

# WENTWORTH SHIRE COUNCIL

## MINUTES

ORDINARY MONTHLY COUNCIL MEETING  
COMMENCING 9.09AM

19 August 2009

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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, Susan Nichols, Bill Wheeldon and Ian Whitfield.

**STAFF:** Mr Peter Kozlowski (*General Manager*)  
Mr Ken Ross (*Director, Sustainable Planning & Environment*)  
Mr Tony Cheng (*Director, Sustainable Infrastructure*)  
Ms Terri Maguire (*Director, Corporate Services*)  
Mrs Jill Davidson (*Executive Assistant*)

**4. APOLOGIES AND APPLICATION FOR LEAVE**

Councillor Peter Thompson advised he was unable to attend the Council meeting through contact with Councillor King.

***Moved Crs. King and Wakefield that the apology from Cr. Thompsom be received and noted.***

**CARRIED**

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

That the minutes of the ordinary Council meeting held 15 July 2009 be adopted as circulated.

***Moved Crs. Nichols and Wheeldon that the minutes of the Ordinary Council meeting held 15 July 2009 be adopted, as circulated.***

**CARRIED**

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

Councillor Whitfield advised that he had a Pecuniary Interest in relation to a Presentation to be made by Country Energy as he is an employee of Country Energy.

Councillor Whitfield advised that he had a Pecuniary Interest in Supplementary Report Item 12.7.4 Wentworth Showgrounds as he is an employee of Country Energy.

Councillor Nichols advised that she had a Conflict of Interest in item 12.5.1 Family Day Care as the matter relates to a service provided by Mildura Rural City Council of which she is a Councillor.

Note: The General Manager advised that a new conflict of interest form was now available to record conflicts in accordance with the required Legislation.

**7. PETITIONS AND MEMORIALS**

Nil

**8. MAYORAL REPORTS****8.1 APPOINTMENTS BY THE MAYOR FOR THE PERIOD 16 JULY to 18 AUGUST**

Responsible Officer: Mayor  
 Principal Activity: Governance  
 Author: Executive Assistant  
 Implications: Nil  
 File & References: G3/3-3  
 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 July to 18 August 2009.

**Report**

<b>Date</b>	<b>Conference/Appointment</b>
16 July	Meeting to discuss arrangements for Country Music Festival reception Mainstreet Events Committee
20 July	Standing meeting with GM Australian Inland Botanic Gardens Strategic Planning meeting
21 July	Travel to Cobar for Murdi Paaki meeting
22 July	Murdi Paaki meeting Cobar
27 July	Weekly meeting with GM
28 July	Meeting with Landcare representatives
30 July	Strengthening Basin Communities meeting Balranald
31 July	RAMROC meeting Jerilderie
4 Aug	Travel to Deniliquin RAMROC meeting
6 Aug	Meeting with Principal of Wentworth Primary School re 150 <sup>th</sup> Celebrations 2010 CDSE meeting Latrobe University Community Briefing – Regional Engagement Plan Latrobe University dinner
10 Aug	Weekly meeting with GM
12 Aug	Supporters meeting/reception Australian Inland Botanic Gardens Mildura Development Corporation Launch

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

**CARRIED**

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**8.2 NOTES FROM MEETING WITH MURDI PAAKI REGIONAL ASSEMBLY,  
WEDNESDAY, 22 JULY 2009 AT COBAR**

Responsible Officer: Mayor  
Author: Mayor  
Implications: Nil  
File Reference: C7/1-3  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council receives and notes the report.

**Purpose**

To advise Council of the Regional Assembly meeting convened by the Murdi Paaki at Cobar.

**Report**

The General Manager and I attended the first of a number of meetings aimed at strengthening the local governance in the Murdi Paaki Region by building a stronger working relationship between the Assembly and the eight councils and shires at a Regional level, and with the community working parties at a local level.

The forum discussed the changing demographics, financial, economic, cultural and economic landscapes in the region.

The outcome of the meeting was to find ways of improving partnerships between council and aboriginal community working parties at the local level with the view to meeting again by the end of the year to share information about developments and initiatives from each council area.

Murdi Paaki is located in western NSW. The Murdi Paaki Regional Council includes the communities of Bourke, Brewarrina, Broken Hill, Cobar, Collarenbri, Coonamble, Dareton, Engonia, Goodooga, Gulargambone, Ivanhoe, Lightning Ridge, Menindee, Quambone, Tibooburra, Walgett, Weilmoringle and Wilcannia. The driver of the strengthening local governance in the region is the regional shared responsibility agreement between the Murdi Paaki Regional Council, the Commonwealth Government, and the New South Wales Government. The Murdi Paaki Regional Assembly provides secretarial and administrative support for the sixteen Murdi Paaki community working parties.

**Conclusion**

The Regional Assembly meeting and future meetings will no doubt enhance and improve partnerships between the aboriginal community working parties and local Councils.

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

**CARRIED**

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**8.3 RIVERINA AND MURRAY REGIONAL ORGANISATION OF COUNCILS MEETING ON 5 AUGUST 2009**

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

**Recommendation**

That Council receives and notes the report.

**Purpose**

To report on the outcomes of the RAMROC meeting held on 5 August 2009.

**Report**

The General Manager and I attended a meeting of the Riverina and Murray Regional Organisation of Councils (RAMROC) on 5 August 2009 at Jerilderie.

A number of presentations were made including the following:-

- Mr David Harriss – Deputy Director General Water Management NSW Department of Water and Energy – re water restrictions policy Murray and Murrumbidgee River Systems
- Messrs Tom Smith, Peter Hayle, Ken Murphy and Ms Margaret O'Dwyer – Victorian and New South Wales Regional Tourism – re tourism promotion proposals for Murray and Riverina regions
- Members of the New South Wales Grant Commission – re financial assistance grants to Councils

Mr David Harriss outlined the methodology behind the management of water restrictions in both the Murray and Murrumbidgee river systems and advised that recent years have seen some of the lowest recorded inflows into the Murray Darling System over the last 100 years.

Ms Margaret O'Dwyer made a presentation on a proposal to establish a new Regional Tourism Organisation factoring the Murray River. Should this go ahead the new organisation would be represented by a number of Victorian and New South Wales Councils.

Grants Commission representations presented details on the methodology of how the financial assistance grants were calculated for individual Councils.

**Water for Food Campaign**

The meeting referred to the recently compiled manifesto which RAMROC will present to Governments. The main elements of the manifesto are as follows:-

- *The water cycle – no water is ever lost theme – educational digital DVD;*

- *Water security equals Food Security (WS=FS);*
- *Food shortages and hunger pose a serious world threat;*
- *Recognition of the contribution already made by communities in water savings achieved for environmental purposes and for agricultural efficiency and productivity;*
- *Importance of ongoing community sustainability;*
- *2006 statistics – typical year for food production of \$2.2.billion at farm gate and 47,000 direct and indirect jobs for the region;*
- *Specific quantification of water required to sustain existing levels of food production, for the environment and for urban communities;*
- *Importance of Research and Development, new opportunities and rewards for achievements;*
- *Urgent demand for comprehensive socio-economic studies on effects of climate change and reduced water availability;*
- *Change Government current strategy of unplanned and ad hoc water purchases;*
- *Importance of a balanced approach – water security, food security, environmental security and community security;*
- *Explore new infrastructure opportunities to develop increased water availability to southern Murray Darling Basin”*

#### Commonwealth Government's Strengthening Basin Communities Program

The meeting referred to the Commonwealth Government's \$200million "Strengthening Basin Communities Program" which is to be implemented in 2 stages.

These stages are a planning phase where \$20million and a second stage utilizing \$180million for Water Savings Initiatives.

At the meeting 13 July 2009, it was agreed that applications for the first element (Planning) should be developed across the region in four cluster groups, comprising:-

- *Group 1 – Albury City, Greater Hume, Urana and Corowa Councils;*
- *Group 2 – Berrigan, Conargo, Murray, Deniliquin and Wakool Councils;*
- *Group 3 – Hay, Balranald and Wentworth Councils*
- *Group 4 – Griffith City, Leeton, Narrandera, Carrathool, Jerilderie and Murrumbidgee Councils.*

It was also agreed at the meeting that each group develops specific criteria for its region, but that each will incorporate the following common ingredients:-

- *Comprehensive socio-economic studies;*
- *Corporate management and financial plans;*
- *Community and economic development opportunities;*
- *Development strategies and land use planning;*
- *Climate change modelling*
- *Risk assessment and Management analysis – particularly impacts of reduced water availability and community dependency on water;*
- *Education and communication strategies;*

Group 3, comprising Hay, Balranald and Wentworth Councils, met on 30 July 2009 to further its application in relation to this program. I attended the meeting with the General Manager and the Manager Community and Economic Development. This application is progressing with the assistance of Sinclair, Knight, Merz (SKM). Wentworth Shire Council will be the lead Council in group 3.

### State of Environment Reports

The meeting accepted a proposal from Habitat Planning (Albury)" in relation to the development of a Regional State of the Environment Report.

### Productivity Commission Study into Mechanisms to Purchase Water Entitlements

The meeting was advised that the Minister for Climate Change Senator Penny Wong and Assistant Treasurer Nick Sherry have jointly announced a Productivity Commission Study into alternative market mechanisms that the Australian Government can use to diversify its purchase of water entitlements in the Murray Darling Basin.

This is a critical issue for our region, because the Terms of Reference for the PC Study make no reference whatsoever to the issues of food security and agricultural production, nor to the potential socio-economic impacts of any form in an accelerated purchase program.

RAMROC decided to make a strong submission to the Productivity Commission. The submission will propose that the PC study presents a vital opportunity for a thorough and comprehensive re-appraisal of the buy-back program, including an exhaustive examination of alternative and innovative ways in which the environmental water needs and commitments made by the Rudd Government can be delivered without the need for further purchase of irrigator entitlements, which will inevitably and irreversibly destroy irrigated agricultural production in the Murray Darling Basin.

### NSW Standing Committee Inquiry into 2008 Local Government Elections

The Executive Officer of RAMROC will be representing a number of Councils at a hearing in relation to this Inquiry.

### Water Trigger Points

RAMROC resolved that water restriction trigger points lay on the table to allow further discussion with Councils.

### 30 Metre River Setback

The issue of the setback was raised at the meeting and in general discussion it was clear that setback provisions are likely to be different in a number of Councils along the Murray in relation to their individual Local Environmental Plans. The 30 metre setback provision is the subject of another report in this agenda.

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

**CARRIED**

## **9. NOTICES OF MOTION**

### **9.1 Notice of Rescission – Level 4 Watering Restrictions**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Management Plan

File & References: W2/4-2  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

### **Recommendation**

For the decision of Council.

