



**ORDINARY MEETING
MINUTES
(as Amended)**

24 JANUARY 2024

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1 OPENING OF MEETING

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

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

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

STAFF: Ken Ross (General Manager)
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

Council Resolution

That Council grants the Leave of Absence request from Cr Heywood.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Rodda advised that she had a less than significant non-pecuniary interest in Item 9.7 as she is the Council Representative on Wentworth Regional Tourism Inc.

Councillor Beaumont advised that he had a significant non-pecuniary interest in Item 9.7 as he is the President of Wentworth Regional Tourism Inc. who is seeking financial assistance to produce the Official Visitors Guide.

Councillor Elstone advised that he had a pecuniary interest in Item 10.1 as he is a water broker.

Councillor Crisp advised that he had a less than significant non-pecuniary interest in Item 10.1 as he has shares in Western Murray Irrigation which is an Irrigation Infrastructure Organisation.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 13 December 2023 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 13 December 2023 be confirmed as circulated.

Moved Cr. Nichols, Seconded Cr Rodda

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/23/820

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 17 January 2024.

Council Resolution

That Council receives and notes the list of outstanding matters as at 17 January 2024.

Moved Cr Rodda, Seconded Cr. MacAllister

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/23/819

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. Elstone

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Cr Rodda advised there is an Australia Day breakfast at the Australian Inland Botanic Gardens on 26 January 2024 and that the Magenta Art Prize will be occurring in the Woolshed over Easter.

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/23/816

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 23-16 to 23-17
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. Elstone, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.2 FAR SOUTH WEST JOINT ORGANISATION

File Number: RPT/24/18

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ken Ross - General Manager

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 Shire Council has been part of the Far South West Joint Organisation since its inception in 2018. Member Councils are Balranald Shire Council, Broken Hill City Council, Central Darling Shire Council and Wentworth Shire Council. This Joint Organisation structure has struggled to generate income and accordingly it is forecast that the operation of this entity would only remain for a period of 2 years. With this in mind, it is pertinent for Council to consider being part of an alternate Joint Organisation. Riverina and Murray Joint Organisation have resolved to formally invite Wentworth Shire Council to join as a non-voting Associate Member while the more formal process of Full Membership of RAMJO unfolds within the Office of Local Government.

Recommendation

That Council apply to Riverina and Murray Joint Organisation to become a non-voting Associate Member.

Council Resolution

That Council apply to Riverina and Murray Joint Organisation to become a non-voting Associate Member.

Moved Cr Cooper, Seconded Cr Crisp

CARRIED

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

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

9.3 MEN IN A SHED REQUEST FOR FINANCIAL ASSISTANCE

File Number: RPT/24/19

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ken Ross - General Manager

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

Council is in receipt of correspondence from Dareton Men in a Shed seeking financial assistance to the value of \$100,000 to complete the fire service for the building to allow an occupation certificate to be issued on the completed building.

Recommendation

That Council

- a) Submit an amended schedule of works attached to the Local Roads and Community Infrastructure Program round 4 to remove the Buronga Toilet Block project and add the Men in Shed project.
- b) If successful support the request from Dareton Men in a Shed to a value up to one hundred thousand dollars.

Council Resolution

That Council:

- a) Submit an amended schedule of works attached to the Local Roads and Community Infrastructure Program round 4 to remove the Buronga Toilet Block project and add the Men in Shed project.
- b) Support the request from Dareton Men in a Shed to a value up to one hundred thousand dollars.

Moved Cr Crisp, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.4 WRITING OFF OF OUTSTANDING DEBTOR ACCOUNT

File Number: RPT/24/17

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: 4.5 Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency

Summary

Council has an outstanding debtor amount owed by Wentworth River Cruises. Wentworth River Cruises no longer exists.

Recommendation

That Council write off the amount of \$3,576.94 for the debtor account of Wentworth River Cruises.

Council Resolution

That Council write off the amount of \$3,576.94 for the debtor account of Wentworth River Cruises.

Moved Cr. MacAllister, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.5 MEMORANDUM OF UNDERSTANDING WENTWORTH SHIRE COUNCIL AND WENTWORTH PIONEER HOMES COMMITTEE INC

File Number: RPT/24/26

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 the Wentworth Pioneer Homes Committee Inc and Wentworth Shire Council and affix the Council seal.

