



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

14 APRIL 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:06AM

2 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Susan Nichols (Mayor)
Councillor Tim Elstone (Deputy Mayor)
Councillor Greg Evans
Councillor Steve Heywood
Councillor Jane MacAllister
Councillor Peter Nunan
Councillor Bill Wheeldon OAM

STAFF: Ken Ross (General Manager)
Matthew Carlin (Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Chloe Horne (Business Support Officer)
Samantha Wall (Administration Assistant Roads & Engineering)

3 APOLOGIES AND APPLICATIONS FOR ATTENDANCE BY AUDIO-VISUAL LINK AND APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Don McKinnon is an Apology for this meeting and has made an Application to the General Manager to attend the remainder of the meetings during this term remotely by audio-visual link stating personal and health related matters preventing his attendance in person.

Council Resolution

That Council notes the Apology and grants the Application for Attendance by Audio-Visual Link from Councillor Don McKinnon.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

4 DISCLOSURES OF INTERESTS

Councillor Steve Heywood declared an interest in Items 9.10, 12.2 and 12.3.

Councillor Peter Nunan declared a pecuniary interest in Item 9.6.

Councillor Tim Elstone declared a significant pecuniary interest in Item 9.7.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 17 March 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 17 March 2021 be confirmed as circulated.

Moved Cr. Nunan, Seconded Cr. Evans

CARRIED

At 10:08am Councillor Tim Elstone left the meeting.

Council Resolution

That Item 9.7 be brought forward to hear a presentation from James Golsworthy of James Golsworthy Consultancy on behalf of Jane McLeod.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

At 10:28am Councillor Tim Elstone returned to the meeting.

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/175

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support 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

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

Officer Recommendation

That Council notes the list of outstanding matters as at 8 April 2021.

Council Resolution

That Council notes the list of outstanding matters as at 8 April 2021.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/858

Recommendation

That Council notes the information contained in the Mayoral report.

Council Resolution

That Council notes the information contained in the Mayoral report.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

The Mayor advised that she also attended a Lunch at the Mildura Gun Club on 2 April 2021.

8 REPORTS FROM COMMITTEES

8.1 BOTTLEBEND RESERVE SCIENTIFIC REPORT

File Number: RPT/21/192

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support Officer

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

Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

During 2013 to 2016, three environmental watering events were conducted on site at Bottlebend Reserve. The peer-reviewed, published scientific report provides local information about the interplay of watering regimes with floodplain recovery, especially as expressed through tangled lignum.

The information provided in this report helped inform the most recent environmental watering of 2020, which has resulted in a result described by many as the best the Reserve has looked in memory.

Officer Recommendation

That Council notes the Bottlebend Reserve Lignum Paper.

Council Resolution

That Council notes the Bottlebend Reserve Lignum Paper.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

8.2 CARRAMAR DRIVE SPORTING COMPLEX USER GROUP MEETING

File Number: RPT/21/154

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Barbara George - Administration Officer, Roads and Engineering

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

Strategy: 4.5 Encourage the self determination of individual townships and community groups

Summary

A meeting of the Carramar Drive Sporting Complex User Group was held on 4 March 2021 and the Minutes of the meeting are attached to this report for the information of Councillors.

Officer Recommendation

That Council notes the Minutes of the Carramar Drive Sporting Complex User Group Meeting held on Thursday 4 March 2021.

Council Resolution

That Council notes the Minutes of the Carramar Drive Sporting Complex User Group Meeting held on Thursday 4 March 2021.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

8.3 GEORGE GORDON SPORTING COMPLEX USER GROUP MEETING

File Number: RPT/21/165

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Barbara George - Administration Officer, Roads and Engineering

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

Strategy: 4.5 Encourage the self determination of individual townships and community groups

Summary

A meeting of the George Gordon Sporting Complex User Group was held on 11 March 2021 and the Minutes of the meeting are attached to this report for the information of Councillors.

Officer Recommendation

That Council notes the Minutes of the George Gordon Sporting Complex User Group Meeting held on Thursday 11 March 2021.

