



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

(As Amended)

18 MAY 2022

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 6:31pm.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

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

STAFF: Matthew Carlin (Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Voleak Sroeung (Governance Officer)
Samantha Wall (Administration Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTERESTS

Nil

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 20 April 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 20 April 2022 be confirmed as amended.

Moved Cr. Nichols, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/289

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

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

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

Summary

The Outstanding Matters report provides details of activities raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council receives and notes the list of outstanding matters as at 11 May 2022.

Council Resolution

That Council receives and notes the list of outstanding matters as at 11 May 2022.

Moved Cr Rodda, Seconded Cr Linklater

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/22/290

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 UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/60

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

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future

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

Summary

The 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
Circular 22-09 – 22-11
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note
Anzac Day Services

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 Linklater, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.2 POLICY REVIEW - OFFICE OF GENERAL MANAGER

File Number: RPT/22/301

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

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future

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

Summary

After each general election of Councillors, the *Local Government Act 1993* requires Council to review all official policies of Council. There are currently 74 policies in place of which 21 are the responsibility of the Office of the General Manager.

For this Council meeting the Office of the General Manager has reviewed five policies and are presenting three to Council for adoption and two for rescission.

Recommendation

That Council:

- a) Approve
 - WR003 - Staff Learning and Development Policy,
 - WR004 - Contractor Occupational Workplace Health & Safety Policy and
 - WR005 - Workplace Health and Safety Policy
- b) Rescind GOV014 - Council Charter and Values Policy and
 - SP001 - Amalgamations and Boundary Changes

Council Resolution

That Council:

- a) Approve
 - WR003 - Staff Learning and Development Policy,
 - WR004 - Contractor Occupational Workplace Health & Safety Policy and
 - WR005 - Workplace Health and Safety Policy
- b) Rescind GOV014 - Council Charter and Values Policy and
 - SP001 - Amalgamations and Boundary Changes

Moved Cr Crisp, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.3 MONTHLY FINANCE REPORT

File Number: RPT/22/308

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 2022 were \$320,465.54. After allowing for pensioner subsidies, the total levies collected are now 78.53%. For comparison purposes 78.80% of the levy had been collected at the end of April 2021. Council currently has \$43,064,171.86 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 Cooper

CARRIED UNANIMOUSLY

9.4 MONTHLY INVESTMENT REPORT

File Number: RPT/22/309

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

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

Summary

As at 30 April 2022 Council had \$37 million invested in term deposits and \$6,064,171.86 in other cash investments. Council received \$7,251.39 from its investments for the month of April 2022.

In April 2022 Council investments averaged a rate of return of 0.95% and it currently has \$8,278,145.40 of internal restrictions and \$28,319,519.92 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 Cooper, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.5 POLICY REVIEW - DEPARTMENT FINANCE AND POLICY

File Number: RPT/22/306

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future

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

Summary

After each general election of Councillors, the *Local Government Act 1993* (the Act) requires Council to review all official policies of Council. There are currently 73 policies in place of which 25 are the responsibility of the Finance & Policy Department.

For this Council meeting the department has reviewed one policy and is introducing a new policy for Council's consideration.

Recommendation

That Council adopt the revised policy GOV014 – Related Party Disclosure Policy

That Council adopt the proposed new policy GOV025 – Contract Management Policy in draft format and place it on public exhibition for 28 days as required by the Local Government Act.

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policies:

a) AF003 – Financial Assistance Policy

b) GOV024 – Credit Card Policy

Council Resolution

That Council adopt the revised policy GOV014 – Related Party Disclosure Policy

That Council adopt the proposed new policy GOV025 – Contract Management Policy in draft format and place it on public exhibition for 28 days as required by the Local Government Act.

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policies:

a) AF003 – Financial Assistance Policy

b) GOV024 – Credit Card Policy

Moved Cr Rodda, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.6 ENDORSEMENT OF DELIVERY PROGRAM, OPERATIONAL PLAN, DISABILITY INCLUSION PLAN AND RESOURCE STRATEGY FOR PUBLIC EXHIBITION.