Council Resolution

That Council defer Item 9.5 pending further information.

Moved Cr. Elstone, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.6 ATTENDANCE AND MOTIONS FOR THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

File Number: RPT/24/13

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 2024 National General Assembly of Local Government is being held from 2 July to 4 July 2024 at the National Convention Centre, Canberra. The National General Assembly of Local Government provides an opportunity for Councils to identify and discuss national issues of priority for the sector. Motions are due for submission to the Australian Local Government Association by 29 March 2024.

To meet this deadline any motions to the Annual Conference will need to be submitted to the General Manager by 5 February 2024 for consideration at the 21 February 2024 Ordinary Council Meeting, as the motions require a resolution of Council.

Council is also required to nominate and endorse delegates to attend the National General Assembly. In previous years the Mayor and General Manager have attended to conference and from time to time one other Councillor.

Recommendation

That Council:

- a) Notes that motions for the 2024 National General Assembly are required by to be submitted to the General Manager by 5 February 2024
- b) Endorses the attendance of the Mayor and General Manager at the National General Assembly of Local Government

Council Resolution

That Council:

- a) Notes that motions for the 2024 National General Assembly are required by to be submitted to the General Manager by 5 February 2024
- b) Endorses the attendance of the Mayor and General Manager at the National General Assembly of Local Government

Moved Cr. Rodda, Seconded Cr Cooper

Amendment

That Council:

- a) Notes that motions for the 2024 National General Assembly are required by to be submitted to the General Manager by 5 February 2024
- b) Endorses the attendance of the Mayor, one other Councillor and General Manager at

the National General Assembly of Local Government

Moved Cr. Elstone, Seconded Cr Rodda

Council Resolution

That Council:

- a) Notes that motions for the 2024 National General Assembly are required by to be submitted to the General Manager by 5 February 2024
- b) Endorses the attendance of the Mayor, one other Councillor and General Manager at the National General Assembly of Local Government

Moved Cr. Elstone, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.7 REQUEST FOR FINANCIAL ASSISTANCE - WENTWORTH REGIONAL TOURISM INC

File Number: RPT/23/825

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

At 07:39 pm Councillor Brian Beaumont left the Council Chambers.

Summary

Council is in receipt of a request for assistance from Wentworth Regional Tourism Inc with productions costs of the next edition of the Wentworth Shire and Darling Outback Visitor Information Guide. The guide is produced biennially and Wentworth Regional Tourism Inc compile the guide.

Recommendation

That Council:

- a) Allocate \$30,000 of funds towards production costs for the Wentworth Shire and Darling Outback Visitor Information Guide to Wentworth Regional Tourism Inc and approve a budget variation for \$30,000;
- b) Grant financial assistance of another amount toward production costs for the Wentworth Shire and Darling Outback Visitor Information Guide to Wentworth Regional Tourism Inc and approve a budget variation for the same amount; or
- c) Decline the request for financial assistance for productions costs for the Wentworth Shire and Darling Outback Visitor Information Guide to Wentworth Regional Tourism Inc

Council Resolution

That Council:

- a) Allocate \$30,000 of funds towards production costs for the Wentworth Shire and Darling Outback Visitor Information Guide to Wentworth Regional Tourism Inc and approve a budget variation for \$30,000;

Moved Cr Rodda, Seconded Cr. MacAllister

CARRIED UNANIMOUSLY

At 07:45 pm Councillor Brian Beaumont returned to Council Chambers.

9.8 MONTHLY FINANCE REPORT - DECEMBER 2023

File Number: RPT/24/15

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 December 2023 were \$515,930.78. After allowing for pensioner subsidies, the total levies collected are now 64.8%. For comparison purposes 61.81% of the levy had been collected at the end of December 2022. Council currently has \$45,949,120.77 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. Elstone

CARRIED UNANIMOUSLY

9.9 MONTHLY INVESTMENT REPORT - DECEMBER 2023

File Number: RPT/24/5

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 31 December 2023, Council had \$41 million invested in term deposits and \$4,949,120.77 in other cash investments. Council received \$165,232.59 from its investments for the month of December 2023.