### **Purpose**

To advise of a notice of rescission received in relation to the Level 4 Watering Restrictions.

### **Report**

The following notice has been signed by three Councillors as required by the Code (Councillors McKinnon, Nichols and Wheeldon):

*Notice is hereby given that at the next ordinary meeting of the WENTWORTH SHIRE COUNCIL on Wednesday 19<sup>th</sup> August 2009 that the following motion be rescinded which was passed at the July meeting of Council:*

*“that Council introduces Level 4 watering restrictions and reviews the situation monthly”*

The new motion reads and proposes as follows:-

*“That Council will set aside an amount of \$200,000 (two hundred thousand dollars) to purchase temporary water to enable Level 3 water restrictions to be re-instated to help preserve the residents assets and community spirit and wellbeing. This policy is to come into effect immediately.”*

### **General Manager Comments**

It is recommended that this issue be dealt with in conjunction with item 12.14.1 and it is appropriate to bring that item forward at this stage.

As Council included the wording “reviews the situation monthly” technically the rescission does not need to be considered.

***Moved Crs. Wakefield and Whitfield that item 12.14.1 be brought forward and considered in conjunction with item 9.1.***

**CARRIED**

***Moved Crs. McKinnon and Nichols that the following motion be rescinded:-***

*“that Council introduces Level 4 watering restrictions and reviews the situation monthly”*

**LOST**

***A division was called.***

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

**Against the motion: Councillors King, Whitfield, Wakefield, Hederics, Thomson**

Note: The Director Sustainable Infrastructure advised that recent advice had been received from the Department of Water & Energy confirming that Council could use additional licences it had to relax water restrictions from level 4 to 3A. He advised that based on water usage patterns (graph tabled) that Council could maintain level 3a for several months and, therefore, would not need to purchase water at this time from the open market.

**Moved Crs. King and Wakefield that Council moves to level 3A watering restrictions and that the level of watering restrictions be reviewed monthly.**

**CARRIED**

### **Adjournment**

**At 10.22am moved Crs. Nichols and Wakefield that Council suspend standing orders to receive a presentation by Country Energy representatives.**

**CARRIED**

**Councillor King vacated the Council Chambers as he declared a conflict of interest with the Country Energy presentation due to his son undertaking an apprenticeship with Country Energy.**

**Councillor Whitfield vacated the Council Chambers as he declared a Pecuniary Interest with the Country Energy presentation because he is an employee with Country Energy.**

**At 11.12am the meeting was adjourned for a morning tea break.**

### **Resumption**

**At 11.28am moved Crs. Nichols and Wakefield that Council resumes the Council meeting, with all Councillors present except for Councillor Peter Thomson who was an apology.**

**CARRIED**

## **10. DELEGATES REPORTS**

Nil

## **11. COMMITTEE MEETING REPORTS**

### **11.1 Minutes of the Meeting of the Community Development Support Expenditure Local Committee held Thursday 6 August 2009**

Responsible Officer: General Manager  
Author: Director Corporate Services  
Implications: Nil  
File Reference: C7/7-2  
Attachments: Nil  
Separately Circ.: Minutes  
Tabled: Nil

**Recommendation**

That Council receives and notes the report.

**Purpose**

To advise Council of the Category 1 expenditure recommendations adopted by the CDSE Local Committee.

**Report**

The Community Development Support Expenditure Local Committee met on 6 August 2009, chaired by the Mayor.

The Community Development Support Expenditure Local Committee adopted the Category 1 recommendations for the Coomealla Memorial Sporting Club totalling \$48,584.43 and the Wentworth Services Sporting Club totalling \$15,000. The details of the minutes are self explanatory.

**Policy and Management Plan Implications**

Nil

**Conclusion**

The recommendations made by the Coomealla Memorial Sporting Club and the Wentworth Services Sporting Club Ltd were received and verified by the Committee.

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

**CARRIED**

**12. OFFICERS' REPORTS****12.1 PRINCIPAL ACTIVITY: LEADERSHIP, GOVERNANCE & STRATEGIC PLANNING****12.1.1 MDA National Conference 2009**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Policy development  
File Reference: I1/8  
Attachments: MDA National Conference 2009 Flyer  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council notes the Murray Darling Association National Conference to be held in Elizabeth South Australia from 3, 4, 5 & 6 September 2009 and seeks approval for Councillors to attend.

**Purpose**

To advise Councillors of the MDA National Conference to be held in Elizabeth, South Australia from 3, 4, 5 & 6 September 2009.

**Summary**

Self explanatory.

**Report**

The MDA National Conference will detail the latest information on water supply, sewerage, and broader water management issues affecting local government.

**Policy and Management Plan Implications**

Funds are included for conferences in the 09/10 Management Plan.

**Conclusion**

Representatives from Council will be provided with updated information that could be useful for future policy making.

***Moved Crs. Wakefield and King that Cr Hederics, the General Manager and the Mayor attend the MDA National Conference.***

**CARRIED**

**12.1.2 Policies Recommended for Rescission**

Responsible Officer:	General Manager
Author:	Director Sustainable Planning & Environment and Manager Governance and Corporate Development
Implications:	Governance and Policy
File Reference:	C9/7
Attachments:	CP97
Separately Circ.:	Nil
Tabled:	Nil

**Recommendation**

That Council rescind the following policy for the reasons contained in this report:

- CP7 – Carnivals, Sideshows, etc

**Purpose**

The purpose of this report is:

- To inform council of the reasons for recommending the rescission of the abovementioned policy
- To seek council's adoption of the abovementioned recommendation.

### **Summary**

Council is committed to continuous improvement and best value in everything we do. As part of this commitment, Council has an ongoing annual program of Code, Policy and Procedure review. The policies discussed in this report have been identified as no longer required and are therefore recommended for rescission for the reasons outlined below.

### **Report**

#### **CP7 – Carnivals, Sideshows, etc**

This policy duplicates a requirement in planning regulations. It is therefore considered appropriate that CP7 be rescinded.

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

The adoption of the abovementioned recommendation will assist council to meet its Management Plan 2009-2013 objective to provide leadership and maintain strong levels of statutory compliance.

### **Conclusion**

The policy identified in this report is recommended for rescission.

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

**CARRIED**

#### **12.1.3 Asset Disposal CP108**

Responsible Officer:	Director Sustainable Infrastructure
Author:	Manager Assets & Design, Director Sustainable Infrastructure
Implications:	Policy Development
File Reference:	C9/7
Attachments:	Asset Disposal Policy
Separately Circ.:	Nil
Tabled:	Nil

### **Recommendation**

That Council adopts the revised Asset Disposal Policy.

### **Purpose**

To advise Councillors of the rationale for revising the Asset Disposal Policy and to seek adoption of the Policy.

### **Summary**

The proposed Asset Disposal Policy has been realigned with Asset Management requirements.

**Report**

The Asset Disposal Policy was adopted on 20 February 2008 and was required to be reviewed every 12 months.

A review and redraft of the policy was conducted in the past few months.

The 2 main amendments are centred around the definition of 'asset' and the issue of 'internal sales to staff' as detailed by the clauses below. Firstly, in the proposed policy; "*negotiated assets sales and internal expressions of interest for sales of asset to staff will not be allowed.*" This clause effectively sets the upper boundary of a dollar value for which internal sales to staff would be allowed as the term 'Asset' is defined as being applicable "*... to the terms 'asset(s)', 'stores', 'item(s)', 'equipment', 'furnishings' and 'goods' as used throughout this policy and refers to items with an original purchase value of more than \$5,000 (excl. GST) or an estimated residue value of more than \$1,000 (excl. GST) at the time of disposal.*"

Secondly, direct negotiation with potential purchasers for items exceeding an estimated residue value of \$1000 excluding GST will no longer be permitted.

**Policy and Management Plan Implications**

The adoption of this policy will assist Council to meet its Management Plan 2009-13 objective to maintain strong levels of statutory compliance.

**Conclusion**

The policy CP108 identified in this report is recommended for approval.

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

**CARRIED**

**12.1.4 Asset Management Strategy**

Responsible Officer: Director Sustainable Infrastructure  
Author: Manager Design & Assets  
Implications: Asset Management Strategy  
File Reference: C9/7  
Attachments: Asset Management Strategy -Draft  
Separately Circ.: Nil  
Tabled: Nil

**Recommendation**

That Council adopts the Asset Management Strategy.

**Purpose**

The purpose of this report is to provide Council with an Asset Management Strategy .

### **Summary**

The Asset Management Strategy is the frame work for the Asset Management Plan and provides a way forward for Council to strategically manage its assets.

### **Report**

In today's infrastructural environment of increased user expectations, standards and service level through tighter legislative requirements, improved safety and ongoing asset renewal requirements. Council would need to review, understand & pre-empt future infrastructural and assets requirements from a whole of life approach. The Asset Management Strategy is the first step of the Wentworth Shire Asset Management Plan.

The Wentworth Shire Council has assets to a value of \$151 million. In order to provide the required level of service and enhance the quality of life of the communities within the Shire, the Asset Management Strategy will lay the foundation for identification, condition, assessment, prioritisation and funding of Council Assets.

The importance of these assets to Shire communities and their significance for Council's budgets means that asset management must be a critical part of Council's planning and service delivery. This strategy recognises the need to manage assets effectively as part of service delivery, meaning that those delivering the service should generally be responsible for managing the assets that are associated with that service. As a result of this approach, assets will be managed utilising an activity hierarchy.

Failure to adequately plan for the replacement of existing assets and the development of new assets may result in levels of service being met by eroded over time.

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

The Council Management Plan 2009-2013 and Council 2023 (10 Year) plan would need to be reviewed and aligned with the Asset Management Plan.

### **Conclusion**

The Asset Management Strategy is an important first step for Wentworth Shire Council Asset Management Plan.

***Moved Crs. Wakefield and King that the recommendation be adopted, subject to the strategy being reviewed prior to the adoption of the Management Plan, annually.***

**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: F4/2-3  
 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 July 2009 were \$363,652.58 After allowing for pensioner subsidies, the total Rates and Charges collected are now 6.56% of the levies. A summary of the Rates and Charges situation as at 31 July, 2009 is as follows:-

<u>Levies</u>		
Balance Outstanding at 30 June 2009	1,785,645.30	
Rates & Charges Levied	6,428,697.21	8,214,342.51
+ Additional Water Charges	-	
+ Supplementary Rates & Charges	-	
+ Additional Charges	7,930.88	
- Credit Adjustments	2,404.01	
- Farmland 20% capped	156,462.19	
- Abandonments	5.60	(150,940.92)
		8,063,401.59
<u>Deductions</u>		
- Payments	363,652.58	
- Less Refunds of Payments	-	363,652.58
- Pensioner Subsidy:-		
Government Subsidy	90,712.64	
Council Subsidy	74,211.32	164,923.96
Total Rates/Water Charges Outstand		\$7,534,825.05

Note: For comparison purposes 9.42% of the levy had been collected at the end of July 2008.

