



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

16 NOVEMBER 2022

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer and Acknowledgement of Country at 7:00pm.

2 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Tim Elstone
Councillor Brian Beaumont
Councillor Steve Cooper
Councillor Peter Crisp
Councillor Daniel Linklater
Councillor Jane MacAllister
Councillor Susan Nichols
Councillor Jo Rodda (via Video Conference)

STAFF: Ken Ross (General Manager)
George Kenende (Acting Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant to General Manager)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apology and leave of absence from Cr Heywood.

Moved Cr. MacAllister, Seconded Cr Crisp

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Beaumont advised that he had a non-pecuniary interest in Item 9.7 as he is on the Committee of Wentworth Regional Tourism.

Councillor Elstone advised that he had a pecuniary interest in Item 9.8 as he is an owner of Wentworth District Real Estate

Councillor Cooper advised that he had a pecuniary interest in Item 9.8 as he is an owner of Wentworth District Real Estate

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 26 October 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 26 October 2022 be confirmed as amended.

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/670

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

The Outstanding Actions report provides details of activities raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council receives and notes the list of outstanding matters as at 8 November 2022.

Council Resolution

That Council receives and notes the list of outstanding matters as at 8 November 2022.

Moved Cr Beaumont, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/22/671

Recommendation

That Council receives and notes the information contained in the Mayoral report.

Council Resolution

That Council receives and notes the information contained in the Mayoral report.

Moved Cr. Elstone, Seconded Cr Linklater

CARRIED UNANIMOUSLY

Cr Crisp noted that the Mayor and staff be thanked for the huge effort regarding flood preparedness.

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/672

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
Circular 22-30 - 22-33
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note

Recommendation

That Council receives and notes the information contained within the report from the Acting General Manager.

Council Resolution

That Council receives and notes the information contained within the report from the Acting General Manager.

Moved Cr. Nichols, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

Recommendation

That Council suspend the Advisory meetings until such a time that the flood issues are resolved

Council Resolution

That Council suspend the Advisory meetings until such a time that the flood issues are resolved

Moved Cr. Elstone, Seconded Cr MacAllister

CARRIED UNANIMOUSLY

9.2 AUSTRALIA DAY AWARDS

File Number: RPT/22/706

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.1 Consistently engage and consult the whole community to ensure that feedback is captured and considered as part of decision-making and advocating processes

Summary

This year Council requested nominations for the following categories:

- Citizen of the Year (must be 18 years or over on 26 January 2023)
- Young Citizen of the Year (must be under 18 years on 26 January 2023)
- Sportsperson of the Year (must be 18 years or over on 26 January 2023)
- Young Sportsperson of the Year (must be under 18 years on 26 January 2023)
- Environmental Award (individuals or groups)

Nominations were received for four categories. There were no nominations for the Environmental Award.

Recommendation

That Council determines the individual award recipients through a secret ballot and that the results remain confidential until announced at the official Australia Day event at the Coomealla Club.

Council Resolution

That Council determines the individual award recipients through a secret ballot and that the results remain confidential until announced at the official Australia Day event at the Coomealla Club.

Moved Cr Cooper, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.3 MONTHLY FINANCE REPORT

File Number: RPT/22/676

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of October 2022 were \$786,838.12. After allowing for pensioner subsidies, the total levies collected are now 46.88%. For comparison purposes 42.39% of the levy had been collected at the end of October 2021. Council currently has \$43,367,410.16 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report.

Council Resolution

That Council receives and notes the Monthly Finance Report.

Moved Cr Crisp, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.4 MONTHLY INVESTMENT REPORT

File Number: RPT/22/686

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency

Summary

As at 31 October 2022 Council had \$36 million invested in term deposits and \$7,367,410.16 in other cash investments. Council received \$23,004.95 from its investments for the month of October 2022.

In October 2022 Council investments averaged a rate of return of 2.58% and it currently has \$8,387,063.55 of internal restrictions and \$25,944,861.97 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report.

Council Resolution

That Council receives and notes the monthly investment report.

Moved Cr Rodda, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.5 SEPTEMBER QUATERLY BUDGET REVIEW - FIRST QUARTER 2022 - 2023

File Number: RPT/22/687

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Bryce Watson - Accountant

Summary

A full analysis of Council's Income, Operating Expenditure and Capital Expenditure has been undertaken. A number of variations have been identified against the original budget as outlined in this report. Council's revenue and expenditure is reviewed on a quarterly basis to identify any potential areas requiring a variation.