In December 2023 Council investments averaged a rate of return of 4.70% and it currently has \$8,084,119.76 of internal restrictions and \$32,636,888.36 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. Elstone, Seconded Cr. MacAllister

CARRIED UNANIMOUSLY

9.10 POONCARIE TELECOMMUNICATION TOWER LEASE

File Number: RPT/23/818

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: 1.3 High quality connectivity across the region

Summary

At the October 2023 Ordinary Council Meeting the new lease was tabled for consideration and approval. Council deferred a decision on the matter and requested additional information in relation to the need for four separate lease documents, why all four need to be signed now and the impact that this has on any rent review mechanism.

Further work has been undertaken to address the issues raised and the lease documents are again being tabled to be executed by Council.

Recommendation

That Council delegates authority to the Mayor, Deputy Mayor and the General Manager to sign the lease documents and affix the Council seal.

Council Resolution

That Council delegates authority to the Mayor, Deputy Mayor and the General Manager to sign the lease documents and affix the Council seal.

Moved Cr Beaumont, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.11 PROJECT & WORKS UPDATE - JANUARY 2024

File Number: RPT/24/1

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 December 2023 and the planned activities for January 2024.

Recommendation

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

Council Resolution

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

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 WATER MISMANAGEMENT CLAIMS PUBLISHED BY BLOOMBERG 27 DECEMBER 2023

File Number: RPT/24/35

At 07:56 pm Councillor Tim Elstone left the Council Chambers.

At 07:57 pm Councillor Jo Rodda left the Council Chambers.

Motion

That Council:

1. Writes to Federal and NSW Water Ministers, seeking comment on claims investigated by Bloomberg in its article of 27 December 2023, specifically seeking assurance from Federal Water Minister, The Honourable Tanya Plibersek, that:
 - a) all Irrigation Infrastructure Organisations in the Murray-Darling Basin will be investigated to ascertain whether their operations are adversely impacting allocations more broadly, or their own customers and whether some form of regulation is required; and
 - b) water trading and speculative "hedge fund" activity is not adversely impacting water prices, or deliverability, that so-called "zero amount" trades are explained more fully, and whether some form of regulation is required; and
 - c) immediately institute a basin-wide water audit, to ascertain whether the States are acting to ensure Environmentally Sustainable Level of Take is adhered; and
2. Seeking urgent action from NSW Water Minister, The Honourable Rose Jackson, to freeze all floodplain harvesting licences, and initiate an independent, comprehensive review, to ascertain whether increased extraction in the northern basin assists or hinders a return to sustainable levels of extraction and is in line with Environmentally Sustainable Level of Take, as required under the Water Act 2007 (Cth).

That Council:

1. Writes to Federal and NSW Water Ministers, seeking comment on claims investigated by Bloomberg in its article of 27 December 2023, specifically seeking assurance from Federal Water Minister, The Honourable Tanya Plibersek, that:
 - a) all Irrigation Infrastructure Organisations in the Murray-Darling Basin will be investigated to ascertain whether their operations are adversely impacting allocations more broadly, or their own customers and whether some form of regulation is required; and
 - b) water trading and speculative "hedge fund" activity is not adversely impacting water prices, or deliverability, that so-called "zero amount" trades are explained more fully, and whether some form of regulation is required; and
 - c) immediately institute a basin-wide water audit, to ascertain whether the States are acting to ensure Environmentally Sustainable Level of Take is adhered; and
2. Seeking urgent action from NSW Water Minister, The Honourable Rose Jackson, to freeze all floodplain harvesting licences, and initiate an independent, comprehensive review, to ascertain whether increased extraction in the northern basin assists or hinders a return to sustainable levels of extraction and is in line with Environmentally Sustainable Level of Take, as required under the Water Act 2007 (Cth).

Moved Cr MacAllister, Seconded Cr. Beaumont

Amendment

That Council write to NSW Water Minister seeking urgent action to formulate scientific triggers for storage levels in the Menindee Lakes that would embargo upstream extraction of floodplain and supplementary flows until satisfactory flows to towns, communities and environment of the Lower Darling are met and sustainable for a period of two years.

Moved Cr Crisp, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

Council Resolution

That Council write to NSW Water Minister seeking urgent action to formulate scientific triggers for storage levels in the Menindee Lakes that would embargo upstream extraction of floodplain and supplementary flows until satisfactory flows to towns, communities and environment of the Lower Darling are met and sustainable for a period of two years.

