



**ORDINARY MEETING
MINUTES**

18 DECEMBER 2024

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING	1
2	PRAYER OR ACKNOWLEDGEMENT OF COUNTRY.....	1
3	APOLOGIES AND LEAVE OF ABSENCE.....	1
4	DISCLOSURES OF INTERESTS	1
5	CONFIRMATION OF MINUTES	1
6	OUTSTANDING MATTERS FROM PREVIOUS MEETINGS	2
7	MAYORAL AND COUNCILLOR REPORTS	3
7.1	Mayoral Report	3
8	REPORTS FROM COMMITTEES	4
8.1	Audit, Risk and Improvement Committee	4
9	REPORTS TO COUNCIL	5
9.1	General Managers Report.....	5
9.2	Change of Meeting Date	6
9.3	Australia Day Awards.....	7
9.4	Request for sponsorship - Sport Aircraft Association of Australia AusFly 2025 Event.....	8
9.5	Gol Gol Public School - Request for Financial Assistance.....	9
9.6	Monthly Finance Report - November 2024.....	10
9.7	Monthly Investment Report - November 2024	11
9.8	Draft Buronga/Gol Gol Sporting Master Plan.....	12
9.9	Disclosure of Interest Returns	13
9.10	Community Engagement Strategy.....	14
9.11	Planning Proposal to Local Heritage List the WOW Tree at the Australian Inland Botanic Garden Lot 1170 DP 820161	15
9.12	Draft Wentworth Shire Council Community Participation Plan	17
9.13	Transfer of Crown Road - Section of Arumpo Road, Buronga	18
9.14	DA2024/061 Upgrade to existing boat mooring / jetty Victorian side of Murray River opposite Lot 55 DP 1071972 The Cobb and Co Way Gol Gol.....	19
9.15	DA2024/094 Land Use for a Standing Vehicle Curlwaa Rest Stop	21
9.16	DA2024/115 Land Use Approval for an Existing Dwelling 130A Renmark Road Lot 1 DP 870517 Wentworth.....	23

9.17	DA2024/116 Land Use Approval of Existing Hangars and Transport Depot 130A Renmark Road Lot 1 DP 870517 Wentworth.....	25
9.18	Concept Design for the Replacment Kiosk at Wentworth Showgrounds.....	27
9.19	Project & Works Update - December 2024.....	28
10	NOTICES OF MOTIONS / QUESTIONS WITH NOTICE	29
10.1	Pooncarie Learn to Swim facility	29
10.2	Rating for Rural Lots with regard to 4.6 Variations	30
10.3	Integrated Water Cycle Management Plan.....	31
11	CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION.....	32
12	OPEN COUNCIL - REPORT FROM CLOSED COUNCIL	35
12.1	Plant Replacement - Approval on Tenders for Replacement of Plant 10 - Caterpillar Grader - VR2425/10.....	35
12.2	Plant Replacement - Approval on Tenders for Replacement of Plant 63 - Hino Street Sweeper - VR2425/63	36
12.3	Extension of PT2223/03 - Bridge Lift and Maintenance.....	37
12.4	PT2425/01 - Wentworth Shire Council Sewer Rehabilitation Works	38
12.5	PT2425/02 - Formation Drainage Works – Wet Hire of Earthmoving Equipment.....	39
12.6	PT2425/06 - Alcheringa Drive, Pooncarie Road & River Road Stabilisation Works.....	40
12.7	Panel Contract - Additional Suppliers	41
12.8	Purchase of land - 1643 Silver City Highway Lot 34 DP756961 Coomealla and Yanco Road Lot 488 DP756961 and 40 Yanco Road Lot 27 DP756961 Coomealla	42
12.9	Wentworth Overland Flow Flood Study	43
12.10	Sewer Pump Station Contribution - Wilson’s Development Gol Gol	44
13	CONCLUSION OF THE MEETING	45
	NEXT MEETING	45

1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 5:05PM

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Daniel Linklater
Councillor Jon Armstrong
Councillor Peter Crisp (via Video Conference)
Councillor Tim Elstone
Councillor Greg Evans
Councillor Susan Nichols
Councillor Jo Rodda
Councillor Jody Starick

STAFF: Ken Ross (General Manager)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant to General Manager)
Ebony Carter (Finance Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council grants the Leave of Absence Request from Cr Elstone from 1 February 2024 to 21 February 2024.