#### Reconciliation And Balance Of Funds Held As At 31 July, 2009

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 July, 2009 and the investments have been made in accordance with the Act, the regulations and Council's investment policies.

<u>Cash Balance as at 1 July, 2009</u>	<u>Combined Bank Acc.</u> \$1,177,025.94 Dr
<u>Add:</u> Receipts for Period Ending 31 July, 2009 Rates, Debtors, Miscellaneous	<u>4,018,703.27</u>
<u>Less:</u> Payments for Period Ending 31 July, 2009 Cash Book entries for this Month	<u>5,000,120.85</u>

Cash Balance As At 31 July 2009

\$195,608.36 Dr.

## Investments

Bank	TD/C.Bill		
LGFS	FI 31 days @ 3.38% due 31/7/09	928,572.32	
Members Equity Bank	TD 90 days @ 4.35% due 13/10/09	1,000,000.00	
Maitland Mutual Bank	TD 91 days @ 4.3% due 14/9/09	1,000,000.00	
of Queensland Heritage Building Society	TD 104 days @ 4.40% due 15/9/09	1,000,000.00	
Macquarie Bank Ltd	TD 91 days @ 4.13% due 10/8/09	1,000,000.00	
AMP	TD 90 days @ 4.0% due 1/9/09	3,000,000.00	
Bank West	TD 90 days @ 4.3% due 8/9/09	1,000,000.00	
National Aust Bank	TD 92 days @ 4.00% due 11/8/09	1,000,000.00	
B&E Building Society	TD 90 days @ 4.3% due 14/9/09	1,000,000.00	
IMB Banking & Financial Services	TD 90 days @ 4.35% due 22/9/09	1,000,000.00	
Queensland Teachers Credit Union	TD 91 days @ 4.00% due 10/8/09	1,000,000.00	
Mystate Credit Union	TD 92 days @ 4.25% due 13/10/09	1,000,000.00	
	TD 90 days @ 4.35% due 12/10/09	1,000,000.00	14,928,572.32
<b>TOTAL</b>			<b>\$15,124,180.68</b>

## Commitments

Details	Amount	
<b>Internal Restrictions</b>	\$	\$
- Employee Entitlements	1,318,110	
- Doubtful Debts	18,980	
- Tip Remediation	133,507	
- Future Development Reserve	510,259	
- Plant Replacement Reserve	679,090	
- Water Fund	2,302,690	
- Sewer Fund	162,283	
Total Internal Restrictions		5,124,919
<b>External Restrictions</b>		
- Trust	146,074	
- Developer Contribution Reserve	592,599	
- Prepayments – Cemeteries	177,374	
- Unexpended Grants	2,264,216	
Total External Restrictions		3,180,263
Total Commitments as at 31 July 2009		\$8,305,182

Name	Institution	Purpose	Interest Rate	Loan Amount \$	Amount Outstanding \$	Due Date
Loan 176	National Australia Bank	Wentworth Water Supply Construction	7.439%	180,000	33,439.22	25/08/2011
Loan 180	National Australia Bank	Construction of Sewer Works	6.012%	105,368	68,715.99	23/02/2015
Loan 181	National Australia Bank	Buronga/Gol Gol/Dareton/Pooncarie Water Filtration	6.96%	2,180,000	565,423.56	19/08/2012
Loan 182	National Australia Bank	Buronga/Gol Gol Sewerage Augmentation	6.96%	178,000	45,765.89	19/08/2012
Loan 187	National Australia Bank	Buronga/Gol Gol Sewerage Augmentation	7.084%	1,454,000	717,536.86	19/11/2009
Loan 195	National Australia Bank	Midway/Memorial Gardens	6.904%	1,700,000	1,222,446.53	30/06/2021
Loan 198	Commonwealth Bank	Wentworth Streetscape	6.15%	220,000	48,784.72	25/01/2011
Loan 199	National Australia Bank	Wentworth Aerodrome	6.904%	300,000	247,060.13	23/06/2023
	Local Government Financial Services (LGFS)	Levee Bank	5.00%	1,000,000	826,663.84	
TOTAL					3,775,836.74	

The Director Corporate Services certifies that all investments have been made in accordance with the Local Government Act 1993 and Local Government (General) Regulations 2005 and Council's investment policy.

### **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 Hederics that the recommendation be adopted.***

**CARRIED**

### **12.2.2 Performance Report Fourth Quarterly Review Of Council's Management Plan 2008/2009 (year ending 30 June 2009)**

Responsible Officer: Director Corporate Services  
 Author: Director Corporate Services  
 Implications: Performance  
 File & References: 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 June 2009 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 08/09 financial year has shaped up to be one that dealt with significant challenges. Council has had to deal with new funding opportunities presented by the Federal Government in November 2008 and February 2009 as part of its strategy to address the economic crisis currently affecting the global economy.

Staff movements in relation to key positions have also had an influence on the organisation's ability to achieve certain objectives set in the Management Plan.

Financial variations and performance have been separately reported under item 12.2.3.

The attachment summarises performance based on Council's goals, objectives and actions for year ending 30 June 2009. Therefore, this report is a summary at that time notwithstanding that a number of actions will have progressed markedly since that time.

As with the previous three quarterly reports, 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 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 second 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 June 2009, was on track in most program areas 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, have impacted on the overall results attained so far.

### **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 June 2009 were well on track.

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

**CARRIED**

### **12.2.3 Financial Review of Council's 2008/2009 Management Plan as at 30 June 2009**

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

### **Recommendation**

That Council receives the June Financial Review and adopts the variations to the 2008/2009 Management Plan adopted at the Council Meeting of 18 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 June 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 Council's revenue is over the March quarter adopted budget by 8.4%.

Revenue favourable variations total \$1,117,820 as listed. Higher than expected interest rates achieved, Federal Government Infrastructure grant funding, water usage rates invoiced in June rather than July, private works carried out and RTA ordered works have all contributed to the large increase in revenue.

91.7% of the overall Expenditure Budget has been spent with variances in all the functional areas against the original budget. Additional private works with less works carried out on local roads, savings in employee costs through employment partly through the year and unfilled trainee positions have all contributed to the less than expected expenditure.

Unspent Capital expenditure has also resulted in the large variance between the budget and actual expenditure mainly in unspent Federal Government Infrastructure grant funding, CMA works and Water and Sewer works. The net result for Capital is a favourable variance of \$1,069,500. Many of the works not started or incomplete works have been re-budgeted in 2009/2010.

It should be noted that the majority of invoices for June have been received, processed and accrued back to 2008/2009, but it is possible that these figures may change due to the Audit of the Annual Financial Statements and that more invoices relating to the 2008/2009 may still be received.

### Report

A Budget Summary is attached for your information identifying the Adopted Budget, Year to Date Actual Revenue and Actual Expenditure to 30 June 2009, the Adopted budget and the March Review Budget.

All Capital expenditure is being reviewed and assessed prior to commencement due to the current economic situation.

### GOVERNANCE

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

#### Revenue

- A positive variation is required for a grant received for the Wentworth 150<sup>th</sup> celebrations for \$15,000 of which \$7,500 was received in 08/09. \$1,500 was also received from the Main Street committee towards the purchase of Banners. A negative variation is required for Insurance Rebates as Council received \$7,500 less than anticipated.

Expenditure

- The Wentworth 150<sup>th</sup> Celebrations requires an unfavourable variance of \$23,000 to be funded by the DSRD Grant and contributions made by traders and Country Energy.
- A positive variation is required for Members Training for \$14,200 as limited training was undertaken in 08/09.
- A positive variation for \$10,000 is required for Delegates expenses.
- A positive variation is required for \$20,000 for training throughout the organisation.

CORPORATE SERVICES

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

Revenue

- A positive variation is required for interest received of \$100,000. Even though rates declined in the later part of the year, the original estimates were conservative and better than expected rates were achieved.

Expenditure

- A positive variation is required for \$5,000 for valuation fees.
- A positive variation of \$20,000 is required for asset valuations as the timeframe for valuations on roads, footpaths and other structures was extended to July 2010.
- A positive variation is required for \$30,000 as the IT Trainee position was not filled.
- A variation is required for salaries for \$45,000 due to additional annual leave, long service leave and sick leave taken this financial year. These costs are charged to the provision accounts.

OPERATIONS ADMINISTRATION

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

Revenue

No variation required.

Expenditure

- A positive variation is required for the previous Asset Management system that has been cancelled for \$12,000.
- A positive variation is required for \$7,000 for advertising costs.

HEALTH SERVICES

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

Revenue

- No variation required.

Expenditure

- A positive variation is required for \$30,000 for the Health trainee as the position was not filled in 08/09.
- A positive variation is required for \$5,000 for mosquito control as no costs were incurred.

PUBLIC ORDER AND SAFETY

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

Income

- No variations required

Expenditure

- A positive variance for \$29,500 is required for Fire Fighting Expenses.
- A positive variance is required for \$21,500 for Rural Fire Service reimbursable expenses.

COMMUNITY SERVICES EDUCATION

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

Revenue

- A positive variation is required for \$5,000 as final payment for Co-ordinator for the Fergie Tractor rally.
- A positive variation is required for \$30,000 received as a ICCC grant for the Youth Outreach Centre in Dareton.

Expenditure

- A positive variation is required for \$20,000 for the Economic and Community Development officer as the position was filled for part of the year.

HOUSING AND COMMUNITY AMENITITES

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

Revenue

- A positive variance is required for \$312,000 received from the CMA for the Pooncarie Fish Passage. This will be treated as a prepayment for 08/09.
- A negative variance is required for \$49,750 for Developer Contributions for Open Space.

Expenditure

- The planning vacancy in Town Planning has remained unfilled for this financial year resulting in a favourable variation of \$23,000 for Town Planning Salaries & Wages. A consultant was engaged for some duties of this position.
- A positive variation is required for Levee Bank maintenance for the amount of \$14,000.

- A positive variation is required for Shire water initiatives for \$14,000.
- A positive variation is required for rubbish collection at Parks and Gardens for \$8,000.
- A positive variation is required for \$6,000 for Stormwater drainage.

### RECREATION & CULTURE

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

#### Revenue

Positive variations are required for

- The Alcheringa Oval project for \$218,000 as payment from the Department of Transport and Regional and transfer from the Trust Account.
- The Midway Centre for \$11,850, as income of \$5,000 was received from Vibe Alive as a once only and increased usage resulted in the increased revenue.
- Buronga Parks for \$6,000.

