing an Engineer and costs associated with filling these positions therefore no variations are required at this stage.

#### HEALTH SERVICES

Health Services area includes health inspections, immunizations, food control, inspection & vermin control, noxious plants and health centres.

##### Revenue

No Variations required.

##### Expenditure

No Variations required

PUBLIC ORDER AND SAFETY

The area includes the Rural Fire Services, SES and Animal control.

Income

No Variations required.

Expenditure

No Variations required.

COMMUNITY SERVICES EDUCATION

This area includes the Community Development Officer, Youth Support, Pre-schools and Aged Care.

Revenue

A Variation of \$70,000 is required for a grant received from the Department of Families, Housing, Community Services and Indigenous Affairs for upgrade of the Dareton Guide Hall.

Expenditure

A Variation of \$72,000 is required for a grant received from the Department of Families, Housing, Community Services and Indigenous Affairs for upgrade of the Dareton Guide Hall.

HOUSING AND COMMUNITY AMENITITES

This area includes Town Planning, Domestic Waste, Drainage, Cemeteries, Public Conveniences, Heritage and Environmental Protection.

Revenue

No Variations required.

Expenditure

No Variations required.

RECREATION & CULTURE

This area includes Parks & Gardens, Halls, Swimming Pools, Libraries, Arts, Community Centres and Ovals.

Revenue

No Variations required.

Expenditure

No variations required.

BUILDING CONTROL

This area includes development and management of resources through provision of regulatory services for building and construction projects.

Revenue

No Variations Required.

Expenditure

No Variations required.

ROADS, BRIDGES AND AIRPORTS

This area includes roads, bridges, airports and associated infrastructure.

Revenue

The RTA Block Grant, Traffic Facilities and 3 x 3 grant has been received for the first quarter. No Variations required.

Expenditure

A variation for \$556,420 is required for uncompleted RTA works form 2007/2008. This work was funded from the Block Grant received in the last financial year.

BUSINESS UNDERTAKINGS

Business Undertakings includes the Tourist Information Office, Business Developments and Private Works.

Revenue

The final payment for the sale of land to the Winery at Mourquong been invoiced and received as budgeted.

A variation is required for the sale of additional land at Mourquong for the amount of \$600,000.

Expenditure

No variations are required in this area.

WATER & SEWER

Includes Water & Sewer services.

Water restrictions in this area will result in a reduction of revenue when compared with other years. This is partly offset by a reduction in operating costs.

Revenue

Access charges billed as budgeted for Water and Sewer. No variations required.

Expenditure

No variations required

CAPITAL EXPENDITURE

Capital Works projects totalling \$610,000 and Principal Loan repayments totalling \$135,470 (18.53% of total Capital budget) have been spent in the first quarter. Capital works expenditure includes plant purchases, office upgrade, the office archive, CMA works, library books, computer replacement and caravan park works.

A Capital variation is required for the Corbett Avenue Floodgate outfall. This work was initially underestimated at \$15,000 and a variation is required for an additional \$15,000.

SUMMARY OF VARIATIONS**Revenue**

Financial Assistance Grant	Favourable	\$154,910
Dareton Guide Hall	Favourable	\$70,000
Sale of Mourquong	Favourable	\$600,000
<b>TOTAL REVENUE</b>		<b>\$824,910</b>

**Expenditure**

Election Costs	Favourable	-\$33,000
Dareton Guide Hall	Unfavourable	\$72,000
Block Grant under expenditure from 07/08	Unfavourable	\$556,420
<b>TOTAL EXPENDITURE</b>		<b>\$595,420</b>

**Capital**

<b>Corbett Avenue Floodgate Outfall</b>	Unfavourable	\$15,000
<b>TOTAL CAPITAL EXPENDITURE</b>		<b>\$15,000</b>
<b>Total Expenditure (Including Capital)</b>		<b>\$610,420</b>
<b>Total Movement</b>	Favourable	<b>\$214,490</b>

**Conclusion**

The net result for the September Quarter after variations have been considered for Revenue and Expenditure including Capital will be a favourable variance of \$214,490.

Sale of land funds will be transferred to Council's Future Development Reserve.