Council Resolution

That Council notes the Minutes of the George Gordon Sporting Complex User Group Meeting held on Thursday 11 March 2021.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/850

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support 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

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 21-02
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note

Recommendation

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

Council Resolution

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

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED

9.2 REQUEST TO AMEND THE DATE OF JUNE ORDINARY COUNCIL MEETING

File Number: RPT/21/171

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
Strategy: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination

Summary

The Mayor and General Manager have been nominated to attend the 2021 National General Assembly of Local Government in Canberra on 20-23 June 2021.

The Ordinary Council Meeting is also scheduled for 23 June 2021.

It is proposed that Council consider amending the date of the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021 to allow the Mayor and General Manager to attend the 2021 National General Assembly of Local Government which is scheduled for 20-23 June 2021.

Recommendation

That Council amend the date of the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021.

Council Resolution

That Council amend the date of the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021.

Moved Cr. Wheeldon, Seconded Cr. MacAllister

CARRIED

9.3 2021 FLOODPLAIN MANAGEMENT AUSTRALIA NATIONAL CONFERENCE

File Number: RPT/21/186

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support Officer

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

Strategy: 3.3 Prepare for natural disasters, biosecurity risks and climate change

Summary

The 2021 Floodplain Management Australia National Conference is being held from 26 May to 28 May 2021 online. This year's theme is "Essential Knowledge for a Flood Resilient Future".

Recommendation

That Council notes the report and determines whether to nominate a delegate to attend the 2021 Floodplain Management Australia National Conference being held from 26 May to 28 May 2021 online.

Council Resolution

That Council notes the report and determines whether to nominate a delegate to attend the 2021 Floodplain Management Australia National Conference being held from 26 May to 28 May 2021 online.

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

Council Resolution

That Council notes the report and secures attendance by way of one ticket. Upon receipt of the Session Guide, Councillors are to nominate a delegate to attend each session individually.

Moved Cr. MacAllister, Seconded Cr. Wheeldon

CARRIED

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/174

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 March 2021 were \$728,193.75. After allowing for pensioner subsidies, the total levies collected are now 74.77%. For comparison purposes 73.34% of the levy had been collected at the end of March 2020. Council currently has \$29,016,242.07 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Council Resolution

That Council notes the monthly finance report.

Moved Cr. Evans, Seconded Cr. Heywood

CARRIED

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/179

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

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

As at 31 March 2021 Council had \$20 million invested in term deposits and \$12,538,200.35 in other cash investments. Council received \$13,308.59 from its investments for the month of March 2021.

In March 2021 Council investments averaged a rate of return of 0.44% and it currently has \$6,681,129.01 of internal restrictions and \$15,936,363.24 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

At 10:56am Councillor Peter Nunan left the meeting.

9.6 TELSTRA LEASE RENEWAL - MALARRA TOWER POONCARIE

File Number: RPT/21/178

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 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**Recommendation**

That Council agrees to a new lease in-principle, subject to a final report to Council.

Council Resolution

That Council agrees to a new lease in-principle, subject to a final report to Council.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

At 11:01am Councillor Peter Nunan returned to the meeting.

At 11:02am Councillor Tim Elstone left the meeting.

9.7 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO REZONE PART OF LOT 1 DP 1193874, KELSO STATION, POONCARIE ROAD, WENTWORTH

File Number: RPT/21/163

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Michele Bos - Strategic Development Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.2 Encourage and support population growth and resident attraction

Summary

Council resolved to continue to support this planning proposal at its Ordinary Meeting held 16 September 2020.

Following that resolution, a new Gateway Determination to proceed was issued by the Department of Planning, Industry & Environment to rezone part of Lot 1 DP 1193874 from RU1 Primary Production zone with a minimum lot size of 10,000 hectares to R5 Large Lot Residential zone with two minimum lot sizes of 7,500 square metres and 1.7 hectares.

Public exhibition and state agency consultation has been conducted in accordance with Conditions 2 and 3 of the Gateway Determination. Six submissions were received from state agencies, including one objection.

