



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

20 JULY 2022

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 6:34pm.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Tim Elstone (Mayor)
Councillor Brian Beaumont
Councillor Steve Cooper
Councillor Peter Crisp
Councillor Steve Heywood
Councillor Daniel Linklater
Councillor Susan Nichols
Councillor Jo Rodda (Via Video Conference)

STAFF: Ken Ross (General Manager)
Matthew Carlin (Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant to General Manager)

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTERESTS

Director Roads And Engineering has declared a pecuniary interest in Supplementary Agenda Item 12.2 as his son in law is a Contractor and as such the Director Roads and Engineering has been precluded from the entire Tender process for this item.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 29 June 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 29 June 2022 be confirmed as circulated.

Moved Cr Crisp, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/426

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 13 July 2022.

Council Resolution

That Council receives and notes the list of outstanding matters as at 13 July 2022.

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/22/425

Summary

The Mayoral report is to advise Council of meetings, conference and appointments undertaken by Mayor Elstone for the period 22 June 2022 – 12 July 2022.

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. Heywood

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Cr Nichols provided a verbal report from the Australian Local Government Women's Conference.

Cr Rodda provided a written report from the Australian Local Government Women's Conference.

Council Resolution

That Council receive and note the reports from Cr Nichols and Cr Rodda.

Moved Cr. Nichols, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/427

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
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note

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. Heywood, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.2 SUNRAYSIA SAFARI RALLY 2022 REQUEST FOR SPONSORSHIP

File Number: RPT/22/364

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

CSP Goal: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
Delivery Program Objective: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination
Delivery Program Strategy: 2.1.1 Provide Visitor Information Services

Summary

Council is in receipt of a request to provide financial and in-kind sponsorship for the 2022 Sunraysia Safari Cross Country Rally. It is proposed to hold the Rally within the Wentworth Shire region from Wednesday 7 September 2022 to Saturday 10 September 2022 inclusive, subject to venue availability. Council approved financial support for the 2020 and 2021 Rally however, due to COVID-19 the events did not occur and therefore the funds were not provided.

Recommendation

That Council provide financial support in line with one of the options identified within this report to the 2022 Sunraysia Safari Cross Country Rally on the condition the event proceeds.

Council Resolution

That Council provide financial support to the value of \$20,000.00 (ex GST) plus in-kind support to the 2022 Sunraysia Safari Cross Country Rally on the condition the event proceeds and that a copy of an audit report to ascertain the financial benefit to the Shire community be provided after the event.

Moved Cr Linklater, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.3 LGNSW 2022 ANNUAL CONFERENCE

File Number: RPT/22/424

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 Local Government New South Wales 2022 Annual Conference is being held from Sunday 23 October 2022 to Tuesday 25 October 2022 at the Crowne Plaza Hunter Valley. This forum is the main local government policy making forum for Local Government New South Wales. Council has previously been represented by the Mayor and General Manager at the Conference.

Recommendation

That Council determines the attendees to the Local Government New South Wales 2022 Annual Conference 23 October 2022 - 25 October 2022 and nominates Council's voting delegate.

Council Resolution

That Council nominates the Mayor and General Manager to attend to the Local Government New South Wales 2022 Annual Conference 23 October 2022 - 25 October 2022 and nominate the Mayor as Council's voting delegate.

Moved Cr Cooper, Seconded Cr Heywood

CARRIED UNANIMOUSLY

9.4 MURRAY DARLING ASSOCIATION 78TH NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING

File Number: RPT/22/423

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

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

Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

The Murray Darling Association's 78th National Conference and Annual General Meeting is being held from the 19-21 September 2022 in Albury. The focus of the Conference is, 'Economics, Dams and Infrastructure'. Traditionally Council nominates its Murray Darling Association representatives to attend the Conference and Annual General Meeting.

Recommendation

That Council nominates the Murray Darling Association representatives to the Murray Darling Association's 78th National Conference and Annual General Meeting from 19-21 September 2022.

