



**ORDINARY MEETING  
MINUTES**

**17 JULY 2024**

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## 1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 7.01pm

## 2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

### PRESENT:

**COUNCILLORS:** Councillor Daniel Linklater  
Councillor Brian Beaumont  
Councillor Steve Cooper  
Councillor Peter Crisp  
Councillor Tim Elstone  
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 from Cr MacAllister and grants the Leave of Absence Requests from Cr Nichols for 1 August 2024 to 4 August 2024 and Cr Beaumont for 2 August 2024 to 18 August 2024.

**Moved Cr Rodda, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

## 4 DISCLOSURES OF INTERESTS

Councillor Nichols advised that she had a pecuniary interest in Item 12.5 as she is Power of Attorney for a paid up resident of Murray House and have the power to use her finances which may be considered that I may be persuaded or have a pre-determined position.

Councillor Cooper advised that he had a significant pecuniary interest in Items 9.12 as he is a real estate agent involved in the sale of the property.

Councillor Cooper advised that he had a significant pecuniary interest in Item 9.13 as he is the father of the applicant.

Councillor Elstone advised that he had a significant pecuniary interest in Items 9.12 as he is a real estate agent involved in the sale of the property.

Councillor Elstone advised that he had a significant non - pecuniary interest in Item 9.13 as he is the business partner of the father of the applicant.

## 5 CONFIRMATION OF MINUTES

### Recommendation

That the Minutes of the Ordinary Meeting held 26 June 2024 be confirmed as circulated.

### Council Resolution

That the Minutes of the Ordinary Meeting held 26 June 2024 be confirmed as circulated.

**Moved Cr Crisp, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

## 6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/24/372

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 10 July 2024.

#### Council Resolution

That Council receives and notes the list of outstanding matters as at 10 July 2024.

**Moved Cr Rodda, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

## **7 MAYORAL AND COUNCILLOR REPORTS**

### **7.1 MAYORAL REPORT**

File Number: RPT/24/373

#### **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 Cooper**

**CARRIED UNANIMOUSLY**

## **8      REPORTS FROM COMMITTEES**

Cr Nichols gave a verbal report on the 80<sup>th</sup> Murray Darling Association Conference and tabled several documents from the conference.



## 9 REPORTS TO COUNCIL

### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/24/374

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

Circulars 24-11, 24-12 and GC-153.

2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Nil.

#### **Recommendation**

That Council receive and note the information contained within the report from the General Manager.

#### **Council Resolution**

That Council receive and note the information contained within the report from the General Manager.

**Moved Cr Rodda, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

**9.2 MEMORANDUM OF UNDERSTANDING WENTWORTH SHIRE COUNCIL AND WENTWORTH PIONEER HOMES COMMITTEE INC**

File Number: RPT/24/375

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**

Wentworth Pioneer Homes Committee Inc have requested a Memorandum of Understanding be initiated with Wentworth Shire Council. This Memorandum of Understanding is to put in place an agreement for the ongoing collaborative relationship between the Shire and the Committee for the development and management of Tunkin Homes, a set of low-cost housing units, located on the corner of Armstrong Avenue and William Street Lot 710 DP 1297635 Wentworth.

**Recommendation**

That Council delegates authority to the Mayor and the General Manager to sign the Memorandum of Understanding between Wentworth Pioneer Homes Committee Inc and Wentworth Shire Council and affix the Council seal.

**Council Resolution**

That Council delegates authority to the Mayor and the General Manager to sign the Memorandum of Understanding between Wentworth Pioneer Homes Committee Inc and Wentworth Shire Council and affix the Council seal.

**Moved Cr Beaumont, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

**9.3 REQUEST FOR SPONSORSHIP - 2024 SUNRAYSLIA SAFARI CROSS COUNTRY RALLY**

File Number: RPT/24/248

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

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region  
Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

**Summary**

Council is in receipt of a request to provide financial sponsorship and provision of the Wentworth Showgrounds (including in kind support of daily cleaning of toilets, showers and emptying of rubbish bins) for the 2024 Sunraysia Safari Cross Country Rally to be held from 2 September to 9 September 2024. Council approved financial sponsorship of \$20,000 and in kind support for the event in 2023.

