



**ORDINARY MEETING
MINUTES**

As amended

11 OCTOBER 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING	1
2	PRAYER OR ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES AND LEAVE OF ABSENCE.....	1
4	DISCLOSURES OF INTERESTS	1
5	CONFIRMATION OF MINUTES	1
6	OUTSTANDING MATTERS FROM PREVIOUS MEETINGS	1
7	MAYORAL AND COUNCILLOR REPORTS	1
	Nil	
8	REPORTS FROM COMMITTEES	1
	Nil	
9	REPORTS TO COUNCIL	2
9.1	Statutory Meeting Item - Oath or Affirmation of Office	2
9.2	Statutory Meeting Item - Election of Mayor and Deputy Mayor	3
9.3	Statutory Meeting Item - Delegations to Mayor and General Manager	5
9.4	Using Countbacks to Fill Casual Vacancies	7
9.5	Council Meeting Dates and Times.....	8
9.6	Statutory Meeting Item - Internal Committee Representation	10
9.7	Statutory Meeting Item - Review of External Committees.....	12
10	NOTICES OF MOTIONS / QUESTIONS WITH NOTICE	14
	Nil	
11	CONCLUSION OF THE MEETING	14
	NEXT MEETING	14

1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:00am.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Daniel Linklater
Councillor Jon Armstrong
Councillor Peter Crisp
Councillor Tim Elstone
Councillor Greg Evans
Councillor Susan Nichols
Councillor Jo Rodda
Councillor Jody Starick

STAFF: Ken Ross (General Manager)
Simon Rule (Director Finance and Policy) (Via Video Conference)
Hannah Nicholas (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apology from Cr Weeding.

Moved Cr. Elstone, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Nil

5 CONFIRMATION OF MINUTES

Carried over until 30 October 2024 meeting.

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

Nil

7 MAYORAL AND COUNCILLOR REPORTS

Nil

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 STATUTORY MEETING ITEM - OATH OR AFFIRMATION OF OFFICE

File Number: RPT/24/575

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 requirement for Councillors to take an oath or affirmation of office came into effect on 30 August 2016 (the date of assent of the Local Government Amendment (Governance and Planning) Bill 2016). The Oath must be taken by Councillors at or before the first meeting of Council after being elected. Councillor Michael Weeding undertook the Oath of office on Tuesday 8 October 2024.

Recommendation

That Council:

- a) Receives and notes the General Manager's report on the taking of an oath or affirmation of office by individual Councillors
- b) Notes the taking of the Oath from all Councillors and their signed Statements containing the oath.

Council Resolution

That Council:

- a) Receives and notes the General Manager's report on the taking of an oath or affirmation of office by individual Councillors
- b) Notes the taking of the Oath from all Councillors present and their signed Statements containing the oath. It is noted that Councillor Weeding took his oath in front of the General Manager and Councillors Elstone and Nichols on Tuesday 8 October 2024.

Moved Cr. Elstone, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.2 STATUTORY MEETING ITEM - ELECTION OF MAYOR AND DEPUTY MAYOR

File Number: RPT/24/574

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

Councils that elect their Mayors are required under section 290(1)(a) of the *Local Government Act 1993* (the Act) at the first meeting after an ordinary election of councillors, and within 3 weeks after the ordinary election, hold an election for Mayor and decide if Council wishes to have a Deputy Mayor.

Schedule 7 of the *Local Government (General) Regulation 2021*, provides for the election of Mayor by Councillors by either ordinary ballot, open voting or by preferential ballot.

This procedure is overseen with the returning officer duties performed by the General Manager.

Recommendation

1. That Council determines in the event of two or more nominations being received for Mayor the process to elect the Mayor either by ordinary ballot **or** open voting **or** preferential ballot;
2. That the General Manager receives nominations for the position of Mayor for the next two years and declares whether an election is required, and if so conducts the election.
3. That Council determines if the position of Deputy Mayor will be elected for the Mayoral term being two years.
4. That the General Manager receives nominations for the position of Deputy Mayor and declares whether an election is required, and if so conducts the election.