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

**CARRIED**

**12.3 PRINCIPAL ACTIVITY: PUBLIC ORDER AND SAFETY**

Nil

**12.4 PRINCIPAL ACTIVITY: HEALTHY COMMUNITIES (HEALTH SERVICES)**

Nil

**12.5 PRINCIPAL ACTIVITY: COMMUNITY SERVICES**

Nil

**12.6 PRINCIPAL ACTIVITY: HOUSING & 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 October 2008.

**Report**

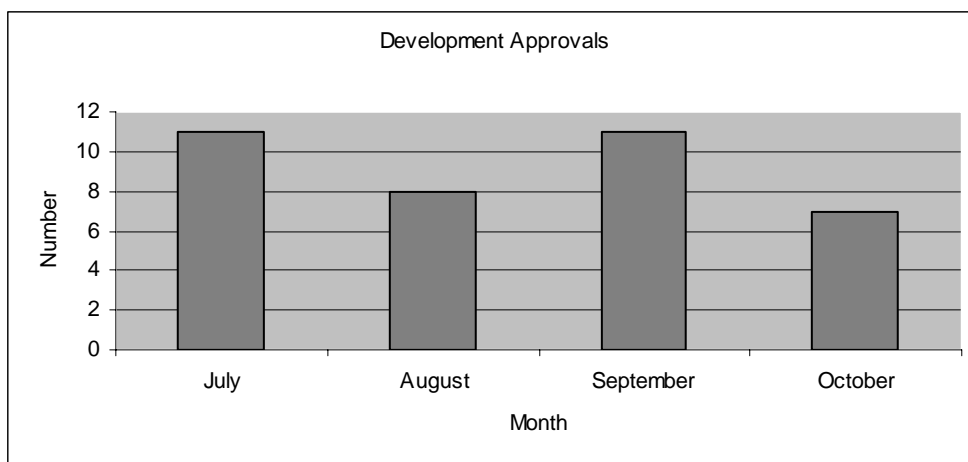
DA No	OWNER / APPLICANT	LOCATION	DEVELOPMENT TYPE & VALUE	NO. DAYS	DATE APPROVED
08/104	RY & JC Raven Brent Williams & Associates	Lot 3 DP870517 Old Renmark Road Wentworth	Dwelling (\$185,000)	36	14/10/2008 (STC)
08/130	T.J. Tyson	Lot 4 DP 264142 (21) Pitman Ave Buronga	Carport (\$1500)	21	15/10/2008 (STC)

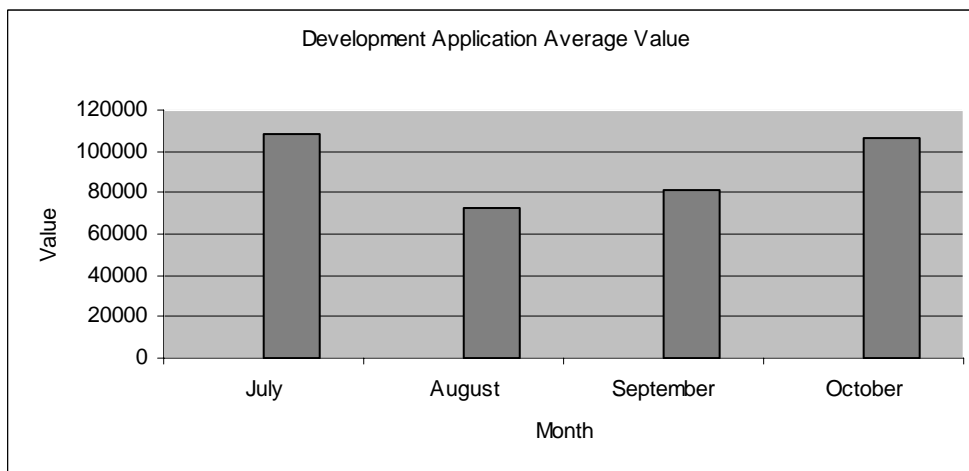
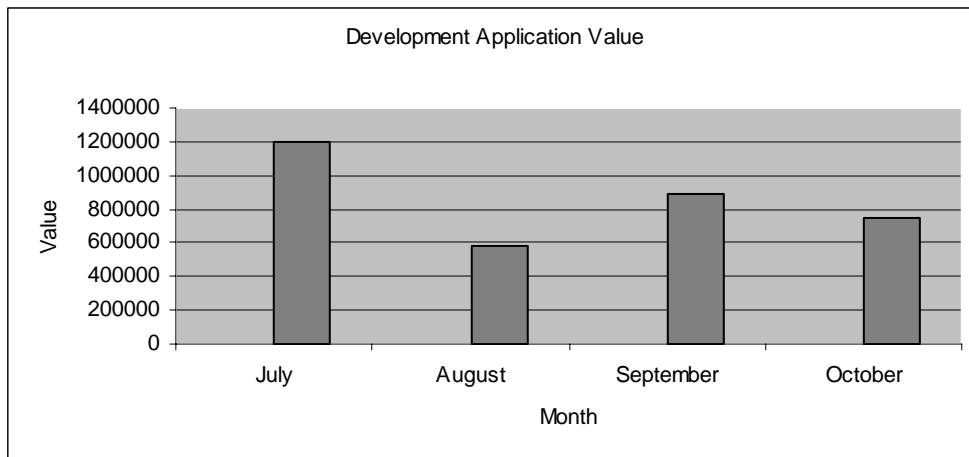
08/133	GJ Gardner Homes R.J. & S.J. Cooke	Lot 66 DP 1071972 (39) The Cobb Co Way Gol Gol	Dwelling (\$370,000)	16	15/10/2008 (STC)
08/139	G. Simonetta Brent Williams & Associates	Lot 83 DP 756946 Gol Gol Road Gol Gol	Dwelling Extension (\$47,000)	11	20/10/2008 (STC)
08/120	Farnsworth R & D	Lot 42 DP 756971 Mallee Cliffs IA	Relocated Dwelling (\$25,000)	51	20/10/2008 (STC)
08/127	AR & JL Wade	Lot 16 DP 729494 Silver City highway Curlwaa	Remove Existing Dwelling and construct new dwelling (\$113000)	28	20/10/08 (STC)
93/07	CD & HA Thiele GJ Gardner Homes	Lot 406 DP 756961 Pitman Avenue West Buronga	Dwelling on the floodplain (\$338,248)	79	22/10/2008 (STC)

