



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

17 FEBRUARY 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:01AM

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 Don McKinnon (Via Video Conference)
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)
Gayle Marsden (Executive Assistant General Manager)
Chloe Horne (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Tim Elstone requested a Leave of Absence from 19 to 28 February 2021.

Councillor Jane MacAllister requested a Leave of Absence from 15 to 17 March 2021.

Council Resolution

That Council grants the Leave of Absence Requests from Councillor Tim Elstone and Councillor Jane MacAllister.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

4 DISCLOSURES OF INTERESTS

Councillor MacAllister declared a pecuniary interest in Item 12.1 as her partner is an employee of the recommended successful tender company.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 20 January 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 20 January 2021 be confirmed as circulated.

Moved Cr. Wheeldon, Seconded Cr. MacAllister

CARRIED

The Mayor notified Council that herself and the General Manager will be flying to Cobar on Friday 19 February 2021 to attend the State Funeral of Former Mayor of Cobar, the late Lilliane Brady OAM. The Mayor acknowledged Lilliane's contribution to the Cobar community and Local Government over the last 40 years.

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/122

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

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 10 February 2021.

Council Resolution

That Council notes the list of outstanding matters as at 10 February 2021.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

6.2 WENTWORTH TRANSFER STATION OPENING HOURS

File Number: RPT/21/65

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

At the December Ordinary Council Meeting Councillor Bill Wheeldon OAM requested that consideration be given to extending the current operating hours at the Wentworth Transfer Station on Wednesdays and Sundays.

Recommendation

That Council having considered the information presented in this report choose from one of the available options.

Council Resolution

That Council having considered the information presented in this report choose option (a) being, retain the current opening times

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/856

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. Nichols, Seconded Cr. MacAllister

CARRIED

8 REPORTS FROM COMMITTEES

8.1 INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE

File Number: RPT/21/75

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

A meeting of the Internal Audit & Risk Management Committee was held on 2 February 2021. The Minutes of the meeting are attached to this report for the information of Councillors.

The Committee has requested that the Reporting Officer seeks resolutions of Council on the following:

- approval of the Quarterly Budget Review Statement; and
- adoption of the amended Enterprise Risk Management Policy (attached) endorsed by the Committee.

The Committee has also requested Council notes:

- the quarterly Operational Plan progress report
- that a Risk Management Presentation was made to the Committee (attached)

Officer Recommendation

That Council:

- a) Approves the variations to the 2020/21 Operational Plan adopted at the Council meeting on 24 June 2020.
- b) Adopts the amended Enterprise Risk Management Policy.
- c) Notes the quarterly progress report against the 2019/20 Operational Plan.
- d) Notes that a Risk Management Presentation was made to the Committee.

Council Resolution

That Council:

- a) Approves the variations to the 2020/21 Operational Plan adopted at the Council meeting on 24 June 2020.
- b) Adopts the amended Enterprise Risk Management Policy.
- c) Notes the quarterly progress report against the 2019/20 Operational Plan.
- d) Notes that a Risk Management Presentation was made to the Committee.

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/848

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
Nil
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. Heywood

CARRIED

9.2 CALL FOR MOTIONS MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING

File Number: RPT/21/27

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

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 purpose of the Murray Darling Association is to provide effective representation of local government and communities at state and federal level in the management of Basin resources by exchanging information, facilitating debate, and seeking to influence government policy.

The 2021 Murray Darling Association National Conference and Annual General Meeting will be held in Wentworth on 17-19 May 2021. Call for Motions opened on 4 January 2021 and will close on 12 April 2021.

Recommendation

That Council:

- (a) Nominate motions to be put forward for the Murray Darling Association National Conference and Annual General Meeting; and
- (b) Consider the nominated motions at the March meeting of Council.

Council Resolution

That Council:

- (a) Nominate motions to be put forward for the Murray Darling Association National Conference and Annual General Meeting; and
- (b) Consider the nominated motions at the March meeting of Council.