Council Resolution

That Council nominates the Mayor, Cr Linklater and Cr Heywood to attend the Murray Darling Association's 78th National Conference and Annual General Meeting from 19-21 September 2022.

Moved Cr Crisp, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.5 MONTHLY FINANCE REPORT

File Number: RPT/22/433

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 2022 were \$ 325,698.48. After allowing for pensioner subsidies, the total levies collected are now 91.56%. For comparison purposes 91.87% of the levy had been collected at the end of June 2022. Council currently has \$43,739,303.13 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. Nichols, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/22/421

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 June 2022 Council had \$38 million invested in term deposits and \$5,739,303.13 in other cash investments. Council received \$28,281.97 from its investments for the month of June 2022.

In June 2022 Council investments averaged a rate of return of 1.59% and it currently has \$8,400,217.07 of internal restrictions and \$28,019,146.57 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report.

Council Resolution

That Council receives and notes the monthly investment report.

Moved Cr. Nichols, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.7 REQUEST TO CHANGE CATEGORISATION OF CROWN RESERVES 6 & 85836

File Number: RPT/22/349

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

The Crown Lands Plan of Management is in its final stages and Council is preparing to apply to the Minister of Crown Lands to:

- a) public exhibit the draft Plan of Management and
- b) seek approval to adopt the Plan of Management once the public exhibition period ends.

While undertaking the final revisions of the Plan of Management, it has been identified that two Crown reserves are not considered to have been assigned a category that most closely relates to the purpose for which the land is dedicated or reserved. Therefore, Council must seek approval from the Minister to reassign the initial categorisation.

As part of requesting Ministers Consent to exhibit the draft Plan of Management, changes to a 'category' can be submitted at the same time.

Recommendation

That Council

- 1) Seek Ministers consent to recategorise the Pooncarie Sporting Reserve 6 as General Community Use, removing Sportsground & Natural Area Bushland as previously approved.
- 2) Seek Ministers consent for an extension of the approved categorisation of General Community Use over part of the Dareton Swimming Pool Reserve 85836
- 3) Provide the Minister administering the Crown Lands written notice requesting an alteration of the initially assigned categories for two Crown reserves:
 - a. Pooncarie Sporting Reserve 6 - Lot 73 DP 820498 & part 7304 DP 1182431
 - b. Dareton Swimming Pool Reserve 85836 – Lot 101 DP 1232722

Council Resolution

That Council

- 1) Seek Ministers consent to recategorise the Pooncarie Sporting Reserve 6 as General Community Use, removing Sportsground & Natural Area Bushland as previously approved.
- 2) Seek Ministers consent for an extension of the approved categorisation of General Community Use over part of the Dareton Swimming Pool Reserve 85836
- 3) Provide the Minister administering the Crown Lands written notice requesting an

alteration of the initially assigned categories for two Crown reserves:

- a. Pooncarie Sporting Reserve 6 - Lot 73 DP 820498 & part 7304 DP 1182431
- b. Dareton Swimming Pool Reserve 85836 – Lot 101 DP 1232722

Moved Cr Beaumont, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.8 CREATION OF USER GROUP AT POONCARIE SPORTING RESERVE 6

File Number: RPT/22/353

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Hilary Dye - Property and Land Tenure Officer

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

Strategy: 4.6 Collaborate with others to achieve desired outcomes for the local community

Summary

Increased community participation at the Pooncarie Sporting Reserve 6, sees the need to create a new Reserve Licenced "User Group", consisting of the Pooncarie Racing Club, the Pooncarie Gun Club, Pooncarie Field Days Group and the Sunraysia Motorsports Club.

The formation of a User Group consists of the licenced users who share the reserves facilities and work collaborative providing the short and long-term strategy necessary to ensure the Reserve provides for future generations in a sustainable and responsible manner.

User Groups attend formal meetings which are conducted by Council, whereby a report is prepared for submission to a Council meeting. Each group also has a Councillor nominated to represent the groups at these meetings.

