



**ORDINARY MEETING
MINUTES**

15 MARCH 2023

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 7:02pm

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Tim Elstone
Councillor Brian Beaumont
Councillor Steve Cooper
Councillor Peter Crisp
Councillor Steve Heywood
Councillor Daniel Linklater
Councillor Jane MacAllister
Councillor Susan Nichols
Councillor Jo Rodda

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 to General Manager)
Tania Peel (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council grants the Leave of Absence requests from Cr Linklater for Wednesday 22 March 2023 and Cr Nichols for Wednesday 22 March 2023.

Moved Cr Rodda, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Nil

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 15 February 2023 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 15 February 2023 be confirmed as amended.

Moved Cr. MacAllister, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

At the 2017 National General Assembly Resolution Number 18 from Wentworth Shire Council was resolved as follows:

That this National General Assembly call on federal government to support and prioritise the Transcontinental Rail Network, so that the potential of inland regional centres can be brought to bear, maximising efficiency in getting people, freight and produce right around the country and beyond as well as directly into the great interior, increasing access to tourist destinations and improving liveability in remote regions.

Council Resolution

That National General Assembly write to The Hon. Catherine King, Minister for Infrastructure, Transport, Regional Development and Local Government and Prime Minister Albanese seeking their position on the National General Assembly 2017 Resolution Number 18.

Moved Cr. MacAllister, Seconded Cr. Beaumont

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/23/136

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 7 March 2023

Council Resolution

That Council receives and notes the list of outstanding matters as at 7 March 2023

Moved Cr. Nichols, Seconded Cr Rodda

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/23/107

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

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

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

8 REPORTS FROM COMMITTEES

8.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE

File Number: RPT/23/130

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

A meeting of the Audit, Risk and Improvement Committee was held on 3 February 2023 and the draft Minutes of the meeting are attached to this report for the information of Councillors.

The Committee considered the following item of business:

- Good Governance Framework
- Policy Framework
- Fraud Control Framework
- Child Safety Policy and Action Plan
- Modern Slavery Requirement Update
- Management Letter and Audit Close Out
- Internal Audit Function
- Budget Update
- Quarterly Operational Plan Progress Report
- September Quarterly Budget Review – Second Quarter 2022-2023

The Committee has requested that the Reporting Officer seek a number of resolutions from Council in relation to the items considered.

Officer Recommendation

- a) That Council receive and note the draft minutes of the Audit, Risk and Improvement Committee Meeting held on 3 February 2023;
- b) That Council adopt the Good Governance Framework;
- c) That Council adopt the revised Fraud Control Policy; and
- d) That Council endorse the draft Child Protection Policy and place it on public exhibition.

Council Resolution

That Council receive and note the draft minutes of the Audit, Risk and Improvement Committee Meeting held on 3 February 2023.

Moved Cr. MacAllister, Seconded Cr Rodda

CARRIED UNANIMOUSLY

Council Resolution

That Council reinstate the Internal Audit & Risk Management Committee and nominate Councillor representatives. Cr MacAllister, Cr Nichols, Cr Linklater, Cr Rodda and Mayor Elstone were nominated to be Council representatives on the committee.

Moved Cr. MacAllister, Seconded Cr Rodda

CARRIED UNANIMOUSLY

**8.2 WILLANDRA LAKES REGION WORLD HERITAGE ADVISORY COMMITTEE
MEETING REPORT - JANUARY 2023**

File Number: RPT/23/139

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Tania Peel - Business Support Officer

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

Strategy: 3.3 Minimise the impact on the natural environment

Summary

Attached is the January 2023 committee report from Willandra Lakes Region World Heritage Advisory Committee. Cr Mac Allister is the local government representative for this committee.

Recommendation

That Council receive and notes the report from The Willandra Lakes Region World Heritage Advisory Committee.

Council Resolution

That Council receive and notes the report from The Willandra Lakes Region World Heritage Advisory Committee.

Moved Cr. MacAllister, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/23/108

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 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

General Manager on Annual Leave 5 -12 March 2023.

Recommendation

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

Council Resolution

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

Moved Cr Cooper, Seconded Cr Linklater

CARRIED UNANIMOUSLY

Council Resolution

That Council appoint Cr Beaumont as the alternate Council representative for the Wentworth Shire Liquor Accord meeting.

Moved Cr. Nichols, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.2 MONTHLY FINANCE REPORT - FEBRUARY 2023

File Number: RPT/23/106

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: April Crouch - Finance 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 February 2023 were \$1,194,469.91. After allowing for pensioner subsidies, the total levies collected are now 73.76%. For comparison purposes 74.76% of the levy had been collected at the end of February 2022. Council currently has \$50,020,174.16 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 Linklater

CARRIED UNANIMOUSLY

9.3 MONTHLY INVESTMENT REPORT - FEBRUARY 2023

File Number: RPT/23/135

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 28 February 2023 Council had \$42 million invested in term deposits and \$8,020,174.16 in other cash investments. Council received \$40,849.01 from its investments for the month of February 2023.

In February 2023 Council investments averaged a rate of return of 3.71% and it currently has \$8,199,652.60 of internal restrictions and \$33,142,798.93 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 Crisp, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.4 RE-ESTABLISHMENT OF ALCOHOL FREE ZONES

File Number: RPT/23/51

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

Objective: 2.0 Wentworth Shire is a great place to live
Strategy: 2.3 To have a safe community

Summary

Following the resolution of Council on 28 September 2022 to undertake public consultation for the re-establishment of alcohol-free zones (AFZ) in Wentworth, Buronga and Dareton; this report now seeks a resolution of Council to establish these alcohol-free zones for a period of four years.

