



**ORDINARY MEETING
MINUTES**

15 MAY 2024

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 7:00pm.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

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

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

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apology and grants the Leave of Absence Request from Cr Elstone for 15 May 2024 and grants a Leave of Absence Request from Cr Beaumont from 21 May – 12 June 2024.

Moved Cr Crisp, Seconded Cr. MacAllister

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Crisp advised that he had a less than significant non-pecuniary interest in Item 9.7 as he is a member of the Dareton Community Action Team.

Councillor Nichols advised that she had a less than significant non-pecuniary interest in Item 9.5 as she is the President of the Wentworth Bowling Club.

Councillor Nichols advised that she had a less than significant non-pecuniary interest in Item 9.7 as she is the President of the Wentworth Bowling Club.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 17 April 2024 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 17 April 2024 be confirmed as amended.

Moved Cr Rodda, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/24/241

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Hannah Nicholas - Business Support Officer

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 9 May 2024.

Council Resolution

That Council receives and notes the list of outstanding matters as at 9 May 2024.

Moved Cr Rodda, Seconded Cr Cooper

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/24/242

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 Linklater, Seconded Cr Rodda

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/24/240

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Hannah Nicholas - Business Support Officer

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
24-04
24-05
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note
Nil

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 Rodda, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.2 MONTHLY FINANCE REPORT - APRIL 2024

File Number: RPT/24/206

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 April 2024 were \$554,668.53. After allowing for pensioner subsidies, the total levies collected are now 81.49%. For comparison purposes 77.82% of the levy had been collected at the end of April 2023. Council currently has \$45,497,659.22 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 Rodda, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.3 MONTHLY INVESTMENT REPORT - APRIL 2024

File Number: RPT/24/217

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 of 30 April 2024, Council had \$41 million invested in term deposits and \$4,497,559.22 in other cash investments. Council received \$174,178.33 from its investments for the month of April 2024.

In April 2024 Council investments averaged a rate of return of 5.04% and it currently has \$8,275,858.15 of internal restrictions and \$34,997,066.61 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. Nichols, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.4 MARCH QUARTERLY BUDGET REVIEW - THIRD QUARTER 2023 - 2024

File Number: RPT/24/216

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

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

In the March Quarter the result of net variances if approved are an unfavorable operational variance of \$5,764,000 and a favorable capital variance of \$4,814,000 resulting in a total unfavourable budget variation of \$950,000.

Recommendation

That Council:

- a) Note the 2023/2024 Third Quarter Budget Review
- b) Approve the proposed variations to the 2023/2024 Budget

That Council:

- a) Note the 2023/2024 Third Quarter Budget Review
- b) Approve the proposed variations to the 2023/2024 Budget

CARRIED

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

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

9.5 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT

File Number: RPT/24/198

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

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan, which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The *Local Government Act 1993* requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also compiled on a quarterly basis.

Recommendation

That Council notes the report.

Council Resolution

That Council notes the report.

Moved Cr Rodda, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.6 DRAFT 2024/2025 OPERATIONAL PLAN - ENDORSEMENT FOR PUBLIC EXHIBITION.

File Number:	RPT/24/196
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:	4.3 An effective and efficient organisation

Summary

In accordance with the *Local Government Act 1993 (NSW)* (the Act), Council must have an annual Operational Plan adopted for each financial year, outlining the activities to be undertaken in that year, to achieve the commitments outlined in the Delivery Program.

The Operational Plan also includes the Statement of Council Revenue Policy and the Annual Fees and Charges in accordance with the Regulations.

Council is being asked to endorse the draft 2024/2025 Operational Plan for public exhibition. During the exhibition period the public are invited to provide feedback into the actions to be undertaken within the financial year. Public submissions are also invited on the proposed Rates and Annual Charges, as outlined in the Annual Statement of Revenue, and the Annual Fees and Charges.

The final version of all documents, together with all feedback received, will be presented to Council on the 26 June 2024.

Recommendation

That Council endorses the draft 2024/2025 Operational Plan

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2024/2025 Operational Plan:

- To make and levy an Ordinary Rate to comprise of a base rate and an ad valorem rating structure for residential, business and farmland categories of rates;
- To increase the Ordinary Rate by the maximum 5.20% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 5%;
- To increase raw and filtered water access charges by 5%;
- To increase water consumption charges by 5%;
- To increase domestic waste charges by 5%;
- To levy the fees and charges established in Part B of the Annual Statement of

Revenue; and

- To charge the maximum interest on overdue rates and charges as determined by the Minister for local Government.

Council Resolution

That Council endorses the draft 2024/2025 Operational Plan for public consultation for 28 days.