File Number: RPT/22/307

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future

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

Summary

In accordance with the Local Government Act, Council must review the following Integrated Planning and Reporting Framework that supports the Community Strategic Plan:

- Delivery Program;
- Operational Plan;
- Resource Strategy; and
- Disability Inclusion Plan

The revised Community Strategic Plan was adopted by Council in draft format at the April 2022 Ordinary Council meeting and is currently on public exhibition.

Recommendation

That Council endorses for public exhibition the draft 2022 Resource Strategy, which includes the following documents:

- Long Term Financial Plan
- Asset Management Strategy
- Workforce Management Plan

That Council endorses for public exhibition the draft 2022-2026 Delivery Program, which incorporates the 2022 Operational Plan and budget including:

- 2022-2023 Annual Statement of Revenue
- 2022-2023 Annual Fees & Charges Schedule

That Council endorses for public exhibition the draft 2022-2026 Disability Inclusion Action Plan.

That Council endorses the proposed \$8,000,000 of new borrowings

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2022-2023 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 0.70% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 2.50%;
- To increase raw and filtered water access charges by 2.50%;
- To increase domestic waste charges by 2.50%;
- To increase water consumption charges by 2.50%
- To levy the fees and charges established in Part B of the Annual Statement of Revenue; and
- To charge the maximum interest of 6% on overdue rates and charges as determined by the Minister for Local Government.

Motion

That Council endorses for public exhibition the draft 2022 Resource Strategy, which includes the following documents:

- Long Term Financial Plan
- Asset Management Strategy
- Workforce Management Plan

That Council endorses for public exhibition the draft 2022-2026 Delivery Program, which incorporates the 2022 Operational Plan and budget including:

- 2022-2023 Annual Statement of Revenue
- 2022-2023 Annual Fees & Charges Schedule

That Council endorses for public exhibition the draft 2022-2026 Disability Inclusion Action Plan.

That Council endorses the proposed \$8,000,000 of new borrowings

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2022-2023 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 0.70% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 2.50%;
- To increase raw and filtered water access charges by 0.70%;
- To increase domestic waste charges by 2.50%;
- To increase water consumption charges by 0.70%
- To levy the fees and charges established in Part B of the Annual Statement of Revenue; and
- To charge the maximum interest of 6% on overdue rates and charges as determined by the Minister for Local Government.

Moved Cr. Nichols, Seconded Cr Rodda

Lost

Council Resolution

That Council endorses for public exhibition the draft 2022 Resource Strategy, which includes the following documents:

- Long Term Financial Plan
- Asset Management Strategy
- Workforce Management Plan

That Council endorses for public exhibition the draft 2022-2026 Delivery Program, which incorporates the 2022 Operational Plan and budget including:

- 2022-2023 Annual Statement of Revenue
- 2022-2023 Annual Fees & Charges Schedule

That Council endorses for public exhibition the draft 2022-2026 Disability Inclusion Action Plan.

That Council endorses the proposed \$8,000,000 of new borrowings

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2022-2023 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 0.70% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 2.50%;
- To increase raw and filtered water access charges by 2.50%;
- To increase domestic waste charges by 2.50%;
- To increase water consumption charges by 2.50%
- To levy the fees and charges established in Part B of the Annual Statement of Revenue; and
- To charge the maximum interest of 6% on overdue rates and charges as determined by the Minister for Local Government.

Moved Cr. Crisp, Seconded Cr. Linklater

CARRIED

For the Motion :

Clr.s Beaumont, Cooper, Crisp, Elstone, Evans, Heywood and Linklater.

Against the Motion:

Clr.s Nichols and Rodda.

9.7 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/22/330

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

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

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

Summary

Council has provided an allocation of \$160,000.00 for the 2021/22 financial year for the consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, the total value of request granted so far totals \$136,899.00.

The total value of requests for this funding application period totals \$8,092.00, which if granted in full, would leave a balance in the Donations, Contributions and Grants fund of \$15,009.00

Recommendation

That Council having reviewed each of the applications approve option:

- (a) Granting the full value of all requests for a total of \$8,092.00

Council Resolution

That Council having reviewed each of the applications approve option:

- (a) Granting the full value of all requests for a total of \$8,092.00

Moved Cr Linklater, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.8 POLICY REVIEW - DEPARTMENT HEALTH AND PLANNING

File Number: RPT/22/297

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

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

After each general election of Councillors, the Local Government Act 1993 (the Act) requires Council to review all official policies of Council. There are currently 73 policies in place of which 15 are the responsibility of the Health and Planning Department.