#### 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

- No variations required.

#### Expenditure

- A favourable variation is required for Shire Local Roads for \$420,270.
- A favourable variation is required for Roads other for \$350,000.

### BUSINESS UNDERTAKINGS

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

#### Revenue

- A positive variation is required for Private Works for \$166,000 for works completed to June 2008 at Tara Downs.

#### Expenditure

- A negative variation is required for Private Works for \$200,000 at Tara Downs. Not all works have been finished and will be completed in 09/10 with final invoicing after completion.

WATER & SEWER

Includes Water & Sewer services.

Revenue

- A variation is required for water usage income of \$296,750 as a result in changes to billing procedures. Accounts were sent out in June in 08/09. Previous year accounts were sent out July.
- A transfer from the Water Fund budgeted at \$79,820 is no longer required.
- A negative variation is required for \$60,000 for Sewer contributions to existing infrastructure as no Developer contributions were received in 08/09.

Expenditure

- Unplanned but essential maintenance on the sewer pumping stations require an unfavourable variance of \$71,000.

CAPITAL EXPENDITURE

Capital Works projects totalling approximately \$2,813,244 including Principal Loan repayments have been expended for the total financial year 2008/2009.

Variations to Capital Expenditure items are required as follows:-

- A positive variation for Capital Plant replacement for \$100,000 is required as some Plant items were unable to be delivered by 30/6/09. The balance of unexpended funds will be transferred to the Capital Plant reserve.
- A positive variation is required for \$143,000 for the unexpended Federal Government Infrastructure Grant. The works have been carried over to 2009/2010. These projects include the Town Square upgrade, Playground Equipment, Shadecovers for Playground equipment, the Perry Sand Hills Conservation project and Access ramps to Council Halls.

The following Capital Works were not expended and were either partly completed or not commenced. Some works have been re-budgeted in 2009/2010.

- Recycling costs - 20,000 – currently being reviewed with waste management and landfill management and awaiting advice from Mildura Rural City Council.
- Thegoa Lagoon Inlet Regulator - \$353,000 – funds carried over to 09/10.
- Tourism Information building doors - \$30,000 – Federal Government Infrastructure funding transferred to 09/10.
- Arumpo Road submission - \$10,000 – In progress with Mildura Rural City Council.
- Tree replacement under power lines - \$15,000 – Agreement with Country Energy now in place.
- Kerb and Gutter extension program - \$48,000 – 50% funded by property owner.
- Wentworth Boat ramp and bank stabilization - \$80,000 Federal Government Infrastructure Grant carried over to 09/10.
- Land acquisition program Namatjira Avenue - \$25,000 – transferred to Land Management Program.
- East Dareton Water Tower - \$85,000 – transferred to 10/11.
- Buronga Sewer Disposal of Oil and Grease - \$20,000 – transferred to 09/10.
- Land Management plan for Sewer - \$20,000 – transferred to Land Management Program.
- East Wentworth Bank installation - \$20,000 – reviewed and not required.

- Gol Gol Sewer System - \$43,000 – Investigation proceeding.

### **Conclusion**

The result for the June Quarter, after variations have been considered for Revenue, Expenditure and Capital consists of a favourable variance of \$3,015,120.

It should be noted that this report for the period ended 30<sup>th</sup> June, 2009 will be audited in October 2009 with possible adjustments made as a result of the audit.

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

**CARRIED**

### **12.2.4 Financial Auditing Services Tender**

Responsible Officer:	Director Corporate Services
Author:	Director Corporate Services
Implications:	Management Plan
File Reference:	PT13/4
Attachments:	Nil
Separately Circ:	Nil
Tabled:	Nil

### **Recommendation**

1. That Council accepts the tender submitted by Pitcher Partners, Accountants Auditors and Advisors for the sum of \$30,250 inclusive of GST and out of pocket expenses for Council Tender number 09/10/1 for the provision of financial auditing services for a period of six years to audit Council's financial statements and other auditing requirements as per the Audit specification for the year 2008/2009 to 2013/2014 inclusive.
2. That the Council Seal be affixed to the contract document if necessary.

### **Purpose**

The purpose of this report is to award the contract for Financial Audit Services.

### **Summary**

The value of this contract is such that tenders must be called in accordance with the Local Government Act 1993 and the Local Government (general) Regulations 2005. The process requires that all tenders be decided by the Council.

Tenders were received from Pitcher Partners, WHK and Spencer Steers.

All Tenders were assessed against evaluation criteria.

Pitcher Partners have a comprehensive understanding of the Local Government environment through their direct involvement in numerous New South Wales Councils. They are currently auditing 14 NSW Councils ranging in size from Shoalhaven and Eurobodalla to Balranald.

It is recommended that the Tender from Pitcher Partners be accepted.

### **Report**

Council is required under Section 422 of the Local Government Act, 1993 to appoint a suitably qualified person as its Auditor. The Auditor reports to the elected Council on the General Purpose and Special Purpose Financial Reports of the Council prepared annually and in accordance with the Act and provides audit services for various other matters prescribed by the Local Government Code of Accounting Practice and Financial Reporting.

WHK have been Council's appointed Auditors for a period of six years. It was anticipated that the Audit Tender would be in the vicinity of \$150,000 or greater for the next six year period. Accordingly, tenders were invited from suitably qualified persons or firms for the provision of audit services for the six year period ending on 30 June 2014.

The Audit Specifications were advertised for a period of 21 days and three Tenders were received.

All Tenders received were assessed against the following criteria:-

- Demonstrated Performance
- Tendered Price
- Specification Conformance
- Capacity and Capability
- Human Resource availability
- Lodgement Conformance
- Fixed Price for 90 days

Based on the evaluation criteria, Pitcher Partners scored above WHK and Spencer Steer.

The Principal of the Audit and Assurance division from Pitcher Partners will be leading the audit. He has over 30 years experience providing audit and consulting services to Local Government in New South Wales.

Pitcher Partners audit fourteen NSW Councils ranging from large Councils such as Eurobodalla Shire Council and Shoalhaven City Council to smaller Councils such as Balranald Shire Council.

Tender prices received were as follows, inclusive of GST:-

WHK	Pitcher Partners	Spencer Steer
\$27,840	\$30,250	\$31,900

Pitcher Partners and Spencer Steer have quoted the above amounts for the audit only. Out of pocket expenses will be also claimed in addition to the audit fee.

Despite Pitcher Partners tender price being higher than WHK it is considered that Council will obtain greater value for money, which is a key consideration in the procurement of Council goods and services under Council's recently adopted Procurement Policy.

**Policy and Management Plan Implications**

The expenditure for this contract will impact on the Management Plan.

**Conclusion**

The Tender evaluation was carried out based on the selection criteria in the Audit specification and Pitcher Partners have scored higher than Spencer Steer and WHK.

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

**CARRIED**

**12.3 PRINCIPAL ACTIVITY: PUBLIC ORDER AND SAFETY****12.3.1 Suspension Of Alcohol Free Zone – Wentworth Show Society “Quick Shear Competition”**

Responsible Officer:	Director Sustainable Planning & Environment
Author:	Director Sustainable Planning & Environment
Implications:	Policy
File & References:	L2/6
Attachments:	Map
Separately Circ.:	Nil
Tabled:	Nil

**Recommendation**

That Council suspends the operation of the alcohol free zone in the area of Darling Street between Sandwych and Adelaide Streets, Wentworth on Saturday August 29th 2009 and advertise the fact in a locally circulating newspaper.

**Purpose**

The purpose of this report is for Council to suspend the operation of the alcohol free zone in the area of Darling Street between Sandwych and Adelaide Streets, Wentworth on Saturday August 29th 2009.

**Summary**

Council is in receipt of a request from the Wentworth Show Society to suspend the operation of the alcohol free zone in the area of Darling Street between Sandwych and Adelaide Streets, Wentworth for a function, being the “Quick Shear Competition” in association with the Annual Wentworth Show.

**Report**

The Council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol free zone by publishing notice of suspension in a newspaper circulating in the area that includes the zone concerned. During the period indicated in such a notice as the period of suspension, the zone does not operate as an alcohol free zone.

For the purpose of this report, the area identified in the attached map, being the area known as Darling Street between Sandwych and Adelaide Streets, Wentworth will not operate as an alcohol free zone for the entire day of Saturday August 29th, 2009.

### **Conclusion**

Council may suspend the operation of an alcohol free zone for a specified period by resolution and advertising the fact in a locally circulating newspaper.

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

**CARRIED**

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

Nil

### **12.5 PRINCIPAL ACTIVITY: COMMUNITY SERVICES**

**Councillors Nichols declared a Conflict of Interest in item 12.5.1 and vacated the Council Chambers at 11.53am.**

#### **12.5.1 Family Day Care**

Responsible Officer: Director Corporate Services  
Author: Director Corporate Services  
Implications: Management Plan  
File & References: C7/14-3  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

#### **Recommendation**

That Council notes the report on Family Day Care.

#### **Purpose**

The purpose of this report is to inform Council of the current arrangement for Family Day Care in the Wentworth Shire Area and advise on the feasibility of setting a separate scheme in the Wentworth Shire.

#### **Summary**

The Wentworth Shire Council has 8 Child Care Providers that are regulated by the Mildura Rural City Council Family Day Care Scheme following the guidelines of NSW and Victorian legislation and the Quality Assurance system of the National Childcare Accreditation Council of Australia.

The Mildura Rural City Council support the service by offering a building, administrative internal services such as finance, HR and IT services, electricity and water free of charge.

The Service is also funded by the Department of Families, Housing, Community Services and Indigenous Affairs Employment and Workplace Relations (DEEWR) and run as a not for profit organisation.

It is not cost effective for Wentworth Shire Council to employ experienced staff to meet the requirements of the services currently provided.

### **Report**

The Wentworth Shire Council currently has 7 Child Care Providers and another operating in Euston, who are regulated by Mildura Rural City Council Family Day Care Unit.

The Mildura Rural City Council Family Day Care Scheme is federally funded by the department of Families, Housing, Community Services and Indigenous Affairs (DEEWR). The service is responsible for the effective operation of all components of Family Day Care including Quality Assurance, administration of Childcare Benefit, recruiting, training and supporting carers, monitoring care provision and providing advice, support and information for parents.

The Co-Ordination Unit is accountable for all expenditure and provides quarterly reports and end of year acquittals to DEEWR and Centrelink and provides quarterly reports to Wentworth Shire Council on the number of children in care and the number of hours provided.