**Summary**

For the month of October there were seven Development Applications approved under delegated authority by the Director - Development & Environment. The estimated cost of the approved development is \$746,748 partly consisting of three new dwellings. The following data and graph indicate comparison of value for previous months of this current financial year.

Month	DA's Approved	Value	Average
July	11	\$1,193,100	\$108,464
August	8	\$583,765	\$72,971
September	11	\$893,846	\$81,259
October	7	\$746,748	\$106,678
Total	37	\$3,417,459	\$369,372





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

**CARRIED**

**12.6.2 Discharge of Mortgage**

Responsible Officer: Director Corporate Services  
 Author: Property Management Officer  
 Implications: Nil  
 File Reference: C14/16-2  
 Attachments: Nil  
 Separately Circ.: Nil  
 Tabled: Nil

**Recommendation**

That the Council seal be affixed to the discharge of mortgage document for Lot 2 DP 1102419.

**Purpose**

To provide sufficient information for a considered decision to be made on this matter.

**Report**

Council, in July 2005, resolved to sell a portion of a parcel of land acquired for the purpose of industrial development to the McGuigan Simeon Winery. The purchase

price was \$700,000.00. An initial payment of \$233,333.00 was paid and a mortgage for a further two annual payments of \$233,333.50 was registered 23 October 2006.

Council has now received the both payments and the purchaser has requested that the mortgage be discharged.

The discharge document requires the Council Seal to be affixed.

### **Policy and Management Plan Implications**

The payment has been deposited into the Future Development Reserve Fund.

### **Conclusion**

Discharge of the mortgage finalises this matter.

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

**CARRIED**

## **12.7 PRINCIPAL ACTIVITY: RECREATION & CULTURE**

***Councillor Margaret Thomson declared a conflict of interest in item 12.7.1 as she is a Board Member of Mallee Family Care who assisted with funding for the upgraded centre, and left the Council Chambers at 10.55am.***

***Deputy Mayor Councillor Brian Wakefield assumed the chair.***

### **12.7.1 Change of Name and Purpose Reserve 89864**

Responsible Officer:	Director Infrastructure and Assets
Author:	Property Management Officer
Implications:	Nil
File Reference:	P882/0
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

### **Recommendation**

That Council requests that the Department of Lands changes the name and purpose of Reserve 89864 to reflect the current usage, from the current name, being Dareton Girl Guides Reserve and usage being Girl Guides, to the proposed name, being the Dareton Community Activity Centre and the purpose being community activity.

### **Purpose**

To ensure the purpose for which a reserve is gazetted reflects the usage.

### **Report**

The Girl Guides Hall in Mitchell Street Dareton was in disrepair and negotiations took place regarding the Girl Guides Association relinquishing the reserve. The Australian Government Department of Families, Housing, Community Services and Indigenous

Affairs provided funding to upgrade the facility which held its official opening 8 October 2008.

As the activities undertaken at the reserve are no longer consistent with the gazetted purpose a change of name and purpose are required.

### **Policy and Management Plan Implications**

Income generated on the reserve will cover costs such as power and maintenance. A Memorandum of Understanding will be entered into between Mallee Family Care and Wentworth Shire Council.

### **Conclusion**

Any Crown Reserve can only be used for the purpose for which it is gazette and therefore a change of name and purpose is required.

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

**CARRIED**

***At 10.56am Councillor Wakefield vacated the chair with Mayor Thomson returning to the Chamber and resuming her position.***

### **12.7.2 PS Ruby Board of Management Meeting Minutes 11 September 2008**

Responsible Officer:	Director Corporate & Community Services
Author:	Director Corporate & Community Services
Implications:	Nil
File Reference:	C14/2-5
Attachments:	Nil
Separately Circ.:	Minutes of meeting 11 September 2008
Tabled:	Nil

### **Recommendation**

That Council receives and notes the report.

### **Purpose**

To report on the PS Ruby Board of Management Committee meeting held Thursday 11 September 2008.

### **Report**

PS Ruby Board of Management Committee meeting discussed issues regarding completed and ongoing works in progress and outcomes.

There are no decisions required of Council.

The minutes of the PS Ruby Board of Management are self explanatory.

***Moved Crs. King and Whitfield that the recommendation be adopted.***

**CARRIED**

**12.7.3 Agreement to Occupy Anabranh Hall & Tennis Courts**

Responsible Officer: Director Infrastructure and Assets  
 Author: Property Management Officer  
 Implications: Nil  
 File Reference: C14/8-2  
 Attachments: Nil  
 Separately Circ.: List of improvements  
 Tabled: Nil

**Recommendation**

That the fee for Anabranh Landcare and Sporting Group's occupation of Reserve 84989 be waived in lieu of the contribution made by the group to the reserve.