**Recommendation**

That Council having considered the contents of the report and attachments choose one of the suggested options.

**Motion**

That Council approve the sponsorship of \$20,000 (ex GST) and in kind support of free access to the Showground, free camping, daily cleaning of toilets, showers and emptying of rubbish bins.

**Moved Cr Crisp, Seconded Cr Beaumont**

**Amendment**

That Council approve the sponsorship of \$20,000 (ex GST) and provide in kind support being for access to the showground, cleaning of the toilets, showers and emptying of the rubbish bins.

**Moved Cr Rodda, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

**Council Resolution**

That Council approve the sponsorship of \$20,000 (ex GST) and provide in kind support being for access to the showground, cleaning of the toilets, showers and emptying of the rubbish bins.

**Moved Cr Rodda, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

**9.4 LGNSW 2024 ANNUAL CONFERENCE**

File Number: RPT/24/381

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 Local Government New South Wales 2024 Annual Conference is being held from Sunday 17 November 2024 to Tuesday 19 November 2024 at the Tamworth Regional Entertainment Conference Centre in Tamworth. This forum is the main local government policy making forum for Local Government New South Wales. In previous years Council has been represented by the Mayor and the General Manager at the conference. Councillors should also consider any motions to be put forward at the Conference, which will be considered by Council at the Ordinary Meeting in August.

**Recommendation**

That Council nominate the Mayor and General Manager to attend the Local Government New South Wales 2024 Annual Conference 17 November 2024 to Tuesday 19 November 2024 and that the mayor be Council's voting delegate.

**Council Resolution**

That Council nominate the Mayor and General Manager to attend the Local Government New South Wales 2024 Annual Conference 17 November 2024 to Tuesday 19 November 2024 and that the Mayor be Council's voting delegate.

**Moved Cr. Nichols, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

**9.5 MONTHLY FINANCE REPORT - JUNE 2024**

File Number: RPT/24/357

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 June 2024 were \$394,984.42. After allowing for pensioner subsidies, the total levies collected are now 94.84%. For comparison purposes 92.14% of the levy had been collected at the end of June 2023. Council currently has \$49,479,651.57 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 Cooper, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

**9.6 MONTHLY INVESTMENT REPORT - JUNE 2024**

File Number: RPT/24/390

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 June 2024, Council had \$39 million invested in term deposits and \$10,479,651.57 in other cash investments. Council received \$183,964.97 from its investments for the month of June 2024.

In June 2024 Council investments averaged a rate of return of 5.06% and it currently has \$7,650,752.35 of internal restrictions and \$40,466,652.93 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 Rodda, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

**9.7 WENTWORTH MILITARY MUSUEM FINANCIAL ASSISTANCE REQUEST.**

File Number: RPT/24/391

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

**Summary**

Council has received a request from the Wentworth Military Collection to provide financial assistance of \$640,000 to allow their Military Museum and Discovery Centre project become shovel ready.

According to the request, the proposed funding arrangement from Council to the Wentworth Military Collection would be that monies supplied by Council could be reclaimed through successful future grant applications providing funding for the construction and completion of the Wentworth Military Museum and Discovery Centre.

Discussions with the applicant have indicated that should they be unsuccessful with grant applications that they would be willing to enter into a repayment/loan arrangement with Council and are confident that they could repay the amount in 5 years. In order to achieve this, they would be looking at undertaking a significant fundraising drive.

**Recommendation**

That Council having considered the contents of the report and attachments choose one of the suggested options.

**Council Resolution**

That Council having considered the contents of the report and attachments does not support the request.

**Moved Cr. Elstone, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

**9.8 REQUEST TO BECOME REGULAR WEEKLY USER OF MIDWAY FUNCTION ROOM**

File Number: RPT/24/393

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 is in receipt of a request to become a regular user of Midway Function Room for weekly Pilates classes for 1 hour each Thursday morning, commencing 5 September 2024.

As per the 2024/2025 fees and charges, the hire fee is \$128.00 per hour. A regular user discount of 75% off the standard hourly rate for a 12 month agreement can be negotiated by Council. If agreed, this would reduce the hire fee to \$32.00 per hour.