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Elstone advised that he had a pecuniary/interest in Item 12.8 as he is a Director of Wentworth & District Real Estate and the business was originally approached regarding the purchase of the land, however no work was done by the business. Cr Elstone indicated he would leave the room.

Councillor Evans advised that he had a pecuniary interest in Item 12.10 as he has infrequent business dealings with the Wilson Family Business

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 20 November 2024 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 20 November 2024 be confirmed as circulated.

Moved Cr. Nichols, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

Council Resolution

That the Ordinary Council meeting be adjourned for the purpose of conducting a Public Forum.

The meeting was adjourned at 5:09PM

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

Public Forum

Gary Monaghan spoke in favour of Item 9.14

James Golsworthy spoke in favour of Item 9.16

Ian Hazeldene spoke in favour of Item 9.16

Bryce Walshe spoke in favour of Item 9.16

Jeff Woodroffe spoke against Item 9.16

Mel Hupfield spoke against Item 9.16

Rong Raven spoke against Item 9.16

James Golsworthy spoke in favour of Item 9.17

Ian Hazeldene spoke in favour of Item 9.17

Bryce Walshe spoke in favour of Item 9.17

Jeff Woodroffe spoke against Item 9.17

Mel Hupfield spoke against Item 9.17

Rong Raven spoke against Item 9.17

Council Resolution

That Council reconvenes into open session.

Moved Cr. Armstrong, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

Nil

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/24/801

Recommendation

That Council receives and notes the information contained in the Mayoral report.

Council Resolution

That Council receives and notes the information contained in the Mayoral report.

Moved Cr. Linklater, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

8.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE

File Number: RPT/24/821

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

A meeting of the Audit, Risk and Improvement Committee was held on 7 November 2024 and the draft Minutes for the meeting have been separately circulated for the information of Councillors.

The Committee considered the following item of business:

- Audit Office of NSW Update
- Internal Audit Extreme & High Risk Recommendations Update
- Internal Audit Quarterly Update
- Quarterly Operational Plan Progress Report
- Quarterly Budget Review – First Quarter 2024-2025
- Quarterly Risk Report
- Quarterly report on Legislative Updates
- Child Safe Standards Implementation Update
- Quarterly Work Health & Safety Update
- Revised Investment Policy & Strategy

Officer Recommendation

That Council:

- a) Receives and notes the draft minutes of the Audit, Risk and Improvement Committee Meetings held on 7 November 2024
- b) Endorse the revised Investment Policy and Strategy
- c)

Council Resolution

That Council:

- a) Receives and notes the draft minutes of the Audit, Risk and Improvement Committee Meetings held on 7 November 2024
- b) Endorse the revised Investment Policy and Strategy

Moved Cr. Starick, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/24/802

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: 4.2 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
Circular 24-22
2. Meetings
As listed.
3. Upcoming meetings or events
As listed.
4. Other items of note
Nil.

Recommendation

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

Council Resolution

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

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9.2 CHANGE OF MEETING DATE

File Number: RPT/24/870

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: 4.2 A strong, responsible and representative government

Summary

Councillors has been invited to a face to face NSW ICAC presentation in Broken Hill on Wednesday 19 February 2025 at 5:30pm. This date clashes with the meeting date and time for the February 2025 Council meeting. To provide the opportunity for Councillors to attend this training it is proposed to move the 19 February 2025 to 12 February 2025 at the same time.

Recommendation

That the Ordinary Council meeting scheduled for 19 February 2025 be rescheduled to be held at the Wentworth Shire Council Chambers at 5:00pm on 12 February 2025.

Council Resolution

That the Ordinary Council meeting scheduled for 19 February 2025 be rescheduled to be held at the Wentworth Shire Council Chambers at 5:00pm on 12 February 2025.