Moved Cr. McKinnon, Seconded Cr. Heywood

CARRIED

Council nominated the following motions be considered at the March meeting of Council:

- (a) Council strongly advocate for the joining of Lake Cawndilla and the Darling River to supply water to the lower end of the Darling (i.e. Anabranch); and
- (b) The NSW Government prioritise connectivity through to the end of the system in all water sharing plans.

9.3 2020 WESTERN DIVISION OF COUNCILS ANNUAL CONFERENCE

File Number: RPT/21/99

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

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 2021 Western Division of Councils Annual Conference will be held from 19 - 21 April 2021 in Broken Hill. The focus of the Conference will be the Four Pillars of Sustainability – Human, Social, Economic and Environment.

Recommendation

That Council determines attendees to the 2021 Western Division of Council's Annual Conference.

Council Resolution

That Council determines that the General Manager and all Councillors, excluding Councillor Nunan and Councillor McKinnon, attend the 2021 Western Division of Council's Annual Conference.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/41

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 January 2021 were \$222,363.23. After allowing for pensioner subsidies, the total levies collected are now 60.96%. For comparison purposes 60.45% of the levy had been collected at the end of January 2020. Council currently has \$29,531,112.55 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Council Resolution

That Council notes the monthly finance report.

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/91

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 January 2021 Council had \$18 million invested in term deposits and \$11,531,112.55 in other cash investments. Council received \$26,288.25 from its investments for the month of January 2021.

In January 2021 Council investments averaged a rate of return of 0.59% and it currently has \$9,165,513.01 of internal restrictions and \$15,926,633.16 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

9.6 MIDWAY LOAN REFINANCING OPTIONS

File Number: RPT/21/67

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 approves Option 3 from the National Australia Bank.

That Council delegates authority to the Mayor and General Manager to sign and affix the Council seal to any revised loan documentation if necessary.

Council Resolution

That Council approves Option 3 from the National Australia Bank.

That Council delegates authority to the Mayor and General Manager to sign and affix the Council seal to any revised loan documentation if necessary.

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED

Councillor Peter Nunan suggested that a motion be put forward for the 2021 Western Division of Council's Annual Conference, that Council "Demand that treasury loans (T-Corp) be freed up for use by Councils".

9.7 CROWN LAND IMPROVEMENT FUND GRANTS

File Number: RPT/21/93

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**

- a) That Council accepts the grant for the Greater Murray Darling Junction Reserve project.
- b) That Council accepts the grant for the Pooncarie Racetrack project.
- c) That Council accepts the grant for the Willowbend Caravan Park project.
- d) That Council does not accept the low interest loan from Crown Lands for the Willowbend Caravan Park project.
- e) That Council borrow \$1,500,000 for the Willowbend Caravan Park project from the National Australia Bank.
- f) That Council delegates authority to the Mayor and the General Manager to sign the funding agreements and loan document, and to affix the Council Seal to any necessary documentation.

Council Resolution

- a) That Council accepts the grant for the Greater Murray Darling Junction Reserve project.
- b) That Council accepts the grant for the Pooncarie Racetrack project.
- c) That Council accepts the grant for the Willowbend Caravan Park project.
- d) That Council does not accept the low interest loan from Crown Lands for the Willowbend Caravan Park project.
- e) That Council borrow \$1,500,000 for the Willowbend Caravan Park project from the National Australia Bank.
- f) That Council delegates authority to the Mayor and the General Manager to sign the funding agreements and loan document, and to affix the Council Seal to any necessary documentation.

Moved Cr. McKinnon, Seconded Cr. MacAllister

CARRIED

9.8 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/21/66

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Shenay Harris - Coordinator 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

Council has provided an allocation of \$187,000.00 (inclusive of GST) for the 2020/21 financial year for the consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$99,401.00 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 so far for this financial year totals \$10,173.30.

The total value of requests for this February 2021 funding application period totals \$14,571.93, which if granted in full, would leave a balance in the Donations, Contributions and Grants fund of \$62,853.77.

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 Donations, Contributions and Grants program.

Council Resolution

Council grants all the requests for financial assistance to be funded from the Donations, Contributions and Grants program.