For this Council meeting Health and Planning has reviewed five (5) policies which are now presented for consideration.

Recommendation

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policies:

- a) PR016 Mobile Food Vendors Policy
- b) PR018 Provision of Electricity Supply and Telecommunication Service for Subdivisions

That Council rescind the following policies:

- a) PR001 Development Guidelines – Agricultural Buffers
- b) PR005 Water Control and Flood Prone Land
- c) PR006 Flood Liable Land

Council Resolution

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policies:

- a) PR016 Mobile Food Vendors Policy
- b) PR018 Provision of Electricity Supply and Telecommunication Service for Subdivisions

That Council rescind the following policies:

- a) PR001 Development Guidelines – Agricultural Buffers
- b) PR005 Water Control and Flood Prone Land
- c) PR006 Flood Liable Land

Moved Cr. Evans, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF APRIL 2022

File Number: RPT/22/314

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of April 2022, a total of nine (9) Development Applications and four (4) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$767,448.00. This brings the year to date total to thirty-six (36) Development Applications and twelve (12) S4.55 Applications approved, with an estimated development value of \$5,192,969.30

Recommendation

- a) That Council receives and notes the report for the month of April 2022.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

- a) That Council receives and notes the report for the month of April 2022.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Linklater, 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, Evans, Heywood, Linklater, Nichols and Rodda.***

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

9.10 FLOOD RISK MANAGEMENT COMMITTEE EXPRESSIONS OF INTEREST

File Number: RPT/22/320

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Matthew Carlin - Director Health and Planning

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

Strategy: 3.3 Prepare for natural disasters, biosecurity risks and climate change

Summary

At the March Ordinary meeting of Council it was resolved that the Expressions of Interest for the Flood Risk Management Committee be re-advertised for the purpose of seeking a statement from interested parties detailing skills, qualifications or experience that can be brought to the committee.

The Expression of Interest was re-advertised and two (2) submissions were received.

Recommendation

That Council select three (3) community members for representation on the Flood Risk Management Committee from all Expression of Interest submissions received since November 2021.

Amendment**Council Resolution**

That this report be moved into the Closed Session. 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 (a) personnel matters concerning particular individuals (other than councillors) and (d) (iii) information that would, if disclosed, reveal a trade secret. 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.

Moved Cr Crisp, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.11 POLICY REVIEW - DEPARTMENT ROADS & ENGINEERING

File Number: RPT/22/304

Responsible Officer: Bernard Rigby - Manager Engineering Services

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

After each general election of Councillors, the Local Government Act 1993 (the Act) requires Council to review all official policies of Council. There are currently 74 policies in place of which 8 are the responsibility of the Roads & Engineering Department.

For this Council meeting the department has reviewed three policies and are presenting them to Council for adopting.

Recommendation

That Council adopt the following revised policies:

- a) PR009 – Liquid Trade Waste Policy
- b) PR010 – Kerbing, Guttering and Footpaths Policy
- c) PR017 – Weed Inspection Policy

Council Resolution

That Council adopt the following revised policies:

- a) PR009 – Liquid Trade Waste Policy
- b) PR010 – Kerbing, Guttering and Footpaths Policy
- c) PR017 – Weed Inspection Policy

Moved Cr Linklater, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.12 PROJECT & WORKS REPORT UPDATE - MAY 2022

File Number: RPT/22/303

Responsible Officer: Bernard Rigby - Manager Engineering Services
Responsible Division: Roads and Engineering
Reporting Officer: Samantha Wall - Projects Administration

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

This report provides a summary of the projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of April 2022 and the planned activities for May 2022.

Recommendation

That Council notes the major works undertaken in April and the scheduled works for the following months.

Amendment**Council Resolution**

That Council

- a) Notes the major works undertaken in April and the scheduled works for the following months.
- b) Request report on the Caravan Park redevelopment delivery options be prepared for Council in the event the current arrangement do not eventuate.

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.13 Proposed Procurement method for Wentworth Civic Centre Redevelopment Project

File Number: MIN/22/13

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

Objective: **Error! No document variable supplied.**
Strategy: **Error! No document variable supplied.**

Summary

Council's Procurement Policy – GOV005 states that Council's preferred tendering method is an open tender process and that any alternative method requires a resolution from Council.