Moved Cr. Starick, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.3 AUSTRALIA DAY AWARDS

File Number: RPT/24/803

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

Summary

This year Council requested nominations for the following categories:

- Citizen of the Year (must be 18 years or over on 26 January 2025)
- Young Citizen of the Year (must be under 18 years on 26 January 2025)
- Sportsperson of the Year (must be 18 years or over on 26 January 2025)
- Young Sportsperson of the Year (must be under 18 years on 26 January 2025)
- Environmental Award (individuals or groups)

Nominations were received for four categories. There were no nominations for the Sportsperson of the Year Award.

Recommendation

That Council determines the individual award recipients through a secret ballot and that the results remain confidential until announced at the official Australia Day event at the Conference Room, Wentworth Visitor Centre.

Council Resolution

That Council determines the individual award recipients through a secret ballot and that the results remain confidential until announced at the official Australia Day event at the Conference Room, Wentworth Visitor Centre.

Moved Cr. Rodda, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

9.4 REQUEST FOR SPONSORSHIP - SPORT AIRCRAFT ASSOCIATION OF AUSTRALIA AUSFLY 2025 EVENT

File Number: RPT/24/601

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

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

Summary

Council is in receipt of a request for sponsorship from the Sport Aircraft Association of Australia (SAAA) for their annual AusFly event, to be held at the Wentworth Aerodrome on Friday 14 March to Sunday 16 March 2025. The annual event was held last year at the same location and an event acquittal for last year was provided in accompaniment to this request.

Recommendation

That Council nominate a level of sponsorship for the event as listed within this report.

Council Resolution

That Council approve of \$25,000 of sponsorship and “in kind” support towards the 2025 AusFly event, on the proviso an event acquittal is completed and Council is included in any promotional material for the event.

Moved Cr. Crisp, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.5 GOL GOL PUBLIC SCHOOL - REQUEST FOR FINANCIAL ASSISTANCE

File Number: RPT/24/815

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

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

Summary

Council is in receipt of a request to provide financial sponsorship by means of in-kind support for the 2025 Gol Gol Country Fair to be held on 4 May 2025. This event is organised by Gol Gol Public School and the school has provided a list of in-kind support they require. Preliminary calculations put the value of in-kind support at \$2764 inc GST.

Recommendation

That Council provide financial sponsorship by means of in-kind support to the value of \$2764.00 inc GST for the 2025 Gol Gol Country fair to be held on 4 May 2025.

Council Resolution

That Council provide financial sponsorship by means of in-kind support to the value of \$2764.00 inc GST for the 2025 Gol Gol Country fair to be held on 4 May 2025.

Moved Cr. Rodda, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.6 MONTHLY FINANCE REPORT - NOVEMBER 2024

File Number: RPT/24/843

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 November 2024 were \$1,320,674.86. After allowing for pensioner subsidies, the total levies collected are now 57.81%. For comparison purposes 60.68% of the levy had been collected at the end of November 2023. Council currently has \$55,733,185.93 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. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9.7 MONTHLY INVESTMENT REPORT - NOVEMBER 2024

File Number: RPT/24/846

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

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

Summary

As of 30 November 2024, Council had \$44 million invested in term deposits and \$11,733,185.93 in other cash investments. Council received \$164,168.19 from its investments for the month of November 2024.

In November 2024 Council investments averaged a rate of return of 5.00% and it currently has \$7,255,675.90 of internal restrictions and \$44,515,866.04 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report.

Council Resolution

That Council receives and notes the monthly investment report.

Moved Cr. Rodda, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.8 DRAFT BURONGA/GOL GOL SPORTING MASTER PLAN

File Number: RPT/24/822

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

Summary**Recommendation**

That Council endorse the Draft Buronga/Gol Gol Sporting Master Plan to be placed on public exhibition.

Council Resolution

That Council endorse the Draft Buronga/Gol Gol Sporting Master Plan to be placed on public exhibition.

Moved Cr. Nichols, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9.9 DISCLOSURE OF INTEREST RETURNS

File Number: RPT/24/839

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Deborah Zorzi - Governance 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

Council's Code of Conduct Policy requires new Councillors, within three months of being elected, to make and lodge with the General Manager a written return disclosing their personal interests. Those returns are to be tabled at a Council meeting.