Pilates classes will benefit the community and individuals. Refer attached testimony written by requester.

**Recommendation**

That Council having considered the contents of the report and attachment choose one of the suggested options.

**Motion**

That Council approve the full 75% regular user discount, reducing the hire fee to \$32.00 per hour.

**Moved Cr Rodda, Seconded Cr Cooper**

**Amendment**

That Council approve a 50% discount, reducing the hire fee to \$64.00 per hour. This will cover heating, cooling, lighting and weekly cleaning costs.

**Moved Cr. Nichols**

**LAPSED**

**Council Resolution**

That Council approve the full 75% regular user discount, reducing the hire fee to \$32.00 per hour.

**Moved Cr Rodda, Seconded Cr Cooper**

**CARRIED**

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

**Against the Motion:** *Clr.s Beaumont and Nichols.*



**9.9 A64 ANABRANCH HALL & ROAD REALIGNMENT ACQUISITION**

File Number: RPT/24/290

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: 3.5 Infrastructure meets the needs of our growing Shire

**Summary**

A Council resolution is required to commence the compulsory acquisition from the NSW Department of Planning, Housing and Infrastructure (Crown Lands) of:

- Lots 642 and 643 Deposited Plan 1287475 (within Lot 498 Deposited Plan 761441) for the purpose of infrastructure constructed by Council relating to the Anabranh Hall and Tennis Courts Reserve 84989; and
- Lot 641 Deposited Plan 1287475 (within Lot 498 Deposited Plan 761441) for the purpose of a public road creating legal access to the Crown Reserve.

**Recommendation**

That Council

1. Proceed to acquire Lots 642 and 643 Deposited Plan 1287475 by the compulsory process under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* by authority contained in the *Local Government Act 1993 (NSW)*, for the purpose of public amenities infrastructure constructed by Council for the use of the community.
2. Proceed to acquire Lot 641 Deposited Plan 1287475 by the compulsory process under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* by authority contained in the *Roads Act 1993 (NSW)* for the purpose of a public road.
3. Approves any minerals are to be excluded from this acquisition.
4. Acquisition of the land is not for the purpose of resale.
5. Makes an application submitted to the NSW Minister for Local Government via the Office of Local Government and to the NSW Governor General for approval to compulsorily acquire the Crown land for the public purpose.
6. Authorises the General Manager and Mayor to give effect to this resolution and sign any documentation necessary to finalise the acquisition.

**Council Resolution**

That Council defer Item 9.9 until further information is received.

**Moved Cr Crisp, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

**9.10 LAND ACQUISITION A65 GEORGE GORDON OVAL**

File Number:	RPT/24/404
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**

A Council Resolution is required to commence the acquisition of **Crown Land** being Lot 650 Deposited Plan 1298337, being part of the land within Lot 711 Deposited Plan 1213849 at Dareton NSW, for the purpose of public recreational infrastructure constructed by Council relating to the George Gordon Sporting Complex Reserve 61503.

**Recommendation**

That Council

1. Proceeds to acquire Lot 650 Deposited Plan 1298337 by the compulsory process under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) and by authority contained in the *Local Government Act 1993* (NSW).
2. Acquires the land for the purpose of public recreational infrastructure constructed by Council, for the use of the community.
3. Approves that any minerals are to be excluded from this acquisition.
4. Acknowledges that the acquisition is not for the purpose of resale.
5. Will be responsible for Native Title compensation as determined by the Valuer General.
6. Will be responsible for compensation paid to Crown Lands for the acquisition of the subject land as determined by the Valuer General (market value) or agreed directly with Crown Lands via a valuation report to be obtained from a qualified valuer.
7. Makes an application submitted to the NSW Minister for Local Government via the Office of Local Government and to the NSW Governor General for approval to compulsorily acquire the Crown land for the public purpose.
8. Authorises the General Manager and Mayor to give effect to this resolution and sign any documentation necessary to finalise the acquisition.

**Council Resolution**

That Council defer the Item 9.10 until further information is received.