Discussions by the General Manager with the project manager GHD Architects has determined that a multi staged tender process would be the best option for the Civic Centre Project.

A multi stage process involves the call for expressions of interest from potential contractors. These EOI's are assessed and a short list of contractors is prepared with those contractors then asked to participate in a closed tender process.

Recommendation

That Council admits the late supplementary report for consideration.

That Council resolves to undertake a multi staged procurement process for the Wentworth Civic Centre.

Council Resolution

That Council admits the late supplementary report for consideration.

That Council resolves to undertake a multi staged procurement process for the Wentworth Civic Centre.

Moved Cr. Nichols, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 THEGOA LAGOON**

Cr Susan Nichols requested that staff investigate the possibility of turning on the regulator outlet at Thegoa Lagoon.

Mayor Elstone advised that it is a DPIE Water decision

10.2 SECTION OF CURB AND GUTTER MISSING ALONG WOOD STREET, GOL GOL

Cr Daniel Linklater advised that a section of curb and gutter is missing along 74-78 Wood Street. Can this be made into a project?

10.3 NATURE STRIP IN DARETON NEED TO BE TIDIED UP

Cr Peter Crisp had asked in a previous meeting if nature strip sections in Dareton can be slashed so that the footpath can be cleared. When will this be completed?

10.4 CUDMORE ROAD NEEDS GRADING IN POMONA

Cr Steve Cooper asked if Cudmore Road in Pomona can be graded as a couple with a young family have advised that they have been bogged a few times and have never seen the roads being graded in the time they have lived there.

10.5 CURLWAA COMPOSTING BUSINESS

Cr Steve Cooper sought an update around a business at 2559 Silver City Highway, Curlwaa.

The Director of Health and Planning advised that he has already made contact with the owners and will continue to follow up with the issue.

10.6 REQUEST FOR DETAILED PROGRESS UPDATES OF PROJECTS AND FUNDS

Cr Brian Beaumont advised that at the March advisory meeting, he requested a detailed report of funds and progress updates on Council projects and has not received it yet.

Mayor Elstone advised that the General Manager was going to provide this report so this matter will need to be followed up.

10.7 WESTERN DIVISION CONFERENCE BRIEFING

Cr Greg Evans acknowledged that the Mayor and the General Manager attended the Western Division Conference and asked if the Mayor could provide an update about this conference.

Mayor Elstone advised that the Conference went really well and there were many good speakers at the event.

10.8 OLD SERVICE STATION AT THE BURONGA ROUNDABOUT

Cr Jo Rodda asked if the owners of the service station could be notified to clean up

the overgrown grass at the site as it is not a good look for the Shire. If not, Council might have to use our own resources to clean it up.

The Director of Health and Planning advised that he has tried to make contact but it is difficult to figure out who the owner of the site is since it is no longer Caltex.

10.9 PROGRESS UPDATE ON WORKS AT POONCARIE AND ANABRANCH HALLS

Cr Jo Rodda asked if the issues at Pooncarie and Anabranh Halls have been addressed.

The Director of Roads and Engineering advised that the works at Pooncarie had been completed and that he will investigate the status of the Anabranh Hall and provide an update.

10.10 WENTWORTH EDS

Cr Greg Evans asked that due to ongoing issues with the Wentworth EDS could Council staff investigate the possibility of utilising the pump out station at the Wentworth Wharf to help cater for the expected increase in houseboat traffic when the Mildura weir is removed for maintenance in June.

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 Pooncarie Aerodrome - Design, Supply & Installation of the Aerodrome Lighting - PT2122/15. (RPT/22/305)

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 Pooncarie - Menindee Road Reconstruction - Plant Hire Tenders. (RPT/22/317)

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.

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 Pooncarie Aerodrome - Design, Supply & Installation of the Aerodrome Lighting - PT2122/15. (RPT/22/305)

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 Pooncarie - Menindee Road Reconstruction - Plant Hire Tenders. (RPT/22/317)

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Moved Cr. Evans, Seconded Cr Cooper

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 POONCARIE AERODROME - DESIGN, SUPPLY & INSTALLATION OF THE AERODROME LIGHTING - PT2122/15

File Number: RPT/22/305

Responsible Officer: Bernard Rigby - Manager Engineering Services

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

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

The acting General Manager advised that Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1) accepted the tender from Advanced Airport Lighting to carry out the design, supply and installation of the Aerodrome Lighting for Contract PT2122/15, in the amount of \$462,935.00 including GST and authorises the Mayor and General Manager to sign the contract documentation and affix the council seal.