Council Resolution

1. That Council determines in the event of two or more nominations being received for Mayor the process to elect the Mayor will be by open voting
2. That the General Manager received one nomination for the position of Mayor for the next two years and declared that an election is not required
3. That Council determines if the position of Deputy Mayor will be elected for the Mayoral term being two years.
4. That the General Manager received nomination for the position of Deputy Mayor and declared whether an election is not required.

Moved Cr. Elstone, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

Cr Linklater was nominated for the position of Mayor for the next two years by Cr Elstone and Cr Nichols. There being no other nominations for Mayor, Cr Linklater was declared Mayor unopposed.

Cr Crisp was nominated for the position of Deputy Mayor for the next two years by Cr Elstone and Cr Nichols. There being no other nominations for Deputy Mayor, Cr Crisp was declared Deputy Mayor unopposed.

9.3 STATUTORY MEETING ITEM - DELEGATIONS TO MAYOR AND GENERAL MANAGER

File Number:	RPT/24/578
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 purpose of this report is to establish the delegated authority of the Mayor and Deputy Mayor. Council Policy GOV009 sets the delegations for these positions. The policy is attached for reference to the schedules. There have been no amendments made to the delegation schedules.

Recommendation

That Council;

- a) Retains all functions, duties and responsibilities outlined in schedule 1 of Council Policy GOV009
- b) Pursuant to Section 377 of the *Local Government Act 1993*, delegates to the Mayor, as elected at the Council Meeting on 11 October 2024, the powers, duties, authorities and functions of the position as listed in schedule 2 of the Delegation Policy (GOV009).
- c) Resolves that in the absence of the Mayor, and when officially acting in the position of Mayor, the Deputy Mayor, as elected at the Council Meeting on 11 October 2024 is authorised to exercise delegations of the Mayor as listed in schedule 2 of the Delegation Policy (GOV009).
- d) Pursuant to Section 377 of the *Local Government Act 1993*, delegates to the General Manager, the powers, duties, authorities and functions of the position as listed in schedule 3 of the Delegation Policy (GOV009).
- e) Resolves that in the absence of the General Manager and when officially acting in the position of Acting General Manager, that staff member is authorised to exercise delegations of the General Manager as listed in schedule 3 of the Delegation Policy (GOV009).
- f) Resolves that the delegations to the Mayor and Deputy Mayor remain in place for a period of 2 years (the Mayoral term), or until revoked or amended by Council.

Council Resolution

That Council;

- a) Retains all functions, duties and responsibilities outlined in schedule 1 of Council Policy GOV009
- b) Pursuant to Section 377 of the *Local Government Act 1993*, delegates to the Mayor, as elected at the Council Meeting on 11 October 2024, the powers, duties, authorities and functions of the position as listed in schedule 2 of the Delegation Policy (GOV009).
- c) Resolves that in the absence of the Mayor, and when officially acting in the position of Mayor, the Deputy Mayor, as elected at the Council Meeting on 11 October 2024 is authorised to exercise delegations of the Mayor as listed in schedule 2 of the Delegation Policy (GOV009).
- d) Pursuant to Section 377 of the *Local Government Act 1993*, delegates to the General Manager, the powers, duties, authorities and functions of the position as listed in schedule 3 of the Delegation Policy (GOV009).
- e) Resolves that in the absence of the General Manager and when officially acting in the position of Acting General Manager, that staff member is authorised to exercise delegations of the General Manager as listed in schedule 3 of the Delegation Policy (GOV009).
- f) Resolves that the delegations to the Mayor and Deputy Mayor remain in place for a period of 2 years (the Mayoral term), or until revoked or amended by Council.