**Moved Cr. Nichols, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

**9.11 LIFTING OF ALCOHOL-FREE ZONE – WENTWORTH ROWING CLUB LAWNS AREA**

File Number: RPT/24/342

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: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

**Summary**

Council has received a request from the Wentworth District Rowing Club Inc to lift the alcohol free zone for the Wentworth District Rowing Club Lawns area for one event in Wentworth.

The Wentworth District Rowing Club has sought approval for the suspension of the alcohol free zone in past years for community events in the same area.

There have been no incidents or problems in past events that would warrant Council refusing the temporary lifting of the alcohol free zone as requested.

**Recommendation**

That Council:

- a) In accordance with Section 645 of the Local Government Act 1993, suspends the operation of the alcohol free zone in the area of the Wentworth District Rowing Club Lawns area as shown on the map attached to this report, on the 13th and 14th of September 2024 from 12:00 noon to 22:00.
- b) Advertises the suspension of the alcohol free zone in a locally circulated newspaper and, Councils website and other social media
- c) Advises the NSW Police of the details of the suspensions of the alcohol free zone.

**Council Resolution**

That Council:

- a) In accordance with Section 645 of the Local Government Act 1993, suspends the operation of the alcohol free zone in the area of the Wentworth District Rowing Club Lawns area as shown on the map attached to this report, on the 13th and 14th of September 2024 from 12:00 noon to 22:00.
- b) Advertises the suspension of the alcohol free zone in a locally circulated newspaper and, Councils website and other social media
- c) Advises the NSW Police of the details of the suspensions of the alcohol free zone.

**Moved Cr. Nichols, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

**9.12 DA2024/066 DWELLING WITH GARAGE 221 POONCARIE ROAD LOT 7 DP 1270097 WENTWORTH**

File Number: RPT/24/397

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

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 (DA2024/066) was received by Council for a dwelling with garage to be located at 221 Pooncarie Road, Lot 7 DP 1270097, Wentworth, a property which backs on to the Darling River.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the R5 – Large Lot Residential zone as a dwelling.

The proposed dwelling with garage is to be located on land that has a pre-existing shed, and had prior to subdivision, been used for agricultural purposes.

The proposed development of a dwelling has a setback from the high bank of the river of 21.7m, not complying with Clause 7.6. However, the proposed development of a dwelling has a setback from the low bank of the river of 30m, which is permitted under Clause 7.9.

The required high bank setback under Clause 7.6 for dwellings is 30m. As part of the assessment, a variation to the high bank setback is required (referred to as a 4.6 variation).

Due to the variation being 28%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

At 07:35 pm Councillor Tim Elstone and Cr Steve Cooper left the Council Chambers

**Recommendation**

That Council:

1. Approve DA2024/066 being a dwelling with garage located at 221 Pooncarie Road, Lot 7, DP 1270097, Wentworth.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Approve DA2024/066 being a dwelling with garage located at 221 Pooncarie Road, Lot 7, DP 1270097, Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993

(NSW).

Moved Cr Rodda, Seconded Cr Crisp

**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, Linklater, Nichols and Rodda.*

*Against the Motion:*              *Nil.*

**9.13 DA2024/067 DEFERRED COMMENCEMENT FOR A DWELLING 74 BILLABONG ROAD LOT 5 DP 804042 CURLWAA**

File Number: RPT/24/356

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

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 (DA2024/067) was received by Council for a deferred commencement dwelling to be located 74 Billabong Road, Lot 5 DP 804042, Curlwaa, relatively close to Tuckers Creek.

Under the Wentworth Local Environmental Plan (WLEP 2011), this development is permitted with consent within the RU4 – Primary Productions Small Lots zone as a dwelling.

The proposed deferred commencement dwelling is to be located on land that is presently used for the grazing of rangeland goats, but is under the minimum lot size of 10ha, only being sized at 2.2ha, which represents a variation of 78%.

The minimum lot size under Clause 4.2B for erection of dwelling houses on land zoned to RU4 is 10ha. As part of assessment, a variation to the minimum lot size standard is required (referred to as a 4.6 variation).