**Purpose**

To provide sufficient information for a considered decision regarding the occupation of the Anabranh Hall and Tennis Courts Reserve Trust.

**Report**

Reserve 84989 houses the Anabranh Hall and Tennis Courts. Council hires this facility at the following rates:-

Purpose	Period	Cost
Functions	Half day (up to 4 hours)	\$55
	Half day (4 – 8 hours)	\$100
	Evening (from 5 pm)	\$120
	Bond	\$400
Meetings & Rehearsals	Per day	\$45
	Night	\$65
	Holding fee non refundable	\$35

Anyone who wishes to hire the hall contacts a representative from the Anabranh Sporting and Landcare Group (the Group) who provide a property management role in terms of inspection by hirer, providing keys and access to the hall, inspection after hire and return of the keys. Should Council send a staff member to undertake these tasks the hire fees would not cover the cost involved. In addition the group has undertaken a large range of improvements a list of which is attached. This represents a minimum of \$21,289 plus two rainwater tanks and countless volunteer hours. The Group has indicated their preference for a temporary licence agreement to be timed in line with their AGM and have requested that the temporary licence fee be waived.

**Policy and Management Plan Implications**

There is no fee set in the management plan for a temporary licence or an annual fee for use of Reserve 84989. The minimum licence fee that is currently being applied is \$150 to cover the cost to Council to draw up the agreement.

**Conclusion**

The proposed resolution has the effect of formalising the occupation whilst maintaining the status quo.

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

**CARRIED**

**12.7.4 Report On the Australian Inland Botanic Gardens Committee Meeting Held 6 October 2008**

Author: Mayor  
Implications: Nil  
File Reference: R9/5-2  
Attachments: Nil  
Separately Circ.: Minutes of the AIBG 6 October 2008  
Tabled: Nil

**Recommendation**

That Council receives and notes the minutes of the Australian Inland Botanic Gardens Committee meeting held 6 October 2008.

**Purpose**

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

**Report**

The minutes of the AIBG Committee meeting which were held on Monday 6 October 2008 at MADEC's Wesley Complex Mildura are submitted for the information of Council and include the following:-

- Business Arising from previous minutes (Farmers Market, Interest Rate, Art or Sculpture Competition)
- Correspondence Inwards
- Correspondence Outwards
- President's Report
- Treasurer's Report
- Director's report
- Sub-Committees Report
- Friends of the Garden Report
- General Business including:-
  1. Business Plan
  2. Access to the Riverine Site from River Road
  3. Letterhead
  4. Governor General's visit
  5. Chairs
  6. Friend's Contributions
  7. Green Corps-Riverine Reserve Works

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

**CARRIED**

**12.8 PRINCIPAL ACTIVITY: STATUTORY & STRATEGIC PLANNING**

**12.8.1 Draft Wentworth Local Environmental Plan 2008**

Responsible Officer: Director - Development & Environment  
Author: Director - Development & Environment  
Implications: Policy, Management Plan

File & References: File No. L1/32  
Attachments: Nil  
Separately Circ.: Submissions previously provided to Councillors  
Tabled: Draft Local Environmental Plan 2008

### **Recommendation**

That Council adopts Draft Wentworth Local Environmental Plan 2008 and refers the plan to the Director General of the Department of Planning to obtain a certificate under section 65 of the Environmental Planning and Assessment Act to allow the plan to be exhibited for public submissions.

### **Purpose**

The purpose of this report is for Council to consider the draft Local Environmental Plan and to request the Director General of the Department of Planning to issue a section 65 certificate enabling the plan to be publicly exhibited.

### **Summary**

To date the development of the Draft Local Environmental Plan has undergone several phases of consultation with the latest being with government agencies. The submissions received from those departments have been circulated to the Councillors.

### **Report**

Council is at the stage of requesting the Director General of the Department of Planning to issue a section 65 certificate to enable the plan to be publicly exhibited allowing comment. As the lead up to this stage Council has undertaken agency consultation where 40 packages of the relevant information were sent out and 9 submissions received. Those submissions are still being analysed at the time of writing this report. Prior to the council meeting a full report will be circulated.

### **Policy and Management Plan Implications**

The Local Environmental Plan will provide future planning controls for the development of the Wentworth Shire.

### **Conclusion**

The adoption of the draft Wentworth LEP 2008 will be followed by a request to the Department of Planning to issue a section 65 certificate, thus enabling public exhibition of the document.