Moved Cr Rodda, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

9.4 USING COUNTBACKS TO FILL CASUAL VACANCIES

File Number: RPT/24/577

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

Council has the option of using a countback of votes cast at the last ordinary election to fill casual vacancies occurring in the office of Councillors in the first 18 months after the election.

This will allow Council to use a countback to fill vacancies at a lower cost than the cost of holding a by-election.

If Council does not resolve this at the first meeting after the election, all casual Councillor vacancies will need to be filled via a by-election.

Recommendation

That Council pursuant to section 291A (1)(b) of the *Local Government Act 1993* (the Act), resolves that casual vacancies occurring in the office of a Councillor with 18 months after the last ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of Council's decision within 7 days of this resolution.

Council Resolution

That Council pursuant to section 291A (1)(b) of the *Local Government Act 1993* (the Act), resolves that casual vacancies occurring in the office of a Councillor with 18 months after the last ordinary election of Councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of Council's decision within 7 days of this resolution.

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED

For the Motion : *Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, and Nichols and Starick*

Against the Motion: *Clr. Rodda.*

9.5 COUNCIL MEETING DATES AND TIMES

File Number: RPT/24/576

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 purpose of this report is to set the date and time for the Ordinary Meetings of Council.

Recommendation

That Council determines the following in relation to Ordinary Meetings of Council:

1. Ordinary Council meetings will be held on a day to be determined in all months excluding June
2. The June 2025 meeting will be held on the selected day in the last week of June
3. The January will/will not be held
4. All Ordinary meetings of Council will commence at a time to be determined
5. Pre-meeting Briefings will/will not be held

Council Resolution

That Council determines the following in relation to Ordinary Meetings of Council:

1. Ordinary Council meetings will be held on the third Wednesday of each month
2. All Ordinary meetings of Council will commence at 5:00pm

Moved Cr. Crisp, Seconded Cr Nichols

CARRIED

For the Motion : ***Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols and Starick***

Against the Motion: ***Clr. Rodda.***

Council Resolution

That Council determines the following in relation to Ordinary Meetings of Council:

1. The January 2025 meeting will not be held
2. The June 2025 meeting will be held on the 25 June 2025

Moved Cr. Elstone, Seconded Armstrong

CARRIED

For the Motion : ***Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols and Starick***

Against the Motion: ***Clr. Rodda.***

Council Resolution

That Council determines the following in relation to Ordinary Meetings of Council:

1. Pre-meeting Briefings will be held at 4:00pm prior to the Ordinary Meeting.

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED

For the Motion : ***Clr.s Crisp, Elstone, Evans, Linklater, Nichols and Starick***

Against the Motion: ***Clr.s Armstrong and Rodda.***

Council Resolution

That Council determines the following in relation to Ordinary Meetings of Council:

1. The October 2024 meeting will be held on 30 October 2024 at 5:00pm and a Pre-meeting briefing will be held at 4:00pm

Moved Cr. Elstone, Seconded Armstrong

CARRIED UNANIMOUSLY

9.6 STATUTORY MEETING ITEM - INTERNAL COMMITTEE REPRESENTATION

File Number: RPT/24/581

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: 4.4 Provide strong leadership and work in partnership to strategically plan for the future

Summary

The Statutory meeting of Council is an opportunity for Council to review the committee structure that it requires for the upcoming 12 month period. Council is able to review the existing Internal Committees and determine Councillor representation for these committees.

Recommendation

That Council considers the current list of Internal Committees and determines appropriate representation.

Council Resolution

That Council considers the current list of Internal Committees and has determined the appropriate representation as listed in the table below.