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2024/2025 Operational Plan:

- To make and levy an Ordinary Rate to comprise of a base rate and an ad valorem rating structure for residential, business and farmland categories of rates;
- To increase the Ordinary Rate by the maximum 5.20% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 5%;
- To increase raw and filtered water access charges by 5%;
- To increase water consumption charges by 5%;
- To increase domestic waste charges by 5%;
- To levy the fees and charges established in Part B of the Annual Statement of Revenue; and
- To charge the maximum interest on overdue rates and charges as determined by the Minister for local Government.

Moved Cr Crisp, Seconded Cr Beaumont

CARRIED

For the Motion :

Clr.s Beaumont, Cooper, Crisp, Linklater, MacAllister and Rodda.

Against the Motion:

Clr. Nichols.

9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/24/202

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

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

Summary

Council has provided an allocation of \$200,000.00 for the 2023/24 financial year for the funding of requests from the community for financial assistance. In this financial year, \$112,974.00 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 under delegated authority is \$3,124.00 and the total value of requests granted in full is \$55,680.42

The total value of requests received for the 30 January – 30 April 2024 funding application period totals \$7,860.65, which if granted in full would leave a balance in the financial assistance program of \$20,360.93.

Financial Assistance Program starting balance 2023/24	\$200,000.00
Annual fees & charges annual exemptions granted	\$112,974.00
Granted under delegated authority to 29 January 2024	\$ 2,817.00
Value of approved requests August 2023 Council Meeting	\$ 33,374.80
Value of approved requests November 2023 Council Meeting	\$ 13,489.62
Value of approved requests February 2024 Council Meeting	\$ 4,816.00
Available balance after February Council Meeting	\$ 32,528.58
Wentworth Regional Community Project Association Inc granted \$4000 outside of quarterly financial assistance considerations. Approved by Council at the 13 December 2023 Council Meeting	\$ 4,000.00
Granted under delegated authority 30 January – 30 April 2024	\$ 307.00
Available balance as at 30 April 2024	\$ 28,221.58
Financial request applications received 30 January – 30 April 2024	\$ 7,860.65
Remaining balance if all approved	\$ 20,360.93

Recommendation

That Council having considered the current requests for financial assistance, makes appropriate recommendations on the level of funding to be provided to each of these

applications from the Financial Assistance program.

Council Resolution

That Council having considered the current requests for financial assistance grants the full value of all requests totalling \$7,860.65 from the Financial Assistance program.

Moved Cr. MacAllister, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.8 HELENA STREET TRANSFER & PART CLOSURE

File Number: RPT/24/160

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Hilary Dye - Property and Land Tenure 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

As part of Council's move to the Civic Centre there is a need to extend the existing car park providing additional parking to accommodate the patrons of the Wentworth Grand Resort, Council staff and public visiting local shops. The extension involves occupying the furthest eastern end of Helena Street which crosses Darling Street to the Darling River, currently used as the entrance to the carpark and access to the Darling River.

Helena Street has been traditionally maintained by the Wentworth Shire Council's and forms a part of Council's local road network, facilitating access in and around the township of Wentworth and providing access to public areas. However, there is a small portion of the street that has been identified as a Crown Road, whereby Council is not the current road authority (owner).

Recommendation

That Council

1. Makes an application to Crown Lands requesting a transfer of the remaining section of crown road identified as Helena Street to Council's ownership.

Council Resolution

That Council makes an application to Crown Lands requesting a transfer of the remaining section of crown road identified as Helena Street to Council's ownership.

Moved Cr Cooper, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.9 DA2024/018 SWIMMING POOL WITH SAFETY BARRIER 14 RIVERVIEW RISE LOT 5 DP 1014535 GOL GOL

File Number: RPT/24/211

Responsible Officer: George Kenende - Acting Director Health & 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

A development application (DA2024/018) was received by Council for a swimming pool with safety barrier to be located at 14 Riverview Rise Lot 5 DP 1014355 Gol Gol within the river front setback.

Under the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, this development is permitted with consent when located within the R5 Large Lot residential zone, as ancillary development to the existing dwelling.

The proposed swimming pool with safety barrier is to be located between the existing dwelling and the high bank of the Murray River. The proposed swimming pool safety barrier is to be located 17.78m from the high bank of the river at the closest point. The required river setback under clause 7.6 the WLEP 2011 is 30m from the high bank of the river. As part of the 7.6 assessment, a variation to the 30m river setback standard was required (usually referred to as a 4.6 variation).