Returning Councillors previously lodged a return of their personal interests with the General Manager as tabled at the 30 October Council meeting, being within 3 months of 30 June as required under the Code of Conduct Policy.

For the sake of completeness, returns of interest for all Councillors have been lodged with the General Manager to reflect up to date disclosures of the new Council.

As required by the Office of Local Government and the *Government Information (Public Access) Act 2009* (NSW) the returns will be made available on Council's website after they have been noted by Council.

Recommendation

That Council notes the tabling of the current Disclosure of Interest Returns for Councillors.

Council Resolution

That Council notes the tabling of the current Disclosure of Interest Returns for Councillors.

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.10 COMMUNITY ENGAGEMENT STRATEGY

File Number: RPT/24/844

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

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

Summary

A review of Council's Community Engagement Strategy (CES) has been undertaken as required under the *Integrated Planning and Reporting (IP&R) Guidelines* within 3 months of the local government elections.

Our CES provides a framework for a coordinated, well-planned approach to ensure Council's engagement processes provide opportunities for the widest possible community participation. Whilst the CES is a key component within the Integrated Planning and Reporting (IP&R) Framework, it extends to all aspects of Council engagement and adopts a proportionate approach to engagement.

This refreshed CES builds on the strategy previously provided with additional discussion around our engagement with our stakeholders; how we will evaluate the effectiveness of our engagement activities; and references Council's *Community Participation Plan* setting out how Council engages the community on planning related functions.

Recommendation

That Council adopt the revised Community Engagement Strategy.

Council Resolution

That Council adopt the revised Community Engagement Strategy.

Moved Cr. Rodda, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.11 PLANNING PROPOSAL TO LOCAL HERITAGE LIST THE WOW TREE AT THE AUSTRALIAN INLAND BOTANIC GARDEN LOT 1170 DP 820161

File Number:	RPT/24/832
Responsible Officer:	George Kenende - Acting Director Health & Planning
Responsible Division:	Health and Planning
Reporting Officer:	George Kenende - Acting Director Health & Planning
Objective:	3.0 Wentworth Shire is a community that works to enhance and protect its physical and natural environment
Strategy:	3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

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

The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination to proceed on 22 August 2024.

The Planning Proposal sought to amend the following provisions:

1. Amend Schedule 5 of the Wentworth Local Environmental Plan 2011 (WLEP) by adding an Eucalyptus Oleosa tree, also known as or commonly referred to as the 'Wow Tree'.
2. Amend WLEP mapping *Heritage Map – Sheet HER_004 Item - General*

Public exhibition and agency consultation was conducted in accordance with the Gateway Determination. No submissions were received from the public, and two submissions were received from agencies. The agency submission did not object to the rezoning.

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

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

Recommendation

- a) That Council endorse the post exhibition documentation as outlined in this report.
- b) That Council support and resolve in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*, to proceed with the finalisation of the Planning Proposal to:
 - Amend Schedule 5 of the Wentworth Local Environmental Plan 2011 (WLEP) by adding a Eucalyptus Oleosa tree, also known as or commonly referred to as the 'Wow Tree'.

- Amend WLEP mapping *Heritage Map – Sheet HER_004 Item - General*
- c) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

- a) That Council endorse the post exhibition documentation as outlined in this report.
- b) That Council support and resolve in accordance with section 3.36 of the *Environmental Planning and Assessment Act 1979*, to proceed with the finalisation of the Planning Proposal to:
 - Amend Schedule 5 of the Wentworth Local Environmental Plan 2011 (WLEP) by adding a Eucalyptus Oleosa tree, also known as or commonly referred to as the 'Wow Tree'.
 - Amend WLEP mapping *Heritage Map – Sheet HER_004 Item - General*
- c) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Elstone, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols, Rodda and Starick.***

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

9.12 DRAFT WENTWORTH SHIRE COUNCIL COMMUNITY PARTICIPATION PLAN

File Number: RPT/24/840

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

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

Summary

Community participation is an overarching term covering how Council engage the community in our work under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, including plan making and making decisions on proposed development. The level and extent of community participation will vary depending on the scope of the proposal under consideration and the potential impact of the decision.