The Family Day Care Scheme offers a Nationally Accredited home based child care service in the homes of 70 registered care providers in total including 8 in NSW with 7 in our Shire. The service has recently been accredited and has been rated in the highest quality bracket by the National Childcare Accreditation Council and meets the standard required under the relevant Child Care Quality Assurance system. The service employs six full time equivalent qualified/ experienced staff in the field of early childhood development to administer this service.

To work as part of the Family Day Care team, regulations and guidelines set by the following organisations are applicable:-

- Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs.
- NSW Children's Services Regulations (if applicable)
- Mildura Rural City Council Family Day Care policies, procedures and requirements.
- National Childcare Accreditation Council of Australia Quality Assurance requirements, to provide quality care to children in a safe and hygienic home ensuring that the physical, social, emotional and intellectual needs of the children are met.
- Victorian Standards for Family Day Care.

It should be noted that the NSW Children's Service Regulations have stricter requirements in regard to the safety of the property such as fencing, fire extinguisher requirements and safety glass. The Family Day Care team have adopted these requirements to apply to Victorian carers as well under local best practices and policies.

The Co-ordination Unit is also subject to have legislative Licensing in place and is subject to ad hoc visits from the NSW Department of Community Services and the National Childcare Accreditation Council of Australia.

The Mildura Rural City Council Family Day Care Unit Scheme is run on a non for profit basis. The Mildura Rural City Council provide administrative internal services such as finance, human resource and information technology support, the provision of a building, rates, electricity and water free of charge.

The Wentworth Shire Council did provide an initial contribution to this scheme in 1996, but has not contributed to the cost of servicing the Shire area since then.

There may be limited understanding by a few care providers in the Wentworth Shire area regarding the rules and regulations that are in place by the Family Day Care Co-ordination Unit. They have been put in place as a result of required legislation for the protection of children and even if the service was administered by another body, the rules and regulations would still remain the same.

Current Care Providers in the Shire area are considered to be adequate as there have been very limited enquiries and there is no waiting list.

It would not be cost effective for the Shire to consider administering this service as it would require experienced staff in this field to be employed for only 7 Care Providers in our Shire.

The Early Childhood sector Scheme is currently under a national COAG (Council of Australian Governments) review. Providers are currently not required to be qualified in NSW. However, the Family Day Care unit has paid to have all providers obtain a Certificate III in Children's Services. To date 4 have completed this training, 1 is currently undertaking the course, 2 commenced with the qualification and 1 will commence next year. Following the review it is expected that future providers will need to be qualified.

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

Nil

### **Conclusion**

The Mildura Rural City Council Family Day Care unit is providing an excellent service to Care Providers in our Shire at no cost to Council.

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

**CARRIED**

***Councillor Nichols resumed her chair at 11.55am.***

## **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: L1/8-4  
 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 July 2009.

### Report

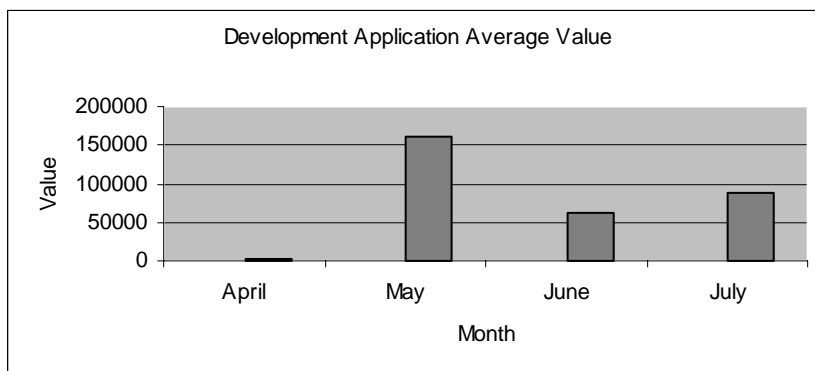
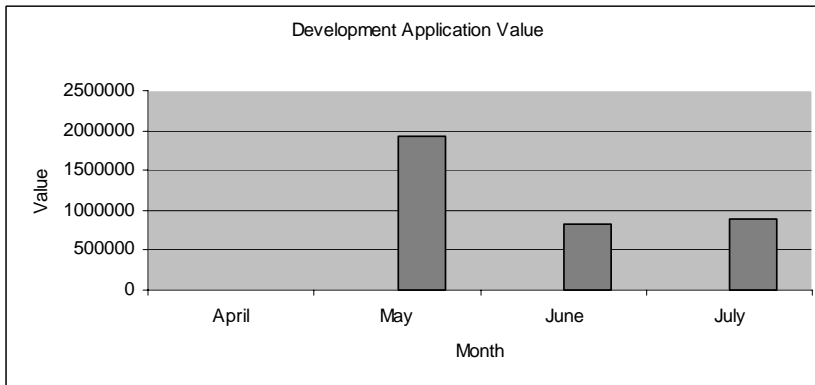
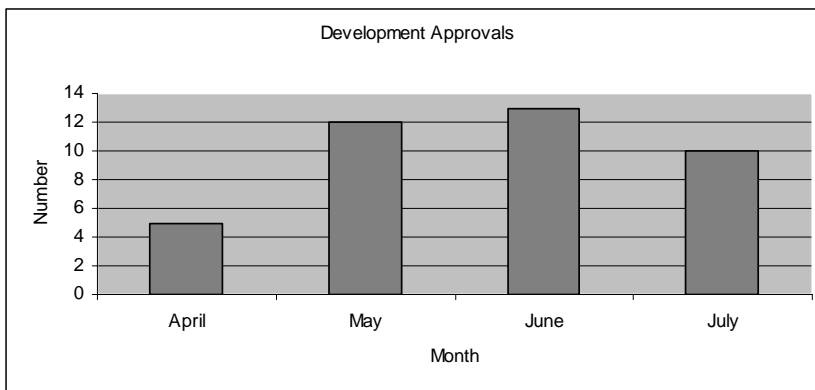
DA No	OWNER / APPLICANT	LOCATION	DEVELOPMENT TYPE & VALUE	NO. DAYS	DATE APPROVE D
09/072	A G Evans	Lot 17 DP 758338 Millie Street Dareton	Shed (\$11800)	21	Approved 2 July 2009 (STC)
09/052	G J Gardner Homes (S A Anderson)	Lot 6 DP 759074 Adams Street Wentworth	Dwelling (\$187,431.00)	50	Approved 3 July 2009 (STC)
08/157	Tankard, D O Hyett, S K	Murray River Adjacent to Lot 6 DP 285896 Murray Way Buronga	Mooring Site	161	Approved 13/07/2009 (STC)
09/008	Corin, R, SA Water Corporation	Lot 7 DP 756184 Parish of Walkminga	Dwelling (\$300,000)	131	Approved STC 20/07/2009
09/086	Scadding, P J	Lot 96 DP 756994 Delta Road Curlwaa	Storage Shed (\$7,000)	16	Approved STC 27/07/2009
09/073	Warburton, P J	Lot 8 DP 1041661 (48) Carramar Drive Gol Gol	Storage Shed (\$11,800)	10	Approved STC 27/07/2009
09/088	Western Murray Irrigation Ltd, Waters excavations Pty Ltd	Lot 2 DP 1004848 Pump Station Road Coomealla	Demolition of a Shed (\$5,000)	9	Approved STC 27/07/2009
09/083	Munro, RK & HJ	Lot 1 DP 774140 Trentham Cliffs	Storage Shed (\$12,500)	22	Approved STC 27/07/2009
09/065	McLachlan, I G & J M, Brent Williams & Ass	Lot 3 DP 811027 Creek Road, Curlwaa	Dwelling extension & swimming pool (\$100,000)	52	Approved STC 29/07/2009
09/079	NSW Police Force, United Group Pty Ltd	Lot 1 & 2 DP 870249 (54-56) Mitchell Avenue Dareton	Demolition of two dwellings and construction of one dwelling (\$250,000)	28	Approved STC 29/07/2009

Number of Development Applications before the Court NIL.

**Summary**

For the month of July there were ten Development Applications approved under delegated authority by the Director - Development & Environment. The estimated cost of the approved developments is \$885,531.00. The following data and graphs indicate comparison of value for previous months of this financial year.

Month	DA's Approved	Value	Average
April	5	\$9,000	\$1,800
May	12	\$1,925,996	\$160,500
June	13	\$817,500	\$62,885
July	10	\$885,531	\$88,553
Total	40	\$3,638,027	\$225,185



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

**CARRIED**



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

### **12.7.1 Wentworth 150<sup>th</sup> Celebrations – Final Report**

Author: Jane Brook  
Implications: Nil  
File Reference: E7/12  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Event Schedule

#### **Recommendation**

That Council receives and notes the report.

#### **Purpose**

To report on Wentworth 150th Celebrations – 19th to 21st June 2009.

#### **Summary**

##### Background

The Wentworth 150th Event was initially sponsored and organised by the Wentworth Shire Council, which called for initial nominations for a community committee to organise the event in November 2007. This group met throughout 2008 and due to issues in relation to the purchase of insurance coverage for both the event and organising committee – the Committee sought to formally incorporate in April 2009. This group is now incorporated as Festivals and Events –Wentworth Incorporated and intends to continue working to organise events in Wentworth.

The brief for the event was to organise a schedule of events which will draw the local community together to celebrate our township's 'birthday/anniversary' and draw tourists (including residents of nearby Mildura, Broken Hill, and the SA Riverland) to 'stay and play' in Wentworth. Underpinning this brief is the promotion of the township and its attractions in general.

The Wentworth 150th Committee determined to:-

Take responsibility for the organisation, funding and management of a formal schedule of 150th events which became – Meet and Greet, Running of the Sheep, The Street Parade, Old Time Films and Festival of Pubs

Support other organisations to develop and/or manage other events to complement the formal schedule of events. These events included the Little Lunch at the Gaol, Riverboats at the Junction (including PS Ruby 'steaming'), Brunch at the Wharf, and coincided with the unveiling of the Captain John Egge Statue and annual Sweat Box Art exhibition with an overriding mandate of seeking to bring as much business as possible to local traders, with particular focus on the accommodation and hospitality businesses in Wentworth.

ReportFINANCIAL OUTCOMES

The full budget for the Event was in excess of \$44,000, and the expenditure breakdown was:-

Advertising	40%
Entertainment/Event Staging	20%
Event Co-ordination	12%
Souvenir Production	11%
Insurance	8%
Photography (copyright)	3%
Miscellaneous –design - postage	7%

Final reports to Department of State and Regional Development (DSRD) are now complete and show the event in a 'break-even' budget condition.