The report also advises that in accordance with Condition 5 of the Gateway Determination, Council is no longer the authorised plan making authority due to the outstanding objection. Therefore, in order for the Planning Proposal to be finalised, it must be referred to the Minister for Planning and Public Spaces for consideration, with a request for assistance with the preparation of the plan, including finalising and notifying the amendment on the legislative website.

Recommendation

That Council resolve to proceed with the Planning Proposal and refer the Planning Proposal to the Minister for Planning and Public Spaces for consideration of finalising the planning proposal, including preparation of the plan and notification of the amendment on the legislative website.

That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council resolve to proceed with the Planning Proposal and refer the Planning Proposal to the Minister for Planning and Public Spaces for consideration of finalising the planning proposal, including preparation of the plan and notification of the amendment on the legislative website.

That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Heywood, Seconded Cr. MacAllister

CARRIED

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

For the Motion : *Clr.s Evans, Heywood, MacAllister, Nichols, Nunan and Wheeldon.*

Against the Motion: *Nil.*

At 11:06am Councillor Tim Elstone returned to the meeting.

9.8 DELEGATED AUTHORITY APPROVALS AS AT END OF MARCH 2021

File Number: RPT/21/176

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Kerrie Copley - Administration Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of March 2021, a total of 21 Development Applications and three S4.55 Modification Applications were determined under delegated authority by the Director Health & Planning.

The estimated value of the determined developments was \$6,767,078.00. This brings the year to date total to 30 Development Applications and eight S4.55 Applications approved, with an estimated development value of \$7,979,448.00.

Recommendation

That Council:

- a) Receives and notes the report for the month of March 2021; and
- b) Council 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.

That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Council Resolution

That Council:

- a) Receives and notes the report for the month of March 2021; and
- b) Council 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.

That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

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

For the Motion : ***Clr.s Elstone, Evans, Heywood, MacAllister, Nichols, Nunan and Wheeldon.***

Against the Motion: ***Nil.***

9.9 REDEVELOPMENT OF THE WENTWORTH CIVIC CENTRE PROJECT UPDATE

File Number: RPT/21/180

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Rachael Withers - Subdivision Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

As part of the Office of Local Government (OLG) Capital Expenditure Review, quarterly project update reports are to be provided to Council. The report includes overall progress of the project, identifies any budget variances that may impact on the project, and also identifies any issues that may have an adverse impact on the works.

Council allocated funding within the 2020-21 Operational Plan for the upgrade of the Wentworth Civic Centre. The upgrade was identified as a significant capital project.

Council on 26 June 2019, accepted a tender from GSD Architects to undertake project management of the Civic Centre Redevelopment. Accordingly, GSD Architects were engaged to manage various phases of the redevelopment including planning, design, procurement, construction, commissioning and handover. A Council officer has been appointed to collaboratively work with GSD Architects.

Council endorsed Concept 8 for the Wentworth Shire Civic Centre on 18 December 2019, after which the Concept Plan was further developed and finalised late in 2020. It is believed that the finalised Concept Plan incorporates functionality, serviceability and the inclusion of all required facilities to promote a space that employees, the local community and visitors successfully utilise.

The State Library of New South Wales confirmed on 5 June 2020, that Council had been successful in securing \$500,000.00 ex. GST in funding by way of the 2019/20 Public Library Infrastructure Grant.

Council submitted on 2 September 2020, a funding application for the relocation of the Wentworth Visitor Information Centre to the Civic Centre, as part of Round 7 of the Resources for Regions Program. Funding of \$941,023.00 ex. GST was requested.

Council nominated the Wentworth Library Outdoor Riverfront Gathering Space as a project under Phase 2 of the NSW Government Local Roads and Infrastructure Program Extension, requesting funding in the amount of \$487,539.00 ex. GST. Council await an official response from the Local Roads and Infrastructure Program. Should the project be successful in obtaining funding, works are to be completed by 31 December 2021.

An application for funding in the amount of \$713,339.00 ex. GST was submitted with Building Better Regions – Round 5 on 12 March 2021, for the Wentworth Community Space and Convention Centre. It is expected that funding announcements will be released mid-2021.

It is proposed that two separate funding applications will be submitted by Council for Round 3 of the Murray-Darling Basin Economic Development Program, inclusive of the Wentworth Community Space and Convention Centre.