If approved, the net result of variances for the September 2022 Quarter is a favourable operational variance of \$805,000 and an unfavourable capital variance of \$2,345,000 resulting in a total unfavourable budget variation of \$1,540,000

This report was presented to the Audit Risk and Improvement Committee on the 28 October 2022 wherein they recommended the report be passed to council.

Recommendation

It is recommended that Council:

- Note the 2022 – 2023 First Quarter Budget Review
- Note the proposed revised 2022 – 2023 Changes to Operational and Capital Expenditure.
- Resolve to amend the 2022 – 2023 budget in accordance with the changes recommended in the Quarterly Budget Review Statement for the period of 1 July to 30 September 2022.

Council Resolution

It is recommended that Council:

- Note the 2022 – 2023 First Quarter Budget Review
- Note the proposed revised 2022 – 2023 Changes to Operational and Capital Expenditure.
- Resolve to amend the 2022 – 2023 budget in accordance with the changes recommended in the Quarterly Budget Review Statement for the period of 1 July to 30 September 2022.

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.6 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT.

File Number: RPT/22/695

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary**Recommendation**

That Council approves the additional 20 actions added to the 2022-2023 Operational Plan.

That Council notes the Quarterly Operational Plan Progress Report

Council Resolution

That Council approves the additional 20 actions added to the 2022-2023 Operational Plan.

That Council notes the Quarterly Operational Plan Progress Report

Moved Cr Rodda, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/22/668

Responsible Officer: Simon Rule - Director Finance and Policy
 Responsible Division: Finance and Policy
 Reporting Officer: Annette Fraser - Team Leader Customer Service

Objective: 2.0 Wentworth Shire is a great place to live
 Strategy: 2.4 A well informed, supported and engaged community

Summary

Council has provided an allocation of \$160,000.00 for the 2022/23 financial year for consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$104,320.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process.

The total value of requests granted under delegated authority so far this financial year is \$1646.00 and the total value of requests granted in full 27,040.11, totaling \$28,686.11, leaving a balance in the financial assistance program of \$26,993.89.

Financial Assistance Program starting balance 2022/23	\$160,000.00
Annual fees & charges annual exemptions granted	\$104,320.00
Granted under delegated authority to August 2022	\$ 739.00
Value of approved requests August 2022 Council Meeting	\$ 27,040.11
Granted under delegated authority to 31/10/2022	\$ 907.00
Available balance as at 31/10/2022	\$ 26,993.89
Request applications received 1 August – 31 October 2022	\$ 16,271.20
Remaining balance if all approved	\$ 10,722.69

Recommendation

That Council having considered the current requests for financial assistance, makes appropriate recommendations on the level of funding to be provided to each of these applications from the Financial Assistance program.

Council Resolution

That Council having considered the current requests for financial assistance, approves the level of funding to be provided to Rotary Club of Wentworth \$5,000, Wentworth Sporting Complex \$2852.00, Palinyewah Public School \$1,000, Wentworth District Meals on Wheels \$5,000.

Moved Cr. Nichols, Seconded Cr Linklater

CARRIED UNANIMOUSLY

At 07:29 pm Councillor Brian Beaumont left the Council Chambers.

Recommendation

That Council having considered the current requests for financial assistance, approves the level of funding to be provided to Wentworth Regional Tourism Inc \$2419.20.

Council Resolution

That Council having considered the current requests for financial assistance, approves the level of funding to be provided to Wentworth Regional Tourism Inc \$2419.20.

Moved Cr. Cooper, Seconded Cr MacAllister

CARRIED UNANIMOUSLY

At 07:30 pm Councillor Brian Beaumont returned to Council Chambers.

9.8 DA2022/102 DWELLING WITH GARAGE AND STORAGE SHED POONCARIE ROAD LOT 8 DP 1270097 WENTWORTH

File Number: RPT/22/677

Responsible Officer: George Kenende - Acting Director Health & Planning
Responsible Division: Health and Planning
Reporting Officer: Kerrie Copley - Planning Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural environment
Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

A development application (DA2022/102) was received by Council for a new dwelling with garage and storage shed to be located at Pooncarie Road Lot 8 DP 1270097 Wentworth in close proximity to the river.