***Moved Crs. Wakefield and McKinnon that the report be deferred and carried over to a future meeting of Council.***

**CARRIED**

***Moved Crs. King and Wakefield that an Extraordinary meeting be held on 3 December 2008 at 9am.***

**CARRIED**

**12.9 PRINCIPAL ACTIVITY: BUILDING CONTROL**

Nil

**12.10 PRINCIPAL ACTIVITY: SUSTAINABLE ECONOMIC DEVELOPMENT & GROWTH**

Nil

**12.11 PRINCIPAL ACTIVITY: ENVIRONMENTAL MANAGEMENT****12.11.1 Declaration of Boneseed as a Noxious Weed**

Responsible Officer:	Director - Development & Environment
Author:	Director - Development & Environment
Implications:	Policy, Management Plan
File & References:	E6/14-6
Attachments:	Nil
Separately Circ.:	Boneseed weed management guidelines
Tabled:	Nil

**Recommendation**

That Council declares Boneseed a class 2 noxious weed and advises the Western Riverina Noxious Weeds Advisory Group accordingly.

**Purpose**

The purpose of this report is for Council to declare Boneseed as a class 2 noxious weed in Wentworth Shire.

**Summary**

The Western Riverina Noxious Weeds Advisory Group has requested that Council declare Boneseed a class 2 noxious weed throughout the Shire. The declaration will form part of the regional weeds strategy.

**Report**

Boneseed has been identified in Wentworth Shire, but has not formally been declared a noxious weed. This process is necessary to be part of the Riverina Weeds regional strategy. Riverina Councils are in the process of having this weed of National significance declared a class 2 Regionally Prohibited Weed. This in effect means that the weed must be eradicated from the land and that land must be kept free of the plant.

**Policy and Management Plan Implications**

This declaration will require allocation of funds and resources to control this weed. It is anticipated that this will be within the existing budget based on priority.

**Conclusion**

Boneseed has been identified within Wentworth Shire and accordingly should be declared a class 2 noxious weed.

*Moved Crs. Thompson and King that the recommendation be adopted.*

**CARRIED**

**12.11.2 Murray Regional Organisation of Council's State of The Environment Supplementary Report 2007/2008**

Responsible Officer: Director - Development & Environment  
Author: Director - Development & Environment  
Implications: Management Plan  
File & References: E6/4  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: State of Environment Supplementary Report

**Recommendation**

1. That Wentworth Shire Council endorse the Murray Region Councils State of Environment Report – Supplementary Report 2007/2008, and
2. That a copy of the report having been endorsed by Wentworth Shire Council be forwarded to the Department of Local Government as an appendix to Council's annual report.

**Purpose**

The purpose of this report is for Council to endorse the Murray Regional Organisation of Councils supplementary State of the Environment Report for the 2007/2008 financial year.

**Summary**

Wentworth Shire Council is a member of the Riverina and Murray Regional Organisation of Councils (RAMROC). This organisation undertakes the statutory requirements for the preparation of the State of The Environment Report on a regional basis with the other Murray River member Councils.

**Report**

The State of The Environment Report (SoE) is required to be prepared by Councils as part of its annual reporting. Council's are required to submit an annual State of the Environment Report within five months after the end of each financial year in accordance with Section 428(2) (2) of the NSW Local Government Act 1993.

**Management Plan Implications**

The SoE report provides Council with recommendations that will need to be addressed as part of future management plans. These recommendations become part of Council's strategic planning process.

**Conclusion**

The SoE Supplementary Report 2007/2008 conforms with the statutory requirements of the Local Government Act 1993. The report is available for inspection on Council's website and a hard copy is available for inspection at Council's Office.

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

**CARRIED**

**12.11.3 Report on the Murray Darling Association Region 4 Meeting held 28 October 2008**

Responsible Officer: General Manager  
Author: Executive Assistant  
Implications: Nil  
File Reference: C6/8  
Attachments: Nil  
Separately Circ.: Minutes of the MDA Region 4 meeting  
Tabled: Nil

**Recommendation**

That Council receives and notes the minutes of the Murray Darling Association Region 4 meeting held 28 October 2008.

**Purpose**

To advise Council of the undertakings of the Murray Darling Association Region 4 meeting attended by Councillor Peter Thompson.

**Report**

The minutes of the Murray Darling Association Region 4 meeting which were held on Tuesday 28 October 2008 at the Banksia Room, DPI Complex, Irymple are submitted for the information of Council and include the following:-

- Reports
- Murray Darling Environmental Foundation report
- MDB Ministerial Council – Community Advisory Committee
- Other Business including:-
  - Sustainable Rivers Audit Report
  - Weeds Conference
  - Project for Region 4
  - Wentworth Rotary Club
  - Region 4 meeting program
  - Disparity in Water Restrictions

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

**CARRIED**

**12.12 PRINCIPAL ACTIVITY: DOMESTIC WASTE MANAGEMENT**

**12.12.1 Review of Transfer Station Operating Hours**

Responsible Officer: Director Infrastructure & Assets  
Author: Director Infrastructure & Assets  
Implications: Nil  
File Reference: W1/1-2  
Attachments: Nil

Separately Circ.: Submissions received  
Tabled: Nil

### **Recommendation**

That Council considers the submissions received and resolves to make no changes to Transfer Station operating hours for Wentworth and Coomealla.