A further funding opportunity will be available via Round 4 of the Stronger Country Communities Fund, opening on 1 May 2021.

Wentworth Shire Council will host the Murray Darling Associations 77th National Conference and Annual General Meeting (AGM) from 16 to 19 May 2021. The conference is themed "Connecting Councils and Catchment" with an array of conference presenters expected to attend including experts from industry, government and community organisations who are all playing a critical role in shaping the future of Australia. The conference and AGM will be held within the Civic Centre building, being an opportunity to showcase the overall concept for the redevelopment.

Recommendation

That Council notes the information contained within this report.

Council Resolution

That Council notes the information contained within this report.

Moved Cr. Evans, Seconded Cr. MacAllister

CARRIED

At 11:19am Councillor Steve Heywood left the meeting.

9.10 PROJECTS AND WORKS REPORT UPDATE - APRIL 2021

File Number: RPT/21/173

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.2 Plan for and develop the right assets and infrastructure

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 March 2021.

Recommendation

That Council notes the major works undertaken for March and the scheduled works for April 2021.

Council Resolution

That Council notes the major works undertaken for March and the scheduled works for April 2021.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

At 11:20am Councillor Steve Heywood returned to the meeting.

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**1.1 IMMEDIATE CEASE OF ALL DISCOUNTING OF WASTE/LANDFILL FEES AT ALL APPLICABLE SHIRE LANDFILLS & WASTE TRANSFER STATIONS**

File Number: RPT/21/209

Motion

That the Wentworth Shire Council immediately ceases all discounting of waste/landfill fees at the Buronga Landfill and if applicable, at the Dareton and Wentworth Waste Transfer Stations.

Council Resolution

That Council admits for consideration a supplementary late Notice of Motion from Councillor Peter Nunan as the information contained in the Notice of Motion is deemed to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary Meeting of Council.

Moved Cr. Nunan, Seconded Cr. Evans**CARRIED****Motion**

That the Wentworth Shire Council immediately ceases all discounting of waste/landfill fees at the Buronga Landfill and if applicable, at the Dareton and Wentworth Waste Transfer Stations.

Moved Cr. Nunan, Seconded Cr. Evans**LOST****10.1 PINK LAKES PROPOSAL UPDATE**

Councillor Tim Elstone requested an update on the Pink Lakes Proposal.

10.2 INTEGRATED WATER CYCLE MANAGEMENT PLAN TIMELINE

Councillor Tim Elstone questioned when the Integrated Water Cycle Management Plan will be completed.

The Director Roads & Engineering advised that the works are due to be completed in six months.

10.3 ELECTRONIC SIGNS DETAILING RESTRICTIONS OF ENTRY TO VICTORIA

Councillor Jane MacAllister questioned who is responsible for the cost, installation and removal of the electronic signs at the Abbotsford Bridge and George Chaffey Bridge detailing the restrictions of entry to Victoria. Councillor Jane MacAllister suggested that the responsible party should list contact information for visitors.

The Director Finance & Policy advised that Council are not paying for the electronic signs.

10.4 FALLEN TREE AT POMONA BOAT RAMP

Councillor Bill Wheeldon advised that there is a fallen tree in the water at the Pomona Boat Ramp and has requested that either Council or Roads and Maritime NSW remove the tree as it is a safety concern.

10.5 CEASE OF IN-PERSON COURT SERVICES

Councillor Bill Wheeldon had advised that since the retirement of the Court Registrar at Wentworth Local Court, services are now provided online. Councillor Bill Wheeldon has suggested that Council write to the Minister and Local Member advocating for in-person services at Wentworth.

10.6 WILLOWBEND CARAVAN PARK WORKS UPDATE

Councillor Bill Wheeldon requested that the works at the Willowbend Caravan Park be sped up.

The General Manager advised that a Willowbend Advisory Committee meeting will be held on 27 April 2021 to discuss and further the designs.