Due to the variation being 78%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

**Recommendation**

That Council

1. Approve DA2024/067 being a deferred commencement dwelling located at 74 Billabong Road, Lot 5 DP 804042, Curlwaa.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Approve DA2024/067 being a deferred commencement dwelling located at 74 Billabong Road, Lot 5 DP 804042, Curlwaa.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Crisp, Seconded Cr Beaumont

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, Linklater, Nichols and Rodda.*

*Against the Motion:*              *Nil.*



**9.14 DA2024/071 DEFERRED COMMENCEMENT FOR A DWELLING 65 RESERVE ROAD WEST LOT 3 DP 1056324 COOMEALLA**

File Number: RPT/24/359

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

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 (DA2024/071) was received by Council for a deferred commencement dwelling to be located at 65 Reserve Road West, Lot 3 DP 1056324, Coomealla.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the RU4 – Primary Production Small Lots zone as a dwelling.

The proposed deferred commencement dwelling is to be located on land that is currently vacant and has remained so following creation the allotment by NSW Crown Lands in 2009. The site is under the 10ha minimum lot size at only 1.4ha.

The minimum lot size under Clause 4.2B for erection of dwellings on the land is 10ha. As part of the assessment, a variation to the minimum lot size standard is required (referred to as a 4.6 variation).

Due to the variation being 86%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

**Recommendation**

That Council:

1. Approve DA2024/071 being a deferred commencement dwelling located at 65 Reserve Road West, Lot 3 DP 1056324.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Approve DA2024/071 being a deferred commencement dwelling located at 65 Reserve Road West, Lot 3 DP 1056324.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Moved Cr Rodda, Seconded Cr Crisp**

**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, Linklater, Nichols and Rodda.*

*Against the Motion:*              *Nil.*

**9.15 DA2024/074 TWO (2) STOREY DWELLING 24 RIVER DRIVE LOT 2 DP 1247800 BURONGA**

File Number: RPT/24/410

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

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 (DA2024/074) was received by Council for a deferred commencement dwelling to be located at 24 River Drive, Lot 2 DP 1247800, Buronga, being an allotment that backs onto the river but not within the river front building area.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the RU5 – Village zone as a dwelling.

The proposed dwelling is to be located within the prescribed 30m high bank setback, proposed to only have a setback of 7.25m. The land is currently vacant and cleared, with the adjoining lot containing an existing dwelling and associated structures.

The minimum setback under Clause 7.6 in a river front area is 30m for dwellings, with only boat related facilities, extension or alterations of existing buildings, environmental protection works, extensive agriculture and intensive plant agriculture, walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities and water recreation structures allowed with consent in the river front area.

***river front area means the land between the river front building line and the highest bank of the Murray River or, if there is no river front building line, the land within 30 metres of the highest bank of the River.***

Due to the variation being 75%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

At 07:39 pm Councillor Jane MacAllister returned to Council Chambers. At 07:40 pm Councillor Tim Elstone returned to Council Chambers.

**Recommendation**

That Council:

1. Approve DA2024/074 being a two-storey dwelling located at 24 River Drive, Lot 2 DP 1247800, Buronga.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Approve DA2024/074 being a two-storey dwelling located at 24 River Drive, Lot 2 DP 1247800, Buronga.
- b) 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, Elstone, Linklater, Nichols and Rodda.***

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

**9.16 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 – PLANNING PROPOSAL TO HERITAGE LIST THE WOW TREE AND AMEND HERITAGE MAPPING LOT 1170 DP 820161**

File Number: RPT/24/406

Responsible Officer: George Kenende - Acting Director Health & Planning  
Responsible Division: Health and Planning  
Reporting Officer: George Kenende - Acting Director Health & Planning

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: 4.1 Consistently engage and consult the whole community to ensure that feedback is captured and considered as part of decision-making and advocating processes

**Summary**

Wentworth Shire Council has received a Planning Proposal from Cadell Consulting Services on behalf of Australian Inland Botanic Gardens Inc.