### **Purpose**

To report on submissions received for the proposal to change operating hours at the Wentworth and Coomealla transfer stations.

### **Summary**

Four submissions had been received by the advertised closing date of Wednesday 5 November. All of these expressed some sort of concern with the proposed changes to the operating hours.

### **Report**

At the Council meeting on 15 October it was agreed that proposed changes to the operating hours for the Wentworth and Coomealla transfer stations be advertised to gauge the level of support, or otherwise for the proposed changes.

Since none of the submissions received are in favour of the proposed changes it is suggested the operating hours remain as at present.

### **Policy and Management Plan Implications**

There will be no implications if the operating hours are not changed.

### **Conclusion**

The proposed changes were advertised and submissions indicated that the status quo should remain.

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

**CARRIED**

## **12.13 PRINCIPAL ACTIVITY: ROADS & BRIDGES (INFRASTRUCTURE)**

### **12.13.1 Contracts for Supply and Delivery of Batteries, Fuel, Oil and Lubricants and Tyres**

Responsible Officer: Director Infrastructure and Assets  
Author: Property Management Officer  
Implications: Nil  
File Reference: PT0607/01, PT0607/03, PT0607/04  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council resolves to extend Contract 0607/01 Batteries, Contract 0607/03 Oils and Lubricants and Contract 0607/04 Tyres, for a further period of three months to 31 March 2009.

**Purpose**

To provide background information on contracts for purchase of the above goods and seek Council approval to extend the contract in this instance only.

**Report**

Currently Council has four contracts in place for the supply and delivery of batteries, fuel, oils and lubricants and tyres which are due to expire 31 December 2008. Council has entered into a new two year agreement for supply of fuel with Tasco Inland through the MurrayROC and RivROC Councils combined tender. It is argued that the timing of these contracts, which expire over the Christmas/New Year break, is not ideal and that expiration at the end of March is preferable. In order to alter the contract expiry it is recommended that an offer to extend the existing contracts to 31 March 2009 be forwarded to the three organisations that have expiry due 31 December 2008.

**Policy and Management Plan Implications**

It is a requirement either under the Local Government Act or Council's Purchasing Policy that the market be tested for purchase of these goods through a tender process.

**Conclusion**

Extension of time should allow the yet to be appointed Director of Infrastructure & Assets to have input into the process and will allow the adjustment of timing of the contract period.

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

**CARRIED**

**12.14 PRINCIPAL ACTIVITY: WATER SUPPLIES****12.14.1 Review of Raw Water Charges for Domestic Consumers**

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Management Plan
File Reference:	W2/11-7
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

**Recommendation**

That Council considers a review of charges for Raw Water for domestic consumers and undertakes the appropriate legislative process of implementation.

**Purpose**

The purpose of the report is to consider a review of Raw Water charges for domestic consumers.

**Summary**

The current charges for Raw Water have only two steps and do not provide any encouragement to consider cost as a reason for reducing usage. A new scale of charges for domestic consumers is suggested as a possible solution to the problem of being unable to monitor or enforce time based water restrictions.

**Report**

Charges for Raw Water are \$0.37 up to 700 kl and \$0.80 over 700 kl. The transition point of 700 kl is an annual figure.

It is suggested that additional steps are required and that a threshold should apply each time the meters are read. As part of the new charges meters will need to be read quarterly.

Based on an annual threshold of 700 kl this represents 175 kl per quarter. However, water usage will be higher in summer hence quarterly thresholds of 150 kl for winter (April – June and July – September) and 200 kl for summer (October – December and January – March) are suggested. Any usage in excess of the threshold during a quarterly period would attract higher charges depending on the level of usage involved.

The level of usage should be matched to an appropriate scale of charges so that the small number of properties who choose to use an excessive volume of water are charged accordingly.

Regardless of the means by which the water is applied to a garden or a lawn the maximum flow through a meter is around 30 litres per minute. With the present restrictions of 8 hours per week for a 13 week period the maximum consumption of water will therefore be around 250 kl per quarter. It should be noted that this volume is the maximum that passes through a meter hence it is likely consumption for a property that uses higher volume applications such as sprinklers or pop-ups would apply. Properties that minimize usage will be well under this threshold.

A scale of charges based on 100 kl increments during a quarter up to a maximum of 450 kl per winter quarter and 500 kl per summer quarter is indicated below:-

STEPS	WINTER	SUMMER
1	0 – 150 kl \$0.37	0 – 200 kl \$0.37
2	150 – 250 kl \$0.80	200 – 300 kl \$0.80
3	250 – 350 kl \$1.20	300 – 400 kl \$1.20
4	350 – 450 kl \$1.80	400 – 500 kl \$1.80
5	450 kl and over \$3.60	500 kl and over \$3.60

It may also be appropriate to set a maximum consumption figure over a period of time and consider even higher charges or a restricted flow for the properties concerned. This would affect only a very small number of property owners who choose to use excessive volumes of water over many hours per week.