Council recognises community participation throughout the planning system delivers better planning results for the people of the Wentworth Shire.

To ensure community participation is conducted appropriately, Council in its capacity as a planning authority is required to prepare a Community Participation Plan (CPP). Council have a Community Participation Plan currently used to guide community participation during planning processes.

To ensure that consultation is inline with current communication methodologies and changes in legislation, the Community Participation Plan requires periodic review. The current Community Participation Plan has been reviewed and this report is for the reviewed now draft Community Participation Plan to be endorsed by Council for community consultation before adoption.

Recommendation

That Council endorse the Draft Community Participation Plan to be placed on public exhibition for 28 days.

Council Resolution

That Council endorse the Draft Community Participation Plan to be placed on public exhibition for 40 days.

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.13 TRANSFER OF CROWN ROAD - SECTION OF ARUMPO ROAD, BURONGA

File Number: RPT/24/881

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Allan Graham - Property Officer

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

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

Summary

As a result of major up-grade works proposed for Arumpo Road in Buronga and to ensure Council has effective control over the road into the future, it is proposed that Council officers make application to the NSW Department of Planning, Housing and Infrastructure (Crown Lands) to transfer a section of Arumpo Road to come under the control of Wentworth Shire Council (Council). The section of Arumpo Road to be transferred is the intersection of the Silver City Highway at Buronga northeast to the Buronga Landfill Waste Management Facility situated at 258 Arumpo Road, Buronga.

Recommendation

That Council make application to the NSW Department of Planning, Housing and Infrastructure (Crown Lands) to transfer the section of Arumpo Road, from the intersection of the Silver City Highway, Buronga northeast to the Buronga Waste Management Facility situated at 258 Arumpo Road, Buronga to Council's control.

Council Resolution

That Council make application to the NSW Department of Planning, Housing and Infrastructure (Crown Lands) to transfer the section of Arumpo Road, from the intersection of the Silver City Highway, Buronga northeast to the Buronga Waste Management Facility situated at 258 Arumpo Road, Buronga to Council's control.

Moved Cr. Nichols, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.14 DA2024/061 UPGRADE TO EXISTING BOAT MOORING / JETTY VICTORIAN SIDE OF MURRAY RIVER OPPOSITE LOT 55 DP 1071972 THE COBB AND CO WAY GOL GOL

File Number: RPT/24/845

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

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region
Strategy: 1.1 Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries

Summary

A development application (DA2024/061) was received by Council for an upgrade to the existing boat mooring / jetty located on the Victorian side of the Murray River opposite Lot 55 DP 1071972 The Cobb and Co Way Gol Gol.

Under the W1 Natural Waterways zoning of the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, the proposed development is permitted with consent as a water recreational structure (mooring jetty). Although the proposed development is opposite Lot 55 DP 1071972 zoned RU1 Primary Production, the zoning of this land is not relevant in this circumstance as the proposed structure is to be placed on a lot on the Victorian side of the Murray River.

The application was referred to external agencies as per legislative requirements of the Environmental Planning and Assessment Act 1979 (c4.46). The development is Integrated development under the Fisheries Management Act 1994 (s201) with concurrence required from the Department of Primary Industries – Fisheries, supporting the development prior to consent being granted.

Due to Department of Primary Industries – Fisheries not supporting the development under clause 4.47(2 & 4) of the *Environmental Planning and Assessment Act 1979*, Council cannot approve the application. As such, the application is being recommended for refusal. Under Wentworth Shire Council delegations, development applications cannot be refused under delegated authority, and must be determined by Council.

Recommendation

That Council:

- a) Refuse to issue approval for DA2024/061 to upgrade the existing boat mooring / jetty Victorian side of Murray River opposite Lot 55 DP 1071972 The Cobb and Co Way Gol Gol.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council defer this item pending clarification from NSW Department of Fisheries regarding concurrence.

Moved Cr. Crisp, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.15 DA2024/094 LAND USE FOR A STANDING VEHICLE CURLWAA REST STOP

File Number: RPT/24/834

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

A development application (DA2024/094) was received by Council on 25 July 2024, for use of Council a classified road reserve for a standing food vehicle, outside of the approved trading locations with associated sandwich board signage in the road reserve along the highway. The proposed location is the Curlwaa Rest Stop, off the Silver City Highway, being a classified road in public use.