The Planning Proposal seeks to:

1. Amend Schedule 5 of the Wentworth Local Environmental Plan 2011 by adding a 2,500 year old Eucalyptus Oleosa tree, also known as or commonly referred to as the 'Wow Tree'.
2. Amending the Wentworth Local Environmental Plan 2011 mapping *Heritage Map – Sheet HER\_004 Item - General*

**Recommendation**

That Council:

- a) Submit the Planning Proposal to the Department of Planning Housing and Infrastructure for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Submit the Planning Proposal to the Department of Planning Housing and Infrastructure for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Nichols, Seconded Cr Rodda

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, Linklater, Nichols and Rodda.*

*Against the Motion:*              *Nil.*

**9.17 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 PLANNING PROPOSAL  
TO REDUCE MINIMUM LOT SIZE FROM 3,000SQM TO 2,000SQM LOT 2 DP  
875018**

File Number: RPT/24/422

Responsible Officer: George Kenende - Acting Director Health & Planning  
Responsible Division: Health and Planning  
Reporting Officer: George Kenende - Acting Director Health & Planning

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: 4.1 Consistently engage and consult the whole community to ensure that feedback is captured and considered as part of decision-making and advocating processes

**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 Minimum Lot Size (MLS) mapping.

The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination to proceed on 26 February 2024.

The Planning Proposal sought to amend the following provisions:

- Reduce the Minimum Lot Size (MLS) from 3,000sqm to 2,000sqm of Lot 2 DP 875018 (Lot Size Map - Sheet LSZ\_004G)

Public exhibition consultation was conducted in accordance with the Gateway Determination. Five (5) public submissions were received, with 2 of the submissions

being duplicates of each other.

No amendments have been made to the Planning Proposal as an outcome of public exhibition.

This report seeks Council endorsement of the Planning Proposal and approval to proceed with finalisation of the amendment to the Wentworth Local Environmental Plan 2011 as Council are the plan-making authority.

**Recommendation**

That Council:

- a) Endorse the post exhibition documentation as outlined in this report.
- b) Support and 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).

**Motion**

That Council defer the item for further consultation with the community.

**Moved Cr. Rodda, Seconded Cr Beaumont**

**LOST**

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

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

*Against the Motion:* **Clr.s Crisp, Elstone, Linklater, and Nichols.**

**Council Resolution**

That Council:

- a) Endorse the post exhibition documentation as outlined in this report.
- b) Support and 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. Elstone, Seconded Cr Crisp**

**CARRIED**

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

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

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



**9.18 PROJECT & WORKS UPDATE - JULY 2024**

File Number: RPT/24/344

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 June 2024 and the planned activities for July 2024.

**Recommendation**

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

**Council Resolution**

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

**Moved Cr Rodda, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

**10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**

Cr Beaumont requested if the Council street sweeper can operate more often in the CBD area due to leaves and debris on the road.

Cr Crisp asked about the position of the ramp at the new jockey room at the Wentworth Showgrounds.

The Director of Roads and Engineering advised he would take the question on notice.

## 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 for Tenders for Replacement Plant 531 Eleven Cubic Meter Tipping Truck & Plant 771 Twelve Meter Dog Tipping Trailer - VR2324/531&771. (RPT/24/337)**

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 Dareton Sewer Pump Station No.2 Upgrade - PT2324/21. (RPT/24/339)**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the

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

#### **12.3 Rose Street Stormwater - PT2324/10. (RPT/24/338)**

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

#### **12.4 Buronga Riverfront Toilet Block Civil and Electrical Works - PT2324/20. (RPT/24/340)**

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.

#### **12.5 Disposal of Council Chambers and Library to Murray House. (RPT/24/396)**

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 (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

#### **12.6 Fibre Optic Symphonic Orchestra (FOSO) Funding. (RPT/24/345)**

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 (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

#### **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 Crisp, Seconded Cr Rodda**

**CARRIED UNANIMOUSLY**

## 12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

### 12.1 PLANT REPLACEMENT - APPROVAL FOR TENDERS FOR REPLACEMENT PLANT 531 ELEVEN CUBIC METER TIPPING TRUCK & PLANT 771 TWELVE METER DOG TIPPING TRAILER - VR2324/531&771

File Number: RPT/24/337

Responsible Officer: Jarrod Roberts - Manager Works  
Responsible Division: Roads and Engineering  
Reporting Officer: Samantha Wall - Projects Administration

Objective: 3.0 Wentworth Shire is a community that works to enhance and  
protect its physical and natural environment  
Strategy: 3.4 Use and manage our resources wisely