Moved Cr. Nunan, Seconded Cr. Heywood

CARRIED

9.9 'OUR TOWN, OUR FUTURE - DARETON REVITALISED' DRAFT STRATEGY

File Number: RPT/21/42

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

A strategy for Dareton has been prepared with the aim to revitalise the township whilst ensuring that future development of the urban area is well planned and sustainable for servicing the needs of the current and future community.

Currently titled 'Our Town, Our Future – Dareton Revitalised', the document is presented to Council seeking endorsement to proceed with exhibition of the draft document. It is proposed to exhibit the Strategy for a period of 28 days.

The draft Strategy can be viewed on Council's website under the Public Exhibitions section.

Recommendation

That Council endorse the draft 'Our Town, Our Future – Dareton Revitalised' Strategy for public exhibition for a period of 28 days in accordance with the Community Participation Plan.

Council Resolution

That Council endorses the draft 'Our Town, Our Future – Dareton Revitalised' Strategy for public exhibition for a period of 28 days in accordance with the Community Participation Plan.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

9.10 DELEGATED AUTHORITY APPROVALS AS AT END OF JANUARY 2021

File Number: RPT/21/94

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 January 2021, a total of 1 Development Application and 1 S4.55 Modification Application were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$11,000.00. This brings the year to date total to 1 Development Applications and 1 S4.55 Applications approved, with an estimated development value of \$11,000.00.

Recommendation

- a) That Council receives and notes the report for the month of January 2021.
- b) That 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.
- c) 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 January 2021.
- b) That 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.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Moved Cr. Elstone, 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 Elstone, Evans, Heywood, MacAllister, McKinnon, Nichols, Nunan and Wheeldon.***

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

9.11 EMERGENCY WATER CARTING TO POONCARIE 2015 - 2020

File Number: RPT/21/38

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

Summary

At the 20 January 2021 Councillor MacAllister requested a report on Emergency Water carting to Pooncarie 2015-2020.

In 2015 Council commenced the installation of a ground water bore in Pooncarie in response to drought conditions. A number of businesses and residents on properties around Pooncarie who did not have access to treated water and relied on the Darling River or their rainwater tanks for their water reported drastically depleted supplies along with extremely poor quality making the water unfit for human consumption.

In response, the NSW Government approved funding for Council to assist with the bore installation and provide water deliveries to the businesses and residents in the area.

During the period July 2015 to March 2016 a total of 2,217,388 litres of water was carted which was fully subsidised by the NSW Government.

In July 2018 100% of New South Wales was declared in drought once again.

At the Ordinary Council Meeting of August 2018, Council resolved to:

- *provide potable water and cartage to drought affected households that do not have access to useable water.*

In January 2019, Council were advised by the NSW Government that financial assistance would be provided to Council to maintain essential supplies of water to the residents of the Pooncarie and Lower Darling Area. Further funding was forthcoming to a total of \$240,000.00, taking the timeframe of water delivery to the end of March 2020.

Recommendation

That Council notes the report.

Council Resolution

That Council:

- (a) Notes the report; and
- (b) The completed report including the bore information be tendered into evidence to the NSW Upper House Committee Inquiry into Rationale for, and impacts of, new dams and other water infrastructure in NSW within 21 days from the Inquiry.

Moved Cr. MacAllister, Seconded Cr. Wheeldon

CARRIED

9.12 LOCAL TRAFFIC COMMITTEE AND ROADS AND ROAD SAFETY MEETING UPDATES

File Number: RPT/21/96

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Belinda Fitzgerald - Road Safety Officer

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

Councillors seek to be more involved with local traffic matters and establish relationships with legislated responsible organisations whom make decisions about our roads.

Recommendation

That Council Nominates representatives for Site Tours of Local Traffic Matters.

Motion

That Council Nominates representatives for Site Tours of Local Traffic Matters.

Moved Cr. Heywood, Seconded Cr. Wheeldon

Amendment

That Cr Heywoods motion be amended to

- a) Representatives of the existing Roads & Traffic Safety Committee, Councillor Susan Nichols, Councillor Bill Wheeldon, Councillor Steve Heywood and Councillor Tim Elstone; and
- b) The nominated representatives attend the Site Tours of Local Traffic Matters in May and November 2021.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

Resolution

That the amendment becomes the substantive motion.