The present restriction of 8 hours per week is unenforceable as is the restriction on how water can be applied. Residents who choose to water contrary to the restrictions do so at night. Restrictions based on a fixed volume limit without restricting how the water can be used and with an appropriate scale of charges would be far more acceptable to the majority of residents.

### **Policy and Management Plan Implications**

The proposed changes, if implemented, will result in increased revenue for water operations. The increased charges will however only be applicable to residents who choose to use large or excessive volumes of water.

### **Conclusion**

A new scale of charges for domestic raw water usage is proposed as a better means of more equitably spreading the costs of water. It is also hoped that future water restrictions will move towards a volume control rather than a time control and that residents will have more flexibility in how they use their water.

***Moved Crs. McKinnon and Nichols that the report be received.***

**LOST**

***Moved Crs. King and Wakefield that a further report come back to Council in 2009 to investigate the matter of increasing charges for excess water usage.***

**CARRIED**

***Councillors McKinnon and Nichols called for a division.***

***For the motion: Councillors King, Peter Thompson, Whitfield, Wakefield, Hederics and Margaret Thomson***

***Against the motion: Councillors Wheeldon, Nichols and McKinnon***

***At 11.25am Councillor King declared a pecuniary interest for item 12.14.2 as he is Chair of the Catchment Management Authority and vacated the Council Chambers.***

### **12.14.2 Assessment of Tenders for Construction of Pooncarie Weir and Fish Ladder**

Responsible Officer:	Director Infrastructure & Assets
Author:	Director Infrastructure & Assets
Implications:	Pooncarie Water Supply Security
File Reference:	W2/15-3
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

**Recommendation**

That Council awards the contract for the construction of the Pooncarie Weir and Fish ladder to Kyabram Excavations subject to the result of further enquiries, the outcome of which will be advised to the meeting verbally.

**Purpose**

The purpose is to award a contract for the construction of a new weir and fish ladder at Pooncarie.

**Summary**

Tenders for the construction of the weir and fish passage were advertised widely and closed on 10 October. Five tenders were received by the stipulated time together with one late tender. Discussions with the lowest tenderer have been undertaken and subject to receipt of additional comments it is this tender that is recommended for acceptance.

**Report**

As noted a total of six tenders were received with one of these being late.

The tender documents did allow for late tenders to be considered if to the advantage of the Principal but in this case the late tender of BMDe3 was also the highest price so was not considered further.

The six tenders in order of price were as follows;

Kyabram Excavations	\$882,847-78
Gleeson Excavations	\$1,489,213
Nevatire Civil	\$1,596,515
Waters Excavations	\$1,652,250
McMillan Contracting	\$1,826,052
BMDe3 (late)	\$2,318,737

Given that the tender from Kyabram Excavations was clearly the lowest this was the tender on which analysis was concentrated. The likely reason for the significantly lower tender is a much lower hourly rate compared to the other tenders. There are a number of possible reasons for this including the higher rates being loaded to cover allowances etc.

Kyabram Excavations have had considerable experience on the Goulburn Murray Modernisation Project, Goulburn Murray Water projects, water storage reservoirs and other concrete construction works. They also have experience in the driving of sheet piles. Their start date is flexible which is a benefit as it is not known at this stage what the river levels will be at a specific date. Further negotiation with State Water who control the outflow from Menindee Lakes will be done to try to minimize the flow. This may have to be later in the irrigation season when demand will be much reduced.

**Policy and Management Plan Implications**

The construction of the Pooncarie Weir is part of the Management Plan.

## **Conclusion**

Further information will be provided at the meeting.

***Moved Crs. Wakefield and Wheeldon that Council awards the contract for the construction of the Pooncarie Weir and Fish ladder to Kyabram Excavations subject to the result of further enquiries in relation to the works to be undertaken to the satisfaction of the General Manager, and that a further report be provided to Council if necessary.***

**CARRIED**

***At 11.31am Councillor King returned to the Council Chambers.***

## **12.15 PRINCIPAL ACTIVITY: SEWERAGE SCHEMES**

Nil

## **13. REPORT MATRIX**

### **13.1 REPORT MATRIX FROM PREVIOUS COUNCIL MEETING**

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

## **Recommendation**

That Council receives and notes the report matrix.

## **Purpose**

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

## **Summary**

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

## **Report**

The report is attached and is self-explanatory.

## **Policy and Management Plan Implications**

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

## **Conclusion**

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

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

**CARRIED**

**14. QUESTIONS WITHOUT NOTICE**

Cr. McKinnon

1. Advised the Acting Director I&A that the entrance signs to Dareton were not satisfactorily repainted some years ago and have a different format, and requested that the signs be repainted in the same way as other township signs have been undertaken.

Cr. Hederics

1. Requested that a Councillors tour be undertaken of Buronga and Gol Gol areas as was done with Wentworth and Dareton. Cr. Hederics indicated that the tour was of immense interest and that continuation of the tour to other areas would be advantageous.

*(The Mayor indicated that after a future Council meeting would be the best time for a Councillor's tour).*

Cr. Wakefield

1. Enquired as to whether an inspection had been undertaken of the large gum tree situated at the Gol Gol ramp which he raised at the Extraordinary Council meeting held 11 November.