The location of the proposed development is a linear distance of 21.75m from the high bank. Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), the required river setback is 30 from the high bank.

The applicant is seeking a variation of 27% to the 30m setback. As this variation is greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

At 07:33 pm Councillor Tim Elstone left the Council Chambers.

At 07:33 pm Councillor Steve Cooper left the Council Chambers.

Deputy Mayor Councillor Linklater assumed the chair.

Recommendation

That Council:

1. Approve DA2022/102 being a dwelling with garage and storage shed located at Pooncarie Road Lot 8 DP 1270097 Wentworth.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

1. Approve DA2022/102 being a dwelling with garage and storage shed located at Pooncarie Road Lot 8 DP 1270097 Wentworth.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Crisp, Seconded Cr Rodda

As there was a tied vote Cr Linklater as Acting Chair cast a deciding vote.

CARRIED

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

For the Motion : Cllr.s Beaumont, Crisp and Linklater.

Against the Motion: Cllr.s MacAllister, Nichols and Rodda.

At 07:44 pm Councillor Steve Cooper returned to Council Chambers.

At 07:44 pm Councillor Tim Elstone returned to Council Chambers.

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF OCTOBER 2022

File Number: RPT/22/684

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

For the month of October 2022, a total of fifteen (15) Development Applications and four (4) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$3,550,299.00. This brings the year to date total to ninety-one (91) Development Applications and forty-one (41) S4.55 applications approved, with an estimated development value of \$14,297,528.00.

Recommendation

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of October 2022.
- b) Publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of October 2022.
- b) Publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Nichols, Seconded Cr Rodda

CARRIED UNANIMOUSLY

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

For the Motion : *Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater,
MacAllister, Nichols and Rodda.*

Against the Motion: *Nil.*

9.10 PROJECT & WORKS UPDATE - NOVEMBER 2022

File Number: RPT/22/699

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

Summary

This report provides a summary of the projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of October 2022 and the planned activities for November 2022.

Recommendation

That Council receives and notes the major works undertaken in October 2022 and the scheduled works for the following month.

Council Resolution

That Council receives and notes the major works undertaken in October 2022 and the scheduled works for the following month.

Moved Cr Rodda, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 PS RUBY

Cr Brian Beaumont requested that the future of the PS Ruby be placed back on the outstanding action list to be discussed at a future meeting.

10.2 FENCED AREAS FROM DRAINAGE WORKS ADAMS STREET & BEVERLEY STREET

Cr Susan Nichols asked if the drainage works could be completed and the fencing removed.

Director of Roads and Engineering advised that water valves need to be replaced which will require a major shut down of water and with the current timing it is difficult with most outdoor staff tied up with flood preparedness

10.3 CURLWAA HALL HIRE

Cr Susan Nichols asked what the arrangements are for the hire of Curlwaa Hall as locals should be given priority and are apparently having difficulty in hiring the hall.

10.4 GOL GOL WATER TOWER

Cr Jo Rodda asked if the Gol Gol water tower could be used for a mural.

The General Manager advised that it wasn't the first time a request had been made however there were some issues when it was investigated due to the tower location close to the highway and parking issues.

10.5 FLOOD PREPARATION

Cr Steve Cooper asked if Council has another community meeting regarding flooding could it be live streamed.

10.6 PERFORMING ARTS LOOKING FOR A HOME

Cr Jane MacAllister asked if Council could consider providing a suitable venue for three performing arts groups who currently have no venue. She advised this could be three extra user groups for Wentworth Shire Council.

The General Manager advised he had already met with one group who have a Concept Plan for a building which would fit the need for the groups.

10.7 LETTER OF CONDOLENCE BALRANALD SHIRE COUNCIL

Cr Jane MacAllister requested that a letter of condolence be sent to Balranald Shire Council on the sad passing of their General Manager, Mr Jeff Sowiak.

Cr Daniel Linklater wished to acknowledge the huge work effort by the Director of Engineering and his entire team in regard to flood preparation and ongoing manning of pumps during rain events. He also wished to thank Cr Healy and Cr Wood for attending the Community Flood Information session at the Midway Centre.

Cr Rodda wished to acknowledge Abby Collihole for being selected in the Victorian Country Cricket squad for the under 16 Female National Championships.

11 CONCLUSION OF THE MEETING

Meeting closed at 8:05pm

NEXT MEETING

14 December 2022

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CHAIR