Moved Cr Crisp, Seconded Cr. Nichols

CARRIED

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

Against the Motion: ***Clr.s Beaumont, MacAllister and Rodda.***

At 08:43 pm Councillor Tim Elstone returned to Council Chambers.

At 08:00 pm Councillor Jo Rodda returned to Council Chambers.

10.2 PEDESTRIAN ACCESS CADELL STREET TO JUNCTION PARK

Cr Brian Beaumont requested that due to there not being safe pedestrian access from the Beverley Street corner with Cadell Street to the Junction there be investigation into providing pedestrian access.

10.3 CIVIC CENTRE FOOTPATH

Cr Susan Nichols asked what is happening with the footpath area outside the Civic Centre.

The General Manager advised there will be a pebblecrete footpath put in, including a compliant disabled ramp as there old ramp was non compliant.

10.4 NATIVE TREES TRENTAM CLIFFS

Cr Jane MacAllister asked whether existing native trees at Trentam Cliffs are under threat from development including turning lanes on the highway.

10.5 SPEED ZONE REVIEW AT TRENTAM CLIFFS

Cr Jo Rodda asked what is happening regarding the speed zone review at Trentam Cliffs.

The Mayor advised that this matter was brought to the attention of the Minister for Regional Transport and Roads when she visited recently.

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 Caravan Park Management. (RPT/24/20)

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 Plant Replacement - Approval on Tenders for Replacement of Plant 657 - Ford Mondeo - VR2324/657. (RPT/23/815)

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 Willow Bend Caravan Park - Supply Road Base Material - PT2324/05. (RPT/24/24)

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 Willow Bend Caravan Park - Asphalt Sealing - PT2324/06. (RPT/24/25)

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 Expression of Interest - The Smoke Show. (RPT/24/37)

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:

- a) 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.
- b) Admit Late Supplementary Item 12.5 into the Closed agenda.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 CARAVAN PARK MANAGEMENT

File Number: RPT/24/20

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ken Ross - General Manager

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

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:

- a) Nominated Darling River Man as the preferred lessee for the Wentworth Caravan Park
- b) Authorised the General Manager to negotiate a 21 year Standard Crown Land Contract.
- c) Write to the Local Government Minister requesting if a 30 year term of lease could be entered into.
- d) requested the General Manager to report back to Council with the lease detail

12.2 PLANT REPLACEMENT - APPROVAL ON TENDERS FOR REPLACEMENT OF PLANT 657 - FORD MONDEO - VR2324/657

File Number: RPT/23/815

Responsible Officer: Geoff Gunn - Director Roads and Engineering

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 Auto Synergy - Option 2 for the supply & delivery of one Subaru Forester 2.5i-L for the sum of \$39,253.90 inc GST, and accepted the trade price of \$12,000 inc GST for the Council owned Ford Mondeo, plant item 657 with a total changeover price of \$27,253.90 inc GST.

12.3 WILLOW BEND CARAVAN PARK - SUPPLY ROAD BASE MATERIAL - PT2324/05

File Number: RPT/24/24

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Taygun Saritoprak - Project 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

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 Mallee Quarries, 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 PT2324/05 for \$209,550.00 GST Inclusive.

12.4 WILLOW BEND CARAVAN PARK - ASPHALT SEALING - PT2324/06

File Number: RPT/24/25

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Taygun Saritoprak - Project 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

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 Fulton Hogan, 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 PT2324/06 for \$397,419.00 including GST.

12.5 EXPRESSION OF INTEREST - THE SMOKE SHOW

File Number: RPT/24/37

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Kerren Miles - Economic and Community Development 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

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:

- a) Accepted the expression of interest from the event management company Hidden Gems Victoria Pty Ltd *Smoke on the Water* to facilitate the Smoked Meat Festival for 2024.
- b) Allocated \$50,000 plus GST from within the Tourism & Promotion budget to support the event.
- c) Enter into a Memorandum of Understanding with Hidden Gems Victoria Pty Ltd for one year with options for further two years subject to a review of this event.

13 CONCLUSION OF THE MEETING

The meeting closed at 9:23pm.

NEXT MEETING

21 February 2024

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CHAIR