Using the DSRD modeling of **economic benefit to the region** (based on expenditure per head of visitor/per overnight stay and per head expenditure of locals in attendance plus actual local expenditure of project) **the total economic benefit to the region is in excess of \$500,000.**

**Employment** - full time equivalent is estimated to be **51 (based on a single day of 7.5 hours)** using the DSRD formula.

LASTING BENEFIT – PRODUCTS

A number of marketing/promotional/advertising items with lasting benefit to Wentworth were produced as part of the 150 event expenditure:-

1. **Street Banners (11)** are generic images of Wentworth and area and have a removable bottom section upon which advertising for any township event can be displayed. Collaborative production between Festivals and Events Wentworth, Shire Events Committee and Bendigo Bank – Wentworth Branch
2. **Generic Wentworth Television commercial** - images of Wentworth based on theme “..how long has it been since you visited Wentworth..” now available for general use – final screen can be changed to promote new event and sponsors. (master to be retained at Shire)
3. **On going right to use** the music used to back both Television and Radio Ads has been purchased
4. **Copyright** to all official 150<sup>th</sup> photographs has been purchased
5. **Datalists** – to be used for direct mailings for future events – Wentworth Business, community groups, attendees at Film sessions (212), sporting and social clubs (35), access to PS Ruby datalist (312) and Sweat Box Art (100) is also available).

ATTENDANCE AND CROWD COMPOSITION

Estimates of the crowd/attendance varies between 3000 – 4000 on Saturday, 20th June 2009 (most data collected in relation to food service and drinks indicates that this estimate is supportable) – a base figure of 3500 has been used for reporting purposes.

The Wentworth 150th Celebrations were always going to attract a large attendance from the 'reunion' – family, friends and previous residents market who are largely influenced by the special nature of the event (1 in 150 years opportunity) and who will gain most of their knowledge of the event through 'word of mouth' and will attend regardless of weather conditions.

Based on a crowd estimate of **3500** (using the home town breakdown sourced from the Wentworth Club) the crowd is likely to have consisted of the following home state/town profile.

DAY	SA	VIC	BROKEN HILL	OTHERS	DISTRICT	LOCALS	TOTAL
Saturday 20 June 2009	595	630	70	350	910	910	3500

<ul style="list-style-type: none"> <li>▪ <b>52%</b> - Locals and those from the district (Wentworth Shire)</li> <li>▪ <b>18%</b> were from Victoria</li> <li>▪ <b>17%</b> were from South Australia</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>10%</b> were from elsewhere in Australia</li> <li>▪ <b>2%</b> were from Broken Hill</li> </ul>
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The size of the crowd attending Wentworth on:-

**Friday 19<sup>th</sup> June 2009** could reasonably be expected to have been in the vicinity of **500** also (from Wentworth Services Club figures) all hotels report high numbers of diners at meals on Friday evenings

**Sunday 21<sup>st</sup> June 2009** could reasonably be expected to be **500 - 800** (based on breakfast and luncheon figures from Sunraysia Farmers Market Brunch and Wentworth Services Club). Royal Hotel and Artback both reported high demand for luncheons on this day also.

**Feedback from the event has been overwhelming positive, and crowd behaviour was excellent.**

A full detailed statistical report for the Wentworth 150<sup>th</sup> which lists all data, media coverage and feedback from local businesses and community groups, including complaints and suggestions for future events is tabled.

#### MARKETING, PROMOTION AND ADVERTISING

The following marketing strategies/tools were used to reach each of these market segments:-

Target Market and Actual Percentage of Attendance	Strategies and Tools	Comments
Locals and Past Residents - <b>52%</b>	<p><b>Souvenir Production</b> with logo and event dates details – bumper sticker mid 2008 remainder of items from December 2008 (polo shirts, stubby holders, fridge magnets)</p> <p><b>WOM encouraged</b> by email stationery, local newspaper and newsletter articles/ads from mid 2008, <b>Street Banners</b> – series of high quality local scenes on flag poles on Darling River</p>	Reunion attendees were always going to be interested in attending this event and enquired frequently for more detailed event information.

	<p>Bridge from February 2009</p> <p><b>Local Newsletters</b> – NSW Standard/School/PS Ruby/Settlers News/Historical Newsletters – series of articles/advertisements. In the 18 month lead up to the event and heavy placement of event schedule during the month immediately before the event</p> <p><b>TV and Radio</b> – free community announcements January – May 2009.</p> <p><b>Radio advertising</b> – Hot FM from March 2009, Easymix Mildura (included 6 x 2 minute interviews aired from 15<sup>th</sup> June 2009) and RPH from end May 2009, 3MA from 15 June (interviews ABC Goulburn – Jeff Dunn syndicated nationwide 13 June)</p> <p><b>Live Broadcast ABC</b> Mildura/Swan Hill, Louise Ray – 19 June 2009</p> <p><b>TV advertising</b> Prime Mildura and WIN/Ten (mirror stations) SA Riverland and Broken Hill.</p> <p><b>Local Newspapers</b> – Sunraysia Daily (major sponsor) – multiple articles in month prior to event – various articles in 18 month lead up to the event – Mildura Weekly – multiple articles in month prior to the event and a series of historical articles in the 12 months prior to the event</p> <p><b>Various Tourism and Shire websites</b> – from March/April 2009 Visit Mildura website from May 2009</p> <p>Dissemination of meeting minutes to email and mail list (local and interstate)</p> <p><b>Data lists</b> – direct mail Friends of PS Ruby (312 – 1 third from out of area), sporting and social club mailing and emails (120), local businesses (76)</p> <p><b>Letterbox drops</b> – Wentworth letter and post office boxes highlighting road closures, event program and seeking assistance from local community</p> <p><b>Event posters</b> delivered to Visitor information Centre –Wentworth, local noticeboards and most business houses Specific posters for Festival of Pubs – disseminated via Sunraysia, Riverina TAFE and MADEC.</p> <p><b>Event brochures</b> – various formats available from mid 2008 used mainly locally but also disseminated via email</p> <p><b>Media Releases</b> – from December 2007 – sent to SA Riverland, Broken Hill and local Mildura media</p>	<p>All of these strategies were aimed at generating local interest and WOM promotion.</p>
<p>Residents of Mildura (and surrounds) – <b>18%</b></p>	<p><b>All of the above plus</b></p> <p><b>Event Posters and brochures</b> delivered to Visitor Information Centre – Mildura, Sunitafe</p> <p><b>Bus Travel</b> – to and From Mildura for Festival of Pubs was provided for the Saturday evening <b>Festival of Pubs</b> - A total of 18 passengers travelled to Wentworth from Mildura and 26 boarded to bus for the return trip. (Bus hire cost was \$577, so total cost to 150<sup>th</sup> Committee per one way trip was \$13 per passenger. Current Taxi Fare Wentworth to Mildura - \$70.00)</p>	<p>Daytrippers – market can be difficult to influence to visit Wentworth – encouraged by family reunion, but also attracted to actual unique flavour of 150<sup>th</sup> events</p>

Residents of SA Riverland (and surrounds) – 17%	<b>Event Posters and brochures</b> mailed to Visitor Information Centre – Barmera, Berri. Loxton, Renmark <b>TV advertising</b> Prime Mildura and WIN/Ten (mirror stations) SA Riverland and Broken Hill.	1-2 hour drive, strong connections with this region.
Residents of Broken Hill (and surrounds) – 2%	<b>Event Posters and brochures</b> mailed to Visitor Information Centres – Broken Hill <b>TV advertising</b> Prime Mildura and WIN/Ten (mirror stations) SA Riverland and Broken Hill.	3 hour drive for 2 day event may have dissuaded attendance – may be difficult market to influence in mid winter – Wentworth's summer attractions may have more pulling power in this market place
Other – 10%	<b>Event Posters and brochures</b> mailed to Visitor Information Centres – Balranald, Hay, Swan Hill, Horsham. Echuca/Moama, Mount Gambier, Mannum	Number undoubtedly bolstered by Captain John Egge statue's production by National Trust and their own efforts in marketing

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

Nil.

### **Conclusion**

Events and Festivals have a huge economic benefit to the Wentworth Shire and should be supported as an integral part of the Tourism and Economic Development Plan.

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

**CARRIED**

### **12.7.2 Report On the Australian Inland Botanic Gardens Committee Meeting Held 6 July 2009**

Author: Mayor  
 Implications: Nil  
 File Reference: R9/5-2  
 Attachments: Nil  
 Separately Circ.: Minutes of the Australian Inland Botanic Gardens Committee 6 July 2009  
 Tabled: Nil

### **Recommendation**

That Council receives and notes the minutes of the Australian Inland Botanic Gardens Committee meeting held 6 July 2009.

### **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<sup>th</sup> July 2009 at MADEC's Wesley Complex Mildura are submitted for the information of Council and include the following:-

- Correspondence Inwards
- Correspondence Outwards
- President's Report
- Treasurer's Report
- Director's report
- Sub-Committees report - Functions, Promotions & Publicity Report
- Friends of the Garden Report
- General Business including:-
  1. Directors & Officers Liability Insurance
  2. Councillors and Major Sponsors Thank you Function
  3. Strategic Planning Process
  4. Northern Mallee Leadership Program

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

**CARRIED**

**12.7.3 Minutes Of Willandra Lakes WHA TSAC & CMC meeting**

Author: Willandra Lakes WHA Technical Scientific Advisory Committee & Community Management Council

Implications: Nil

File Reference: C6/14

Attachments: Nil

Separately Circ.: Minutes of Willandra Lakes Region WHA TSAC & CMC 29 June 2009

Tabled: Nil

**Recommendation**

That Council receives and notes the minutes of Willandra Lakes WHA Technical Scientific Advisory Committee & Community Management Council 29 June 2009.

**Purpose**

To advise Council of the business undertakings of the Willandra Lakes WHA Technical Scientific Advisory Committee & Community Management Council.

**Summary**

Self explanatory.

**Report**

- Business Arising
- Correspondence
- Reports
- Feedback
- Research & Fieldwork (TSAC)
- Presentation of Values
- Other Business

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

**CARRIED**

*Cr. Whitfield declared a Pecuniary Interest in item 12.7.4 and vacated the chambers at 11.58am.*

*Moved Crs. Nichols and Wakefield that the report be submitted for consideration.*

**CARRIED**

#### **12.7.4 SUPPLEMENTARY REPORT - Electrical Works In Wentworth Show Ground**

Responsible Officer: Director Sustainable Infrastructure  
Author: Manager Design & Assets  
Implications: Management Plan  
File Reference: PT0910/04  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Amps Graph – Country Energy (coloured graph)

#### **Recommendation**

That Council approves the variation in budget of \$ 65,000 for the commencement of showground electrical works.

#### **Purpose**

To address Occupational Health & Safety concerns with existing electrical system.