Moved Cr. Armstrong, Seconded Cr Crisp

CARRIED UNANIMOUSLY

Listing of Internal Committees and User Groups			
Advisory Committees	Meeting Frequency	Council Delegate(s)	Other Advisory Officers
Floodplain Risk Management Committee	When required	Mayor, Cr Elstone, Cr Nichols and Cr Evans	General Manager, Director Health and Planning, Robert Rigby, David Buck, SES
Audit, Risk and Improvement Committee	Min Quarterly	Cr Starick	General Manager, Director Corporate Services, Roseanne Kava (Chair) Diane

			Schmidt, Caroline Smith
Heritage and History Advisory Committee	When required	Cr Nichols, Cr Evans and Cr Armstrong (Alternate)	Greg Harrison, Russell James, Robert Hannaford, Nikita Vanderbyl, Tony Bruce-Mullins & Staff
General Managers Performance Review Committee	When Required	Mayor, Deputy Mayor, Council Representative, General Manager Representative	
User Groups	Meeting Frequency	Delegate(s)	Alternate Councillor(s)
Carramar Drive Sporting Complex User Group	When required	Mayor, Cr Armstrong, Cr Rodda	N/A
George Gordon Oval User Group	When required	Cr Crisp, Cr Elstone and Cr Weeding	N/A
James King Park User Group	When required	Cr Rodda, Cr Starick	N/A
Wentworth Showgrounds User Group	When required	Cr Nichols and Cr Evans	N/A
Wentworth Sporting Precinct User Group	When required	Cr Weeding and Cr Evans	N/A
Pooncarie Sporting Reserve User Group	When required	Cr Rodda and Cr Elstone	N/A

9.7 STATUTORY MEETING ITEM - REVIEW OF EXTERNAL COMMITTEES

File Number: RPT/24/582

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

In order to respond to the needs of its community, Council annually reviews the External Committees to which it has appointed representatives.

The nominated representatives on each committee are responsible for providing a Delegate's Report to Council.

Recommendation

That Council considers the list of External Committees and determines appropriate representation.

Council Resolution

That Council considers the list of External Committees and determined the appropriate representation as per the table below.

Moved Cr Armstrong, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

External Committee	Meeting Frequency	Nominated Representative(s)
Australian Inland Botanic Gardens	Monthly	Cr Starick, Cr Rodda
Barkandji Indigenous Land Use Agreement Working Group	As required	Mayor, Deputy Mayor, Cr Elstone and General Manager
Bottle Bend Reserve Land Manager	Monthly	Cr Armstrong, Mayor (Alternate)
Bush Fire Management Committee	Twice per annum	Cr Armstrong, Cr Elstone (Alternate)
ClubGRANTS Category One (1) Funding Committee	Twice per annum	Mayor and the General Manager
Country Mayor's Association of NSW	As required	Mayor
Community Safety Precinct Meeting	As required	Mayor, Cr Evans (Alternate)
Far West Joint Organisation – Broken Hill, Wentworth, Balranald, Central Darling	As required	Mayor and Deputy Mayor
Joint Regional Planning Panel	As required	Cr Crisp, Cr Nichols

Menindee Lakes SDLAM Stakeholder Advisory Group (SAG)	As required	Cr Nichols, Cr Elstone and Cr Armstrong
Murray Darling Association (Region 4)	Min. 4 times per annum	Mayor, Cr Nichols, Cr Evans and Cr Elstone
Public Libraries NSW	Twice per annum	Cr Starick
Wentworth Regional Tourism Inc.	Monthly	Cr Rodda, Cr Evans (Alternate)
Wentworth Shire Health Interagency Group (WSIG)	Monthly	Cr Rodda, Cr Armstrong
Wentworth Shire Liquor Accord Committee	As required	Cr Nichols, Cr Weeding (Alternate)
Western Division Group of Councils	Min. 3 times per annum	Mayor, Deputy Mayor, Cr Elstone and Cr Evans
Willandra Lakes Region World Heritage Advisory Committee	Min. 3 times per annum	TBC

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

Council Resolution

That Council resolves that should the Deputy Mayor be absent at the 15 October 2024 Extraordinary Council meeting, Cr Elstone will cosign the Management Statements.

Moved Cr Elstone, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

11 CONCLUSION OF THE MEETING

10.47am

NEXT MEETING

30 October 2024

.....
CHAIR