Under the *Wentworth Local Environmental Plan (WLEP) 2011*, this development is prohibited within the SP2 – Infrastructure zoning as the proposed development is not ancillary or incidental to the purpose specific uses of the zoning in the specified location.

The standing vehicle, being a mobile food vending vehicle (coffee van), is proposed to be located at different areas within the rest stop which is identified as a heavy vehicle rest area, with TfNSW refusing the sandwich board signage in the road reserve along the highway.

The curlwaa rest stop is not a location identified within a council endorsed policy *PR016 – Mobile Food Vendors Policy*. The policy identifies six approved locations for food vans with O'Donnell Park (an identified location) being less than 3 kilometers to the east of the Curlwaa rest stop.

As Western Murray Irrigation (WMI) has assets in the area, they were also referred the application via email, with response stating that they would only support the application if it were located in a Council approved trading location.

Due to the non-compliance with a endorsed Council policy, TfNSW advice identifying traffic safety risks and WMI not supporting the development, the application has been recommended for refusal. Under the Wentworth Shire Council delegations, development applications cannot be refused under delegate authority and must be determined by Council.

Recommendation

That Council:

- a) Refuse DA2024/094 being use of classified road reserve for a standing food vehicle at the Curlwaa Rest Stop (adjacent to Lot 5 DP 729493).
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council:

- a) Refuse DA2024/094 being use of classified road reserve for a standing food vehicle at the Curlwaa Rest Stop (adjacent to Lot 5 DP 729493).
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Rodda, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols, Rodda and Starick***

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

9.16 DA2024/115 LAND USE APPROVAL FOR AN EXISTING DWELLING 130A RENMARK ROAD LOT 1 DP 870517 WENTWORTH

File Number: RPT/24/842

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

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

A development application (DA2024/115) was received by Council for land use approval of an existing dwelling located at 130A Renmark Road Lot 1 DP 870517 Wentworth.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent when located within the RU1 Primary Production zone.

The proposed development for land use is for an existing dwelling that was originally built as an office. The office was approved under DA2023/102, but was subsequently surrendered by the landowner after the approval was challenged in the Land and Environment Court (LEC). The office was redone into a dwelling with a Building Information Certificate (BIC) issued for the dwelling on 3 December 2024.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification ten (10) submissions were received by Council. Three were objections, two were supportive based on specific criteria and 5 were for support of the application.

As per Council delegations, any development applications with three (3) or more objections cannot be determined under delegated authority, and must be determined by Council.

Recommendation

That Council:

- a) Approve DA2024/115 being residential land use approval for an existing dwelling house located at 130A Renmark Road Lot 1 DP 870517 Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- a) Approve DA2024/115 being residential land use approval for an existing dwelling house located at 130A Renmark Road Lot 1 DP 870517 Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Armstrong, Seconded Cr. Elstone

CARRIED

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

For the Motion : *Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols and Starick*

Against the Motion: *Clr. Rodda.*

9.17 DA2024/116 LAND USE APPROVAL OF EXISTING HANGARS AND TRANSPORT DEPOT 130A RENMARK ROAD LOT 1 DP 870517 WENTWORTH

File Number: RPT/24/861

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

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

Strategy: 3.1 Ensure our planning decisions and controls enable the community to benefit from development

Summary

A development application (DA2024/116) was received by Council for land use approval of 2 existing hangars and transport depot located at 130A Renmark Road Lot 1 DP 870517 Wentworth.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent when located within the RU1 Primary Production zone.

The proposed development land use is for 2 existing hangars and transport depot. The 2 hangars were approved under DA2023/102, but were subsequently surrendered by the land owner after the approval was challenged in the Land and Environment Court (LEC). The land owner applied for a Building Information Certificate (BIC) for the 2 hangars which was issued on 3 December 2024.

The development application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification eleven (11) submissions were received by Council. Five (5) were objections and six (6) were for support of the application.

As per Council delegations, any development applications with three (3) or more objections cannot be determined under delegated authority, and must be determined by Council.