#### **Summary**

It has been brought to the attention to the Council that urgent repairs are required for the Show Ground electrical works. Three quotes were obtained with the lowest being Laser Electrical amounting to a total of \$59,587 including GST.

#### **Report**

The Wentworth Show Grounds play a vital role for the Wentworth community where several public events occur each year. All events hosted required the use of electricity.

The site has several urgent safety issues including, earthlings, overloading and damaged equipments. Based on the Country Energy report (attached graph), The Show Ground transformer has 135 Amps but the Peak power consumption was 226 Amps.

Existing pole switch boards do not have a main switch or protection for overloading of supply cables. Most switch boards were connected to single phase only which makes balancing of loads very difficult. New pole switch boards will be required with three phase supply, main limiting circuit breakers and RCDs. The Pavilions and shed are predominantly fitted with wire fuses; these are obsolete and would need installation of RCDs.

Council has sought quotations to implement these works and the lowest price is from Laser Electrical and all suppliers have verbally stated that the price shall remain unchanged for a completion date of 21 September 2009. Council is also seeking a contribution of approximately \$5,000 from the Show Society for these works.

In addition, Country Energy has plans to install 5 monitoring units on site during this year's show to give true reading of loads within the site system. This may also provide a more comprehensive review of the system.

Country energy has also condemned the main transformer pole. This will require upgrade/replacement soon.

The price quoted by Laser Electrical does not include any additional works as a result of the monitoring measures and further upgrades may need to be reviewed in conjunction with the Management Plan of the Show Ground. Under Australian Standards for Show ground a yearly site audit with reports is also required, allowing for the inspection & testing of all safety system.

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

The Council Management Plan 2009-2013 would need to be reviewed and aligned with the expenditure requirement of this project.

### **Conclusion**

It is essential to carry out the work for the safety reasons.

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

**CARRIED**

***Councillor Whitfield resumed his chair at 12.06pm.***

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

### **12.8.1 Wentworth Local Environmental Plan – 30 Metre Setback**

Responsible Officer:	Director Sustainable Planning and Environment
Author:	Director Sustainable Planning and Environment
Implications:	Strategic Planning
File Reference:	L42/3
Attachments:	Nil
Separately Circ.:	Nil
Tabled:	Nil

### **Recommendation**

That Council determines the appropriate clauses it wishes to have inserted into the Draft Local Environmental Plan 2009 in relation to river setback.

### **Purpose**

The purpose of this report is for Council to determine its position in relation to the river setback clauses to be provided in the Draft Local Environmental Plan 2009 and provide direction to staff as to how to facilitate this adoption by the Department of Planning.

## Summary

As part of the current Local Environmental Plan review process the standard clauses relating to the river setback must be resolved by Council to ensure that position is conveyed to the Department of Planning without any misinterpretation by all parties concerned.

## Report

Wentworth Local Environmental Plan 1993 has the following clauses relating to development adjacent or adjoining the river.

### 26 Development along a river

- (1) Notwithstanding any other provisions of this plan, a person must not:*
  - (a) erect a building for any purpose on land within Zone No 1 (a), 1 (c) or 1 (d) within 400 metres of any bank of a river,*
  - (b) carry out any clearing on land within 60 metres of any bank of a river,*
  - (c) carry out development for any purpose on land within 20 metres of any bank of a river, or*
  - (d) on land comprising the bed or any bank of a river, carry out development for the purposes of;*
    - (i) a canal, or*
    - (ii) a marina (including pontoons, jetties, piers or other structures) designed to provide mooring or dry storage for one or more vessels used for any purpose, except with the consent of the Council.*
- (2) The Council must not consent to an application to erect a building other than a dwelling on land comprising:*
  - (a) the bed of a river, or*
  - (b) land within Zone No 1 (a), 1 (c), 1 (d) or 2 (v) within 30 metres of the bank of a river, unless, in the opinion of the Council, the building:*
  - (c) is ancillary to the use of that land for the purpose of a recreation area, or*
  - (d) is for the purpose of fisheries, irrigation works (including the pumping and treatment of water for private domestic consumption), marinas, utility installations or the servicing of vessels or sea planes.*
- (3) The Council must not consent to an application required by subclause (1) unless, in the opinion of the Council, the destruction of the trees or the development of or on the land, including subdivision of the land, will be carried out in a manner which, in respect of that land and the adjacent land, minimizes:*
  - (a) the risk of soil erosion or other land degradation,*
  - (b) the loss of scenic amenity,*
  - (c) the loss of important vegetation systems and natural wildlife habitats, and*
  - (d) any adverse impact on water quality.*

### 27 Dwelling setback along river

- (1) The aim of this clause is to ensure dwellings are setback far enough from a river:*
  - (a) to protect water quality by reducing nutrient accessions to the river,*
  - (b) to protect the river bank from erosion by retaining native vegetation,*
  - (c) to screen dwellings from view from the river while allowing water views from dwellings,*
  - (d) to minimise disturbance to wildlife and aquatic habitat.*
- (2) State Environmental Planning Policy No 1-Development Standards may not be used to vary setbacks under this clause.*
- (3) The setback must be measured from the pool level of the river.*

- (4) *The minimum setback on land within Zone No 1 (c) is shown as a line on the map.*
- (5) *The minimum setback on land within Zone No 1 (a), 1 (d) or 2 (v) is 30 metres.*
- (6) *The Council may consent to the erection of a dwelling which is setback between 30 and 100 metres from pool level on land within Zone No 1 (a) or 1 (d) but only if the Council is satisfied the development furthers the aim of this clause. In satisfying itself, the Council may consult any relevant public authority and take into account its advice and may consider any relevant plan, study or work and take it into account.*
- (7) *Subclause (6) applies to the erection of a dwelling on land within Zone No 1 (a) even though it is setback more than 100 metres from the river, if (in the opinion of the Council) the use of the dwelling may contribute nutrient to the river.*
- (8) *The Council must not consent to the erection of a dwelling within 100 metres of a river unless it has considered a plan that shows how the site will be landscaped.*
- (9) *Subclauses (4) and (5) do not apply to the erection of a single dwelling on each of Lots 1-5, Section 27, DP 758456, Parish of Gol Gol and County of Wentworth, if the development is carried out in accordance with the requirements set out in the final report prepared for the Council titled Floodplain Management Plan Gol Gol to Abbotsford Bridge , dated May 1995, deposited in the office of the Council.*

The current version (6) of the Draft LEP has the following clauses inserted to satisfy the provisions relating to river setback.

#### 6.7 Development along the Murray and Darling Rivers [local]

*The objective of this clause is to protect the immediate environs of the Shire's main rivers by controlling development along the banks.*

- (1) *The consent authority shall not consent to an application to erect a building on land comprising:
  - (a) *the bed of the Murray or Darling Rivers, or*
  - (b) *within the RU1 zone, land within 100 metres of pool level of the Murray River, or*
  - (c) *within the RU5 or R5 zone, land within 30 metres of pool level of the Murray River, unless, in the opinion of the consent authority, the building:
    - (a) *is ancillary to the use of the land for the purpose of a recreation area, or*
    - (b) *is for the purposes of fisheries, irrigation works (including the pumping and treatment of water for private domestic consumption), marinas, utility installations or the servicing of vessels, or*
    - (c) *is ancillary to some other existing lawful use that includes an existing building, and no part of the proposed building will be nearer to the river than the existing building.*
    - (d) *is to replace an existing building.***
- (2) *For the purposes of this clause:
  - (a) *"bed" means the land which contains the Murray River, including that which is alternately inundated or left bare from a rise or fall in the water level, but does not include any land inundated only in time of flood,*
  - (b) *"bank" means a change of slope that defines the extent of the bed of the Murray River.*
  - (c) *"pool level" means normal pool level of the water as created through the weirs located within the river.**

This clause is currently acceptable to the Department of Planning.

Advice from the Department identifies that any variation required by Council would need to detail how the reduced setback will meet the following objectives:

- (a) Maintain and improve the quality of water in rivers
- (b) Protect the environmental values, scenic amenity and cultural heritage of rivers
- (c) Protect the stability of the bed and bank of rivers
- (d) Limit the impact of structures in rivers on natural riverine processes and navigability of rivers.

It will need to be demonstrated how development with a reduced setback will satisfy the objectives and what measures will be implemented to ensure that this occurs.

This would require consideration of the following points:

- That future development will contribute to the achieving of the objectives of the zone in which the land is located,
- That the development, or use of the development, will not increase erosion,
- Any proposed structure will not be located on an outside bend of the river,
- Appearance of any proposed structure, from both the watercourse and the adjacent land, will be compatible with the surrounding area,
- The development will not cause an adverse effect on riverine habitat or flora and fauna habitat,
- The development will not cause an adverse effect on drainage or flow patterns.

A mapping exercise would need to be conducted to survey the current pattern of development along the Murray River in Wentworth Shire to support Council's position.

This is the position of the Department of Planning at the time of writing this report. Officers are continuing to seek a suitable compromise on this issue, of which the result will be conveyed to Council as it becomes available.

### **Conclusion**

From the information above Council needs to provide direction as to what river setback distances it wishes to have inserted into the Draft Local Environmental Plan 2009, knowing that any variation to that in the current version of the instrument has the potential to delay the finalisation of the LEP.

***Moved Crs. King and Wakefield that determines its position in relation to the river setback clauses to be provided in the Draft Local Environmental Plan 2009 as follows:-***

#### **6.7 Development along the Murray and Darling Rivers [local]**

***The objective of this clause is to protect the immediate environs of the Shire's main rivers by controlling development along the banks.***

***(3) The consent authority shall not consent to an application to erect a building on land comprising:***

- (a) *the bed of the Murray or Darling Rivers, or*
- (b) *within the RU1 zone, land within 100 metres of pool level of the Murray River, or*
- (c) *within the RU5 or R5 zone, land within 30 metres of pool level of the Murray River, unless, in the opinion of the consent authority, the building:*
  - (a) *is ancillary to the use of the land for the purpose of a recreation area, or*
  - (b) *is for the purposes of fisheries, irrigation works (including the pumping and treatment of water for private domestic consumption), marinas, utility installations or the servicing of vessels, or*
  - (c) *is ancillary to some other existing lawful use that includes an existing building, and no part of the proposed building will be nearer to the river than the existing building.*
  - (d) *is to replace an existing building.*

*with justification works to be undertaken by Director Sustainable Planning & Environment for the 30 metre setback.*

**CARRIED**

*Councillor Wheeldon requested that his vote be recorded against this item.*

#### **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 Support sought from Balranald Shire Council for Future of Red Gum Industry**

Responsible Officer: General Manager  
Author: General Manager  
Implications: Nil  
File Reference: C3/6-2  
Attachments: Nil  
Separately Circ.: Nil  
Tabled: Nil

#### **Recommendation**

That Council resolves to support Balranald Shire Council's request to keep forests open for logging ensuring the future of the Red Gum Industry, by giving consideration to joining the Rivers and Red Gum Environment Alliance.