10.7 DUMPING OF RUBBISH IN SKIP BINS

Councillor Greg Evans advised that the skip bins within the Shire are overflowing with dumped rubbish and it is becoming an ongoing problem. Councillor Greg Evans suggested providing the skip bins with wheelie bins lockable lids to prevent the amount of rubbish being dumped. Councillor Jane MacAllister suggested that Council provide ratepayers one free tip token to prevent the amount of dumping.

10.8 JUNCTION ISLAND ACCESS

Councillor Greg Evans suggested that Council begin investigating options for suitable access to Junction Island for machinery. This suggestion comes from the recent fire on Junction Island where pumps were being carted to Junction Island on hand held stretchers.

10.9 CONSULTATION ON PROJECTS

Councillor Greg Evans requested consultation of projects be undertaken with the community as he is receiving many questions about the Buronga Effluent Disposal Station.

11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

Despite the right of members of the public to attend meetings of a council, the council may choose to close to the public, parts of the meeting that involve the discussion or receipt of certain matters as prescribed under section 10A(2) of the Local Government Act.

With the exception of matters concerning particular individuals (other than councillors) (10A(2)(a)), matters involving the personal hardship of a resident or ratepayer (10A(2)(b)) or matters that would disclose a trade secret (10A(2)(d)(iii)), council must be satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The Act requires council to close the meeting for only so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security being protected. (section 10B(1)(a))

Section 10A(4) of the Act provides that a council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(4) of the Act stipulates that for the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:-

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may -
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Recommendation

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-:

12.1 20 Millie Street Dareton. (RPT/21/181)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) discussion in relation to the personal hardship of a resident or ratepayer.

12.2 Plant Purchase - Approval of Tenders for purchase of a Landfill Compactor. (RPT/21/169)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would

reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12.3 Plant Purchase - Approval of Tenders for purchase of a Landfill Excavator. (RPT/21/170)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12.4 Wentworth Aerodrome Upgrade - Supply & Installation of Additional Taxiway & Apron Lighting for Stage 2 Construction. (RPT/21/172)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

Council Resolution

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

Council moved into closed session at 11:42AM

Council resumed into open session at 12:11PM

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 20 MILLIE STREET DARETON

File Number: RPT/21/181

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Matthew Carlin - Director Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.2 Encourage and support population growth and resident attraction

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) discussion in relation to the personal hardship of a resident or ratepayer.

The General Manager advised that Council:

- a) Resolve to accept the quote from Morello Earthmoving of \$19,297 excluding GST to demolish the dwelling and remove all asbestos and debris from the site;
- b) Resolve to place the cost of work as a debt on the land; and
- c) Negotiate a payment plan with the owner of the land.

At 11:54am Councillor Steve Heywood left the meeting.

12.2 PLANT PURCHASE - APPROVAL OF TENDERS FOR PURCHASE OF A LANDFILL COMPACTOR

File Number: RPT/21/169

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

The General Manager advised that Council accepts the tender from Tutt Bryant Option 2 for the supply of one Bomag BC772 RB-2 for the sum of \$709,500.00 inc GST.

That the purchase be included in the 2021/2022 Budget and be funded via an external loan.

12.3 PLANT PURCHASE - APPROVAL OF TENDERS FOR PURCHASE OF A LANDFILL EXCAVATOR

File Number: RPT/21/170

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

The General Manager advised that Council accepts the tender from Tutt Bryant Option 2 for the supply of one SUMITOMO SH235SX-6 for the sum of \$285,010.00 inc GST.

That the purchase be included in the 2021/2022 Budget and be funded via an external loan.

At 12:01pm Councillor Steve Heywood returned to the meeting.

**12.4 WENTWORTH AEROROME UPGRADE - SUPPLY & INSTALLATION OF
ADDITIONAL TAXIWAY & APRON LIGHTING FOR STAGE 2 CONSTRUCTION**

File Number: RPT/21/172

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

The General Manager advised that Council approves the supply and installation of additional taxiway and apron flood lighting at the Wentworth Aerodrome from Advanced Airport Lighting, as a variation to the original Contract PT1920/06 for the total of \$330,400.40 inc GST.

13 CONCLUSION OF THE MEETING

The Mayor closed the meeting at 12:13PM

NEXT MEETING

12 May 2021

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CHAIR