Due to the variation being greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

Recommendation

That Council:

1. Approve DA2024/018 being a swimming pool and safety barrier located at 14 Riverview Rise Lot 5 DP 1014355 Gol Gol.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

1. Approve DA2024/018 being a swimming pool and safety barrier located at 14 Riverview Rise Lot 5 DP 1014355 Gol Gol.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr Crisp, Seconded Cr Rodda

CARRIED

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Linklater and Rodda.

Against the Motion: Clr.s MacAllister and Nichols.

9.10 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 AMENDED MAP TO BURONGA COMMERCIAL PRECINCT PLANNING PROPOSAL

File Number: RPT/24/225

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

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

Strategy: 1.5 Encourage and support initiatives that improve local employment opportunities

Summary

Wentworth Shire Council resolved to proceed with a Planning Proposal to amend planning provisions in the Wentworth Local Environmental Plan 2011 (WLEP) that specifically relate to amendment to the Zoning.

The Department of Planning and Environment (DPE) (now the Department of Planning Housing and Infrastructure (DPHI)) issued a Gateway Determination to proceed on 15 June 2023.

The Planning Proposal sought to amend the following provisions:

- Rezone approximately 15 ha of land north of the Sturt Highway in Buronga from RU5 Village to E1 Local Centre
- Rezone Lot 1 DP 848480 from RU5 Village to SP2 Infrastructure

Public exhibition and state agency consultation to Transport for NSW (TfNSW) was conducted in accordance with the Gateway Determination. One (1) public submission was received. No submission was received from Transport for NSW.

A report was presented to Council at the 17 April 2024 ordinary council meeting where Council determined to proceed with finalisation amendment to the Wentworth Local Environmental Plan 2011.

During the finalization, a minor error was identified in the mapping, where land required to remain residential was included within the new proposed E1 zone. As the amended plan constitutes an amendment to the Planning Proposal, it will need Council endorsement.

This report seeks Council endorsement of the minor change to the Planning Proposal mapping to proceed with finalisation of the amendment to the Wentworth Local Environmental Plan 2011.

Recommendation

- a. That Council endorse the map amendment as outlined in this report.
- b. That Council, as the plan-making authority, resolve to proceed with the finalisation of the Planning Proposal in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979.
- c. That Council call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- a) Endorse the map amendment as outlined in this report
- b) As the plan-making authority, resolve to proceed with the finalisation of the Planning Proposal in accordance with section 3.36 of the Environmental Planning and Assessment Act 1979
- c) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr Rodda, Seconded Cr Cooper

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

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

9.11 FEE WAIVER REQUEST FOR PLANNING PROPOSAL

File Number: RPT/24/226

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

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

Cadell Consulting, working pro-bono on behalf of their clients is seeking a waiver of the applicable fee for the lodgement of a planning proposal of \$7,885.90 – see Attachment 1.

Once lodged, the Planning Proposal aims to amend the Wentworth Local Environmental Plan 2011 by heritage listing a 2,500 year old Eucalyptus Oleosa tree (WOW Tree). This will be subject to a completed planning proposal document and report to Council at a later date.

Recommendation

That Council resolves to approve to waiver the LEP Amendment Fee of \$7,885.90.

Council Resolution

That Council resolves to approve to waiver the LEP Amendment Fee of \$7,885.90.

Moved Cr. MacAllister, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.12 PROJECT & WORKS UPDATE - MAY 2024

File Number: RPT/24/197

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 April 2024 and the planned activities for May 2024.

Recommendation

That Council receives and notes the major works undertaken in April 2024 and the scheduled works for the following month.

Council Resolution

That Council receives and notes the major works undertaken in April 2024 and the scheduled works for the following month.

Moved Cr Crisp, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

Cr Crisp thanked Council for the work, assistance and support for the Dareton Coomealla Centenary Celebrations.

Cr Nichols agreed with Cr Crisp and advised the Centenary alongside the ANZAC Day ceremony and Men in the Shed events went very well.

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 PT2324/12 Dareton to Namatjira Shared Path Solar Lighting. (RPT/24/243)

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 Cooper, Seconded Cr Rodda

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PT2324/12 DARETON TO NAMATJIRA SHARED PATH SOLAR LIGHTING

File Number: RPT/24/243

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Michael Hilliard - Project Engineer

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

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

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 in accordance with the Local Government (General) Regulations 2021, section 178(1)(b), 178(3)(e) and 178(4)(a-b) declined to accept any submitted tenders for the tendered works and that Council will enter negotiations with Cummins and Noonan Electrical with the view to entering into a contract for a variation of the works tendered making allowance for approvals required by third parties including Transport for NSW and Essential Energy.

13 CONCLUSION OF THE MEETING

The meeting closed at 8:27pm.

NEXT MEETING

26 June 2024

.....
CHAIR