*(The Acting Director I&A advised that this matter had been referred to the Council's Parks & Gardens Overseer and will be dealt with accordingly).*

2. Advised that there have been instances of speed boats catching on fire at the boat ramp and enquired as to whether a fire extinguisher/hydrant could be installed at that site.

Cr. McKinnon

1. Enquired as to whether Council contributed any funding to the Alcheringa Tennis Club's new lights. The meeting was advised that no funds were provided.

Cr. Nichols

1. Indicated that the Peppercorn Trees at the Old Wentworth Gaol were in an unhealthy state and considered them to be full of white ants.
2. Indicated that she had been advised by a resident that the Willowbend Caravan Park toilets do not work properly and that rubbish is being dumped at the caravan park by the proprietors and looks unsightly for the campers.
3. Advised that the windsock at the Wentworth Aerodrome needs to be relocated and that it needs to be able to bend in half to enable new socks to be installed. Also questioned who is the Airport Manager and has he visited the aerodrome lately.

*(The Acting Director I&A advised that he is the acting Airport Manager and that he has made several trips to the aerodrome for various matters).*

Cr. Thompson

1. Enquired as to whether the matter of the health of the Bunyah Pine tree in Fotherby Park which was raised at the Extraordinary Council meeting on 11 November had been investigated.  
*(The Acting Director I&A advised that a Mildura Tree Surgeon in conjunction with the Parks & Gardens Overseer had examined the tree and had found that it is suffering from sunburn and that a screen is to be erected to assist with shading the tree from further damage).*
2. Indicated that he had been unable to contact Adrian Wells regarding the Murray Valley trail.

Cr. King

1. Indicated that with the rains recently received Council staff need to be proactive in spraying California puncture weed appearing on footpaths and walkways. Councillor Thompson also mentioned khaki weed.

Cr. Wheeldon

1. Enquired as to whether it would be possible to display some saddlery pieces from Rotary in McClymont House, Fotherby Park Wentworth.  
*(The Director D&E advised that McClymont House is the most vandalized area in Wentworth and would recommend not to place anything in the building).*
2. Indicated that Council should apply for \$2m for sealing of the Wentworth aerodrome, as Mildura's airport is becoming increasingly busier and if we had sealed airstrips this would encourage movement to Wentworth aerodrome.  
*(The General Manager indicated that guidelines of the recently announced \$2m funding available from the Government have not been distributed as yet. The Mayor indicated that items for consideration for the \$2m grant funding could be discussed at the next meeting of Council).*

Cr. Nichols

1. Raised the matter of the recent vandalism of the Red Cliffs Bowling Club and surrounds, and also the Cenotaph, and indicated that young people need to be made accountable for their crimes, with harsher penalties passed down by courts. Councillor McKinnon also indicated that some 20 lights had been smashed over the last 4 months in Wentworth.  
*(The Mayor asked Councillors whether a letter should be written to the Dareton Police and if a media release would be appropriate to send out indicating Council's view on vandalism. Councillors agreed.)*

**15. NEXT MEETING**

- o 17 December 2008

**16. CONFIDENTIAL REPORTS****16.1 Closed Council****16.1.1 Australia Day January 2009 (formerly Item 12.1.4)**

Responsible Officer: General Manager  
Author: Executive Assistant

Implications:	Nil
File Reference:	E7/2-5
Attachments:	Nil
Separately Circ.:	Nomination forms – to be filled out by Councillors & faxed back
Tabled:	Nil

### **Recommendation**

That Council receives and notes the report.

### **Purpose**

To advise Council of the Australia Day nominations received as at 31 October 2008 with a view to considering at an appropriate forum winners of each Australia Day Award.

### **Summary**

At the time of writing this report, Council have received 4 nominations for Citizen of the Year (2 nominations being for the same person), no nominations for Young Citizen of the Year, no nominations for Young Sportsman of the Year, 1 nomination for Sportsman of the Year and 1 nomination for Community Group of the Year.

### **Report**

Each year the Council seeks nominations from the community for Citizen of the Year, Young Citizen of the Year, Sportsman of the Year, Young Sportsman of the Year and Community Group of the Year. When Council has considered the nominations an announcement will be made in the form of a media release to the public advising of the nominees. The Awards will be presented at the official Australia Day ceremony at the Wentworth Wharf on Monday 26 January 2009.

The previous report in relation to the Australia Day January 2009 nominations has been separately circulated.

### **Moved Councillors King and Wakefield:-**

- a) **That Council resolves to go into closed council to consider Australia Day January 2009 and nominees for awards, as it is not in the public interest to know Council's decisions on the Awards at this time.**
- 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) as mentioned previously.**
- c) **That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.**

**Council closed its meeting to consider item 16.1.1 (formerly 12.1.4) at 11.58am. The public and media left the chamber.**

**Closed Council**

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

**CARRIED**

**Open Council**

Council went into open Council at 12.04pm.

The meeting terminated at 12.04pm.