12.2 POONCARIE - MENINDEE ROAD RECONSTRUCTION - PLANT HIRE TENDERS

File Number: RPT/22/317

Responsible Officer: Bernard Rigby - Manager Engineering Services
Responsible Division: Roads and Engineering
Reporting Officer: Allan Eastmond - Manager Works
Samantha Wall - Projects Administration

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

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

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

The acting General Manager advised that Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) award the following tenders authorising the use of contractors in accordance with their Evaluation Score as nominated.

PT2122/09: Water Truck hire rate

- BOTT Civil/Earthmoving (13,000ltr)
- Bulpunga Enterprises (14,000ltr)
- BOTT Civil/Earthmoving (13,000ltr)
- GBM Consulting (1) (14,000ltr)
- GBM Consulting (1) (14,000ltr)
- Mallee Earthmoving & Excavation (1) (14,000ltr)
- Mallee Earthmoving & Excavation (1) (14,000ltr)
- Garraway Earthmoving (not provided)
- Dodd - Stephen Lewis (14,000ltr)
- Martin Earthworkx (14,000ltr)
- Garraway Earthmoving (14,000ltr)

PT2122/11: Pad Foot Roller Hire rate

- Garraway Earthmoving item 1
- Garraway Earthmoving item 2 Waters Excavations
- BOTT Civil/Earthmoving GBM Consulting item 1
- GBM Consulting item 2

PT2122/12: Tip truck and Super Dog Combination hire rate

- GBM Consulting (32t) item 1
- GBM Consulting (32t) item 2
- GBM Consulting (32t) item 3
- BOTT Civil/Earthmoving (25t)
- Martin Earthworx (28t)

- Mallee Earthmoving & Excavation (34t) item 1
- Mallee Earthmoving & Excavation (32.5t) item 2
- Mallee Earthmoving & Excavation (32.5t) item 3
- Bulpunga Enterprises (28t)
- GBM Consulting (32t) item 1
- GBM Consulting (32t) item 2
- Mallee Earthmoving & Excavation (1) (32.5t-34t)
- Mallee Earthmoving & Excavation (2) (32.5t-34t)
- Mallee Earthmoving & Excavation (3) (32.5t-34t)
- Dodd - Stephen Lewis (1) (25+t)
- Dodd - Stephen Lewis (2) (25+t)
- Dodd - Stephen Lewis (3) (25+t)

9.10 FLOOD RISK MANAGEMENT COMMITTEE EXPRESSIONS OF INTEREST

FILE NUMBER: RPT/22/320

RESPONSIBLE OFFICER: MATTHEW CARLIN - DIRECTOR HEALTH AND PLANNING

RESPONSIBLE DIVISION: HEALTH AND PLANNING

REPORTING OFFICER: MATTHEW CARLIN - DIRECTOR HEALTH AND PLANNING

OBJECTIVE: 3.0 WENTWORTH IS A COMMUNITY THAT WORKS TO
ENHANCE AND PROTECT ITS PHYSICAL AND NATURAL
ASSETSSTRATEGY: 3.3 PREPARE FOR NATURAL DISASTERS, BIOSECURITY
RISKS AND CLIMATE CHANGE**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(A) PERSONNEL MATTERS CONCERNING PARTICULAR INDIVIDUALS (OTHER THAN COUNCILLORS) AND (D) (III) INFORMATION THAT WOULD, IF DISCLOSED, REVEAL A TRADE SECRET. 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 ACTING GENERAL MANAGER ADVISED THAT COUNCIL APPOINTED ROBERT RIGBY, MICHELLE KELLY AND DAVID BUCK TO BE THE COMMUNITY REPRESENTATIVES ON THE FLOOD RISK MANAGEMENT COMMITTEE.

13 CONCLUSION OF THE MEETING

Meeting Closed at 8:24pm

NEXT MEETING

29 June 2022

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CHAIR