That Council:

- (a) Nominates representatives from the existing Roads and Road Safety Committee, Councillor Susan Nichols, Councillor Bill Wheeldon, Councillor Steve Heywood and Councillor Tim Elstone; and
- (b) The nominated representatives attend the Site Tours of Local Traffic Matters in May and November 2021.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

9.13 PROJECTS AND WORKS REPORT UPDATE - FEBRUARY 2021

File Number: RPT/21/24

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Administration Officer

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 January 2020.

Recommendation

That Council notes the major works undertaken for January and the scheduled works for February 2021.

Council Resolution

That Council notes the major works undertaken for January and the scheduled works for February 2021.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 SOLAR PANEL TIP PRICES**

Councillor Peter Nunan asked how much the landfill currently charges for solar panels as Mildura currently charges \$20.

10.2 WATER TOWER ART

Councillor Peter Nunan requested an investigation be conducted in regard to art on the Water Towers within the Shire.

10.3 2021 JUNCTION JUNK GARAGE SALE EVENT

Councillor Peter Nunan requested an investigation be conducted in regard to public interest of the 2021 Junction Junk Garage Sale Event, and that Council place an advertisement in the Sunraysia Daily.

10.4 DOGS IN DARETON

Councillor Peter Nunan requested that action be taken regarding the dogs roaming around Neilpo Street, Dareton.

10.5 UPDATE ON CURLWAA BOAT RAMP

Councillor Steve Heywood requested an update on the Curlwaa Boat Ramp repairs.

10.6 UPDATE ON CURLWAA BACKPACKERS

Councillor Steve Heywood requested an update on the Curlwaa Backpackers, specifically whether it is operational and if they are abiding by the conditions of the Development Application.

10.7 UPDATE ON CARAVAN PARK UPGRADE

Councillor Steve Heywood requested an update on the Caravan Park upgrade.

10.8 UPDATE ON THE WENTWORTH BOWLING GREEN

Councillor Steve Heywood requested an update on the Wentworth Bowling Green repairs.

10.9 TOUR OF PROJECT SITES

Councillor Steve Heywood requested that all Councillors be taken on a site tour of all projects within the Shire.

10.10 CHANGE OF COUNCIL MEETING VENUE

Councillor Bill Wheeldon requested that an alternate venue for future Ordinary Council Meetings be investigated, specifically in Wentworth.

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 Plant Replacement - Approval of Tenders for Replacement of Plant 630 & 430 - Tipping Truck and Trailer - VR2021/630 & 430. (RPT/21/97)

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.

12.2 Gol Gol Water Treatment Plant - Extension of PT1819/19 RDG Electrical Construction of Gol Gol Water Treatment Plant Electrical & Process Control Upgrade. (RPT/21/100)

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. Nunan

CARRIED

Council moved into closed session at 11:05AM

At 11:06 am Councillor Jane MacAllister left the meeting.

At 11:09 am Councillor Jane MacAllister returned to meeting.

Council resumed into open session at 11:18AM

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR REPLACEMENT OF PLANT 630 & 430 - TIPPING TRUCK AND TRAILER - VR2021/630 & 430

File Number: RPT/21/97

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 Mildura Truck Centre for the supply of one DAF FATCF530 Hercules Engineering Hardox Truck and Dog Trailer for the sum of \$351,888.90 inc GST.

**12.2 GOL GOL WATER TREATMENT PLANT - EXTENSION OF PT1819/19 RDG
ELECTRICAL CONSTRUCTION OF GOL GOL WATER TREATMENT PLANT
ELECTRICAL & PROCESS CONTROL UPGRADE**

File Number: RPT/21/100

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Geoff Gunn - Director Roads and Engineering

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

Strategy: 3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long term interests of future generations

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 an extension of \$550,000 ex GST to the contract for the Gol Gol Water Treatment Plant (GGWTP) Electrical / Process Control Upgrade Project, Tender No. PT1819/19 with RDG Electrical Mildura.

13 CONCLUSION OF THE MEETING

The Mayor closed the meeting at 11:19AM

NEXT MEETING

17 March 2021

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CHAIR