Recommendation

That Council, having undertaken the required level of public consultation and receiving no submissions, re-establishes for an additional four years, the Alcohol Free Zones at Wentworth, Dareton and the Buronga Wetlands with a commencement date of 1 March 2023 and an expiry date of 30 June 2027.

Council Resolution

That Council, having undertaken the required level of public consultation and receiving no submissions, re-establishes for an additional four years, the Alcohol Free Zones at Wentworth, Dareton and the Buronga Wetlands with a commencement date of 1 March 2023 and an expiry date of 30 June 2027.

Moved Cr Rodda, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

9.5 DELEGATED AUTHORITY APPROVALS AS AT END OF FEBRUARY 2023

File Number: RPT/23/133

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

Objective: 3.0 Wentworth Shire 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 February 2023, a total of sixteen (16) Development Applications and five (5) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$3,917,056.00. This brings the year to date total to nineteen (19) Development Applications and eight (8) S4.55 applications approved, with an estimated development value of \$4,580,493.00.

Recommendation

That Council:

- a) Receives and notes the report for the Delegated Authority Approvals for the month of February 2023.
- 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 February 2023.
- 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. MacAllister, Seconded Cr. Nichols

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, Heywood, Linklater, MacAllister, Nichols and Rodda.*

Against the Motion: *Nil.*

9.6 PROJECT & WORKS UPDATE - MARCH 2023

File Number: RPT/23/105

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Jamie-Lee Kelly - Administration Officer

Objective: 3.0 Wentworth Shire 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 months of February 2023 and the planned activities for March 2023.

Recommendation

That Council receives and notes the major works undertaken in February 2023 and the scheduled works for the following month.

Council Resolution

That Council receives and notes the major works undertaken in February 2023 and the scheduled works for the following month.

Moved Cr Cooper, Seconded Cr Crisp

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 YOUTH COUNCIL

File Number: RPT/23/151

Motion

That Council reintroduce a Youth Council, in consultation with Coomealla High School.

Council Resolution

That Council reintroduce a Youth Council, in consultation with Coomealla High School and nominate Cr Linklater to work with the Youth Council.

Moved Cr. MacAllister, Seconded Cr Linklater

CARRIED UNANIMOUSLY

Council Resolution

That Council write to Health Ministers in support of a Satellite Dialysis Service being included in the new Wentworth Hospital building.

Moved Cr Beaumont, Seconded Cr. Heywood

CARRIED

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

Against the Motion: ***Clr. MacAllister.***

10.3 HARD WASTE COLLECTION

Cr Brian Beaumont requested a hard waste collection be considered.

10.4 MCLEOD OVAL CAMPING

Cr Brian Beaumont requested with people camping at McLeod Oval could skip bins be provided.

10.5 TRAFFIC DIVERSION SIGNS

Cr Brian Beaumont requested that the traffic diversion signs be reviewed and removed if appropriate.

10.6 LITTLE MANLY BEACH

Cr Steve Cooper requested that the old bins in situ be removed and replaced with either lockable bins or skips with a lid.

10.7 AUSTRALIAN INLAND BOTANIC GARDENS NEWSLETTER

Cr Jo Rodda requested that the Australia Inland Botanic Garden newsletter be distributed to councillors.

10.8 RZ RESOURCES

Cr Jo Rodda asked if Council has anything in place regarding road maintenance for the roads that RZ Resources will use.

The General Manager advised that Council is awaiting the traffic impact assessment and that Director Roads and Engineering is currently on a Road Maintenance Agreement.

10.9 VARIOUS PARKS AND GARDENS ISSUES

Cr Susan Nichols advised that in Adams Street there are several shrubs dead there, there are dead plants at the Shire office and the Buronga roundabout has several dead plants. Why is this happening?

10.10 WHITE POSTS FROM WENTWORTH TO WILLIAMSVILLE ROAD

Cr Susan Nichols advised that there are several white posts that have been hit and are broken. Can Council spray around guide posts so machinery does not hit the posts during slashing? Can the posts be replaced?

10.11 RFDS - POONCARIE PALLIATIVE CARE

Cr Jane MacAllister advised that with the Royal Flying Doctor service taking care of Pooncarie people, immediately all palliative care appointments were ceased without notice. Could Council write to Far West Local Health District and ask them to ensure continuation of regular palliative care services in Pooncarie. This is not something that Royal Flying Doctor Service does. Far West Local Health District, whatever their thinking was with them all of a sudden to cancel palliative care services.

10.12 TOWN ENTRANCE TREES

Cr Jane MacAllister advised the trees along the entrance to each of our townships are an important part of Wentworth shire because they do speak to our natural environment, who we are and our unique place at the junction of two rivers. Sometime ago Council decided to invest in trees that were not appropriate for the space they have been put in. Could Council consider reintroducing endemic species so that where box trees would ordinarily grow we plant box trees.

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 Water Account Reduction Request. (RPT/23/131)

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.

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 Linklater, Seconded Cr Cooper

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 WATER ACCOUNT REDUCTION REQUEST

File Number: RPT/23/131

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Jamie-Lee Kelly - Administration Officer

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 (b) discussion in relation to the personal hardship of a resident or ratepayer.

The General Manager advised that Council waived the amount of \$7,190.40 being the additional water used due to private service line break. Leaving the owner to pay outstanding \$1,270.10 (average normal water use).

13 CONCLUSION OF THE MEETING

Meeting closed at 8:40pm

NEXT MEETING

19 April 2023

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CHAIR