Recommendation

That Council:

- 1) Endorses the formation of the Pooncarie Sporting Reserve 6 Licence User Group
- 2) Recommends the development of a site-specific Management Plan
- 3) Nominates a Wentworth Shire Councillor and an alternate Councillor to be elected to represent the Pooncarie Sporting Reserve User Group at meetings

Council Resolution

That Council:

- 1) Endorses the formation of the Pooncarie Sporting Reserve 6 Licence User Group
- 2) Recommends the development of a site-specific Management Plan
- 3) Nominates Councillor Heywood and Councillor Rodda (as an alternate) to represent Council at the Pooncarie Sporting Reserve User Group at meetings

Moved Cr Crisp, Seconded Cr Heywood

CARRIED UNANIMOUSLY

9.9 MINISTER'S CONSENT TO ADOPT AND PLACE DRAFT PLAN OF MANAGEMENT ON PUBLIC EXHIBITION

File Number: RPT/21/694

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Council Resolution

That Council defer this Item to allow for further information to be sought regarding Community Land classification.

Moved Cr Linklater, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

Item 9.9 was deferred to allow for further information to be sought that didn't come to light until after the agenda was produced.

Summary

Council is required to refer draft Community Land Plans of Management to land-owners prior to public exhibition.

Council must also seek the written consent of the Minister for Crown Lands for the adoption of Plans of Management for council-managed Crown land.

All community land managed by a council and used by the community must have a Plan of Management in place under the *Crown Land Management Act 2016* and the *Local Government Act 1993*. Plans of Management ensure that Crown land is lawfully used and occupied, which is an essential part of the role of all council managers in managing Crown reserves.

Council has prepared a draft Plan of Management for the consideration of Council prior to referring it to the Minister of the Department of Planning, Industry and Environment - Crown Lands.

Minister's consent can be requested to adopt the Plan of Management at the same time as landowner notification.

Recommendation

That Council:

- 1) Considers the Native Title Manager advice and endorses the draft Plan of Management.
- 2) Provides the draft Plan of Management to the Department of Planning, Industry and Environment – Crown Lands seeking authority to undertake community consultation requirements.
- 3) Endorses the draft Plan of Management for community consultation for a period of 42 days (28 days of exhibition and a further 14 days for receipt of comments and submissions), in accordance with the public exhibition requirements of the Local

Government Act

- 4) Following Minister's consent under clause 70B of the *Crown Land Management Regulation 2018*, the Council resolution should note the Plan of Management is adopted, pursuant to section 40 of the *Local Government Act 1993* in accordance with 3.23(6) of the *Crown Land Management Act*.
- 5) Authorises the appropriate Wentworth Shire Council Officer to notify the department as the landowner for consent to public exhibit the draft Plan of Management, using the appropriate Crown Lands Written Notification of Plans of Management form.
- 6) Applies for Ministers written consent to adopt the Plan of Management at the same time as notifying the landowner of the draft plan.

9.10 REVOKE MANAGEMENT OF POONCARIE COMMON AND PITMAN AVENUE RECREATION RESERVE

File Number: RPT/22/420

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Hilary Dye - Property and Land Tenure 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

This report is intended to provide information to Council for the approval to revoke Council's management of two Crown reserves, being the Pooncarie Common part Reserve 6 & Pitman Avenue Recreation Reserve 85020.

Recommendation

That Council:

- Provides written request to the Minister to:
 - Revoke management of the Pooncarie Common land consisting of Lot 7311 DP 755396, Lots 72, 74, 75, DP 820498 and part of Lot 7304 DP 1182431
 - Revoke management of all the parcels of land within the Pitman Avenue Recreation Reserve 85836. Lot 891, 898-900 DP 756961
- Authorises the Mayor and/or the General Manager be delegated to sign any related documents.