#### **Purpose**

Balranald Shire Council requests that Council to give consideration to taking a similar position as theirs by joining the alliance, writing to relevant Ministers and actively recruiting for RRGEA.

**Summary**

Balranald Shire Council is seeking endorsement from other RAMROC Councils requesting support to keep forests open for logging and is therefore seeking Wentworth Shire Council's support.

**Report**

The Balranald Shire Council is concerned about the future of the Red Gum Industry in their region and has resolved to ask for the support of RAMROC members to keep forests open for logging.

Balranald Shire is actively campaigning to avert any diminution of economic and social activity in red gum forests. It is also campaigning against the creation of more National Parks. Council's experience since the acquisition of Yanga for a national park has been quite disappointing. When the park was first announced, NPWS sold the community on the potential for a massive boost to tourism. Few results have been achieved to date.

Balranald also resolved to join the Rivers and Red Gum Environment Alliance (RRGEA) and is leading the charge in their community to join up as many new members as possible.

"Balranald respectfully requests Wentworth Shire Council to give consideration to taking a similar position by joining the alliance, writing to relevant Ministers and actively recruiting for RRGEA."

**Policy and Management Plan Implications**

Nil

**Conclusion**

Wentworth Shire Council to give consideration to taking a similar position by joining the alliance, writing to relevant Minister and actively recruiting for RRGEA.

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

**CARRIED**

**12.12 PRINCIPAL ACTIVITY: DOMESTIC WASTE MANAGEMENT**

Nil

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

Nil

**12.14 PRINCIPAL ACTIVITY: WATER SUPPLIES**

***Item 12.14.1 was considered in conjunction with item 9.1 Rescission Motion.***

**12.14.1 Status Update – Water Restrictions August 2009**

Responsible Officer: Director Sustainable Infrastructure  
Author: Director Sustainable Infrastructure

Implications: Level 4 Restrictions  
File Reference: W2/11-7  
Attachments: TBA  
Separately Circ.: Nil  
Tabled: Nil

### **Recommendation**

That Council receives and notes the report.

### **Purpose**

To review water restriction levels.

### **Summary**

Self-explanatory.

### **Report**

On the 15 July 2009 Council resolved to introduce Level 4 watering restrictions in accordance with a request from the Department of Water and Energy. Council also resolved to review the water restriction issue on a monthly basis.

It is appropriate for this item to be dealt with in conjunction with item 9.1 under section nine of this agenda.

Further information and updates will be provided as soon as it is available.

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

Dependant upon Council's decision at this meeting.

### **Conclusion**

The report is submitted as per Council's resolution to review the matter on a monthly basis.

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

### **12.15.1 Licence Proposal Lot 29 DP 45055 Ryder Crescent Wentworth**

Responsible Officer: Manager Governance and Corporate Development  
Author: Governance Officer  
Implications: Land Transaction Program Strategic Plan  
File Reference: P1560/25  
Attachments: Aerial View  
Separately Circ.: Nil  
Tabled: Nil

### **Recommendation**

1. That the Council accepts the Department of Lands offer of a licence to occupy Lot 29 DP 45055 Ryder Crescent Wentworth.

2. That the Council Seal be affixed to the licence agreement and that the agreement remains in place until the acquisition of this site is completed.

### **Purpose**

The purpose of this report is to seek Council approval to enter into a licence agreement to occupy Lot 29 DP 45055 Ryder Crescent Wentworth and affixing of the Council Seal accordingly.

### **Report**

Further to a recent enquiry forwarded from the Department of Lands requesting Council's concurrence to a licence application to occupy the area at the rear of Ryder Crescent by another party, the Department acknowledges that Council has a pump station and sewer inspection pits infrastructure on this site and suggests that we acquire the land. The Department is aware of the Land Transaction Program Strategic Plan and has offered to licence the occupation until such time as Council is in a position to progress the acquisition.

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

The acquisition of Lot 29 DP 45055 Ryder Crescent Wentworth be added to the Land Transaction Program Strategic Plan.

### **Conclusion**

This licence is required to formalise the occupation of the site until the acquisition is completed.

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

**CARRIED**

### **12.15.2 East Wentworth Sewerage Works Licence**

Responsible Officer:	Manager Governance and Corporate Development
Author:	Governance Officer
Implications:	Land Transaction Program Strategic Plan
File Reference:	S4/10 DOC/09/6200
Attachments:	Extent of licence
Separately Circ.:	Nil
Tabled:	Nil

### **Recommendation**

1. That Council resolves to enter into a licence agreement to occupy the area known as Wentworth Sewerage Works as an interim measure until the area can be formally acquired.
2. That Council resolved to affix the Council Seal to the licence agreement.

### **Purpose**

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

**Report**

The Crown has requested that the occupation of Crown Land for the purpose of the East Wentworth Sewerage Works be formalised by entering into a licence to occupy the area in the short term. The parcel of land is included in the Land Transaction Program Strategic Plan and is identified for acquisition in the long term.

**Policy and Management Plan Implications**

The annual licence fee is \$770 GST inclusive.

**Conclusion**

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

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

**CARRIED**

**13. REPORT MATRIX****13.1 COUNCIL MATRIX OF OUTSTANDING MATTERS**

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

**Recommendation**

That Council receives and notes the report matrix.

**Purpose**

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

**Summary**

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

**Report**

The report is attached and is self-explanatory.

**Policy and Management Plan Implications**

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

**Conclusion**

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

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

**CARRIED**

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

1. Requested that the matter of graffiti and unsolved crimes be drawn to the attention of the local Police and Local Member John Williams MP and to make young offenders and their parents accountable for crimes currently happening in the townships. Also requested that representations be made to the Attorney General indicating the rising crime rates and persistent damage to local businesses.

**Cr. King**

1. Enquired as to when will the Anabranh Crossing at Tara downs be completed and opened to motorists.  
*(The Director Sustainable Infrastructure advised that there had been variations to the design and that completion is anticipated in early October).*
2. Enquired as to whether Council could support the Wentworth District Hospital in maintaining the Accident Emergency Section which is currently being investigated and that the hospital is a great asset to Wentworth but needs work on upgrading it.

**Cr. Nichols**

1. Indicated she had been requested to raise the matter of the poor condition of the toilets located at the Lock 10/weir.  
*(The Director Sustainable Planning & Environment advised that the South Australian Water Authority owns the toilet block in concern but advice will be forwarded advising them of the problem).*
2. Advised that there are no dog shows at the Wentworth Show to be held in August 2009.
3. Advised that Rodney Hobbs from South Australia has a tremendous array of river boat models and is considering locating to this area and needs funding.  
*(The General manager advised that this matter had been brought to his attention).*

**Cr. Whitfield**

1. Advised that Council should be sending a letter of support to Local Member John Williams MP in his push for the Government to purchase Cubbie Station which would ensure constant supply of water downstream to South Australia.

***Moved Crs. Whitfield and Wheeldon that the issue of the Government purchasing Cubbie Station be admitted for consideration in accordance with Clause 18(3) of the Code of Meeting Practice as the timelines associated with the subject matter made its consideration urgent.***

**CARRIED**

***Moved Crs. Whitfield and Wheeldon that Council writes to the Federal Government (Minister Penny Wong) advising of Council's support in principle for the Government to purchase Cubbie Station due to the direct environmental, social and economic benefits that this region and the Murray Darling basin as a whole would receive.***

**CARRIED**

The General Manager indicated that an Extraordinary Council meeting should be held on 2 September to discuss two Development Applications.

***Moved Crs. Wheeldon and Wakefield that the Extraordinary Council meeting and Councillors Workshop be held Tuesday 1<sup>st</sup> September commencing at 9.30am to discuss two Development Applications.***

**CARRIED**

Cr. Whitfield

2. Advised that there is a large dead tree in the middle of the Rowing Club Lawns and needs to be removed.

Cr. Wakefield

1. Advised he had been requested by people in Pooncarie about the gum trees in the camping ground area losing branches with the possibility of injury or damage to campers.

Cr. Hederics

1. Advised that netball training had been commenced under the lighting that had been provided by the Rudd Government's program and indicated that the lighting was very beneficial and appreciated.
2. Advised that the green rubbish is mounting up at the front of the Buronga/Gol Gol Water filtration plant and that this needs to be cleaned up and perhaps relocated to another area where it is not viewed by the public.  
*(The General Manager advised that this matter will be clarified with staff at the plant).*

Cr. Wheeldon

1. Enquired as to when the bull rushes at the junction will be removed as there was a meeting recently of the Steam Preservation Society who are considering moving the Junction Steam Rally to Nichols Point due to the inaccessibility to the junction reserve by the riverboats.  
*(The General Manager advised that he has already drafted two letters that will be sent out and indicated that a third letter will be dispatched to Department of Water & Energy).*

Cr. Nichols

1. Advised she will be unable to attend the 2<sup>nd</sup> September Extraordinary meeting until 9.30am. Councillor Hederics also indicated that she would not be able to attend.

*(The General Manager advised that there were two Development Applications to be brought before Council and it was resolved that the Extraordinary Council meeting would be held on Tuesday 1<sup>st</sup> September commencing 9.30am).*

#### General Manager

1. Reminded Councillors to complete their Disclosure of Pecuniary Interest Forms before the end of September.

#### Mayor

1. The Mayor read out a letter from Marnie Stone from the Coomealla High School advising that the students were again going to travel to Azai for the High School Student Exchange program and requested funding from Council.  
*(The Director Corporate Services advised that there was a budget amount of \$1,100 for the Coomealla High School to assist with the exchange program).*

#### **15. NEXT MEETING**

- 1 September 2009 – Extraordinary Council meeting (9.30am)
- 16 September 2009 – Statutory meeting (8.30am)
- 16 September 2009 – Ordinary monthly Council meeting (9.00am)

#### **16. CONFIDENTIAL REPORTS**

##### **16.1 General Manager's Annual Performance Review**

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

#### **Recommendation**

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

#### **Purpose**

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

**Summary**

Self explanatory.

**Report**

The matter and information relates to the following:

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

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

***At 1.01pm moved Councillors Nichols and Wakefield:-***

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

**CARRIED**

**Closed Council**

**Open Council** (1.29pm)

***Moved Crs. Nichols and King that Council resolves to move into open Council and ratify any actions made in Closed Council.***

**CARRIED**

There being no further business the meet concluded at 1.29pm.