#### **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 accepted the tender from Johnsons Truck & Coach Services for the supply of one UD Quon GW 26460 for the sum of \$330,000.00 inc GST, and one YLZ Tri Dog Tipper for the sum of \$140,000.00 inc GST and accepted the trade in prices of \$70,000.00 inc GST for the Council owned 2016 Isuzu Truck, Registration: CI05AN, & \$20,000 inc GST for the Council owned 2016 Hercules Dog Tipper, Registration: TB90TE, with a changeover price of \$380,000.00 inc GST

**12.2 DARETON SEWER PUMP STATION NO.2 UPGRADE - PT2324/21**

File Number: RPT/24/339

Responsible Officer: Jarrod Roberts - Manager Works  
Responsible Division: Roads and Engineering  
Reporting Officer: Scott Barnes - Manager Engineering Services

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

**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 provisions of the Local Government (General) Regulation 2021, Section 178(1) (a) accepted the tender from Waters Excavations Pty Ltd, and subsequently authorised the Mayor and General Manager to sign the contract documentation and affix the seal for the recommended contract documentation and affix the seal for the recommended contractor to carry out all works specified for PT2324/21 for \$389,643.77 (GST inc).

**12.3 ROSE STREET STORMWATER - PT2324/10**

File Number: RPT/24/338

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

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

**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 provisions of the Local Government (General) Regulation 2021, Section 178(1) (a) accepted the tender from Capogreco Excavations Pty Ltd, and subsequently authorised the Mayor and General Manager to sign the contract documentation and affix the seal for the recommended contractor to carry out all works specified for PT2324/10 for \$233,422.00 (GST inc).

**12.4 BURONGA RIVERFRONT TOILET BLOCK CIVIL AND ELECTRICAL WORKS - PT2324/20**

File Number: RPT/24/340

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

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

**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 provisions of the Local Government (General) Regulation 2021, Section 178(1) (a) accepted the tender from Capogreco Excavations, and subsequently authorize the Mayor and General Manager to sign the contract documentation affix the seal for the recommended contractor to carry out all works specified for PT2324/20 for \$418,686.40 (GST inc) and that Council allocates an amount of \$530,000 (GST Inc) from the Wentworth Shire Council General Fund Reserves towards the Buronga Riverfront Toilet Block Project.



**12.5 DISPOSAL OF COUNCIL CHAMBERS AND LIBRARY TO MURRAY HOUSE**

File Number: RPT/24/396

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

Objective: 2.0 Wentworth Shire is a great place to live  
Strategy: 2.2 Work together to solve a range of social and health issues  
that impact community wellbeing and vulnerable people

**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 (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.*

That General Manager advised that Council accepted the request from the Murray House Board to pay a \$50,000 refundable deposit as well as allowing an extension of time until January 2025 to finalise the purchase.

**12.6 FIBRE OPTIC SYMPHONIC ORCHESTRA (FOSO) FUNDING**

File Number: RPT/24/345

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and tourism destination

**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 (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.*

The General Manager advised that Council approved up to \$2,750,000 in capital works upgrades to the Log Bridge Road site and approved the following loan parameters between Wentworth Shire Council and Mildura Tourism and Economic Development Ltd (known as Mildura Regional Development) for the establishment of FOSO project funding. Council approved financing of a loan of up to \$550,000 to Mildura Regional Development to be paid out by 28 February 2031 with no additional fees for early repayment of loan and the ability to pay larger repayment amounts when possible. The first payment is due February 2026. Interest rates are to be determined in line with New South Wales Treasury Corporation's fixed interest rates and have the ability to switch between interest-only, and principal and interest repayments. An Annual review of interest rates as at 31 December to set rates for the following 12 months in accordance with current economic conditions. Council also will seek an appropriate level of security guarantee from Mildura Rural City Council. Council approved the loan being conditional upon Wentworth Shire Council negotiating a service level agreement with Mildura Regional Development for the use of economic benefits achieved from the project for the benefit of both Local Government Areas.

### **13 CONCLUSION OF THE MEETING**

The meeting closed at 9:15PM.

### **NEXT MEETING**

14 August 2024

.....  
**CHAIR**