Council Resolution

That Council:

- a) Provides written request to the Minister to:
 - Revoke management of the Pooncarie Common land consisting of Lot 7311 DP 755396, Lots 72, 74, 75, DP 820498 and part of Lot 7304 DP 1182431
 - Revoke management of all the parcels of land within the Pitman Avenue Recreation Reserve 85836. Lot 891, 898-900 DP 756961
- b) Authorises the Mayor and/or the General Manager be delegated to sign any related documents.

Moved Cr. Nichols, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.11 DELEGATED AUTHORITY APPROVALS AS AT END OF JUNE 2022

File Number: RPT/22/429

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 June 2022, a total of nine (9) Development Applications and six (6) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$2,078,195.00. This brings the year to date total to fifty-four (54) Development Applications and twenty-two (22) S4.55 Applications approved, with an estimated development value of \$7,542,713.36

Recommendation

- a) That Council receives and notes the report for the month of June 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

That Council:

- a) Receives and notes the report for the Delegated Authority Approval for the month of June 2022.
- b) Publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Rodda, 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 (Mayor), Heywood, Linklater, Nichols and Rodda.***

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

9.12 PROJECT & WORKS UPDATE - JULY 2022

File Number: RPT/22/422

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

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 June 2022 and the planned activities for July 2022.

Recommendation

That Council receives and notes the major works undertaken in June and the scheduled works for the following months

Council Resolution

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

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 TRANSPORTABLE BUILDINGS**

Cr Steve Heywood requested an updated on the two transportable buildings that were earmarked for use at the landfills.

The General Manager advised that quotations had been received to cut the buildings in half and fit out however, this was cost prohibitive and it may be a better option to buy a new unit off the shelf.

10.2 PANEL TENDER FINANCIALS

Cr Steve Heywood requested a report on the amount of money paid to Contractors on the Panel Tender.

10.3 JUNCTION RALLY POSSIBLE FUNDING

Cr Brian Beaumont requested that the opportunity for funding to be sought for the Junction Rally through the Regional Events Acceleration Fund be investigated.

10.4 PS RUBY

Cr Brian Beaumont requested that the PS Ruby be made available for the Junction Rally.

The General Manager advised that the PS Ruby will be the topic for the next Council Advisory meeting.

10.5 DARLING STREET PAVERS

Cr Brian Beaumont asked if Council should be focussing on the issue raised on Facebook with the pavers in Darling Street

10.6 SPEED RESTRICTIONS WENTWORTH BRIDGE TO ADAMS STREET

Cr Brian Beaumont asked for an update on the speed restrictions from Wentworth Bridge to Adams Street.

10.7 LONG BAY PARKING

Cr Brian Beaumont requested that Long Bay be parking be investigated in Wentworth directional including signage so Caravans are not parking in the main street.

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 Old Wentworth Road - Variation for Supply & Delivery of Road Base Material - PT2122/13. (RPT/22/436)

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 Willow Bend Caravan Park Upgrade - PT2122/03. (RPT/22/455)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial

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

Council Resolution

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

Moved Cr Linklater, Seconded Cr Cooper

CARRIED UNANIMOUSLY

At 07:25 pm Director Geoff Gunn left the Council Chambers.

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL**12.1 OLD WENTWORTH ROAD - VARIATION FOR SUPPLY & DELIVERY OF ROAD BASE MATERIAL - PT2122/13**

File Number: RPT/22/436

Responsible Officer: Geoff Gunn - Director Roads and Engineering

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 General Manager Advised that this item was deferred pending further information.

12.2 WILLOW BEND CARAVAN PARK UPGRADE - PT2122/03

File Number: RPT/22/455

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Ken Ross - General Manager

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 General Manager advised that Council endorsed the Deed of Settlement and Release between Wentworth Shire Council and McMahon Services Australia Pty Ltd and in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepts the lump sum tender for Contract PT2223/01 in the amount of \$1,913,228.59 (including GST) submitted from Wall Constructions and also authorised the Mayor and General Manager to sign the documentation relative to both items above and affix the Council Seal

13 CONCLUSION OF THE MEETING

Meeting Closed at 8:22pm

NEXT MEETING

17 August 2022

.....
CHAIR