Recommendation

That Council:

- a) Approve DA2024/116 being land use approval of 2 existing hangars and transport depot located at 130A Renmark Road Lot 1 DP 870517 Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- a) Approve DA2024/116 being land use approval of 2 existing hangars and transport depot located at 130A Renmark Road Lot 1 DP 870517 Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Starick, Seconded Cr. Armstrong

CARRIED

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

For the Motion : *Clr.s Armstrong, Crisp, Elstone, Evans, Linklater, Nichols and Starick.*

Against the Motion: *Clr. Rodda.*

Council Resolution

That Standing Orders be suspended for the purpose of a comfort break.

Moved Cr. Rodda, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

Resumption of Standing Orders

That Standing Orders be resumed.

Moved Cr. Armstrong, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

9.18 CONCEPT DESIGN FOR THE REPLACEMENT KIOSK AT WENTWORTH SHOWGROUNDS

File Number: RPT/24/795

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Scott Barnes - Manager Engineering Services

Objective: 3.0 Wentworth Shire is a community that works to enhance and protect its physical and natural environment
Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

Summary

Council received \$440,000 in funding from Resources for Regions - Round 9 to replace both the Wentworth Showgrounds Kiosk and the Pooncarie Racecourse kitchen. It was proposed to replace these with a similar shed style structures with colorbond cladding with added verandas.

Following feedback from users of the Wentworth showgrounds, it was requested to construct the new Kiosk and included kitchen, out of donated reclaimed red bricks. Aesthetically, this will not be in keeping with the recently completed show pavilion, stewards tower, adjacent shelter, and the new Jockey's change room. No masterplan exists for the showgrounds to guide the development; therefore, Council guidance is now sought on the concept.

Recommendation

That Council approves the construction of the new Kiosk and Kitchen be constructed in line with the recently completed show pavilion, stewards tower, adjacent shelter and jockey's changeroom.

Council Resolution

That Council approves the construction of the new Kiosk and Kitchen be constructed in line with the recently completed show pavilion, stewards tower, adjacent shelter and jockey's changeroom.

Moved Cr. Armstrong, Seconded Cr. Evans

CARRIED UNANIMOUSLY

9.19 PROJECT & WORKS UPDATE - DECEMBER 2024

File Number: RPT/24/835

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Megan Jackson - Roads & Engineering 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 November 2024 and the planned activities for December 2024.

Recommendation

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

Council Resolution

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

Moved Cr. Nichols, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 POONCARIE LEARN TO SWIM FACILITY**

File Number: RPT/24/876

Motion

That Council:

- a) Supports the development of a Learn to Swim Facility in Pooncarie and pursues Grant funding availability for the project
- b) Consider a percentage contribution toward the project if grant funding options have been exhausted.

Council Resolution

That Council:

- a) Supports the development of a Learn to Swim Facility in Pooncarie and pursues Grant funding availability for the project
- b) Consider a percentage contribution toward the project if grant funding options have been exhausted.

Moved Cr. Elstone, Seconded Cr. Armstrong**CARRIED UNANIMOUSLY**

10.2 RATING FOR RURAL LOTS WITH REGARD TO 4.6 VARIATIONS

File Number: RPT/24/874

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

Objective:
Strategy:

Summary

Councillor Susan Nichols asked are all of the small lots (that undergo the 4.6 process) being rated as Farmland & not Rural Residential & if so why? Some of these have almost \$M homes on them. What rates are council not receiving ie. difference between the two and many have little in the way of farming on them, many are smaller than large allotments.

The Director of Corporate Services reviewed the 8 Development Applications requesting a section 4.6 variation that have been approved in this financial year to the end of November and advises the following:

- 6 were already rated as Rural Residential
- 1 is vacant land as has been rated as farmland, the same as the surrounding properties. Once the dwelling is constructed it can be rated as Rural Residential.
- 1 is currently rated as farmland as that is the properties current use, however once the dwelling is constructed it can be rated as Rural Residential as the parcel of land is less than 5ha.

It is also important to note the following:

New South Wales uses Land Valuation as the basis of it's valuations unlike other States such as Victoria who use Capital Improved Value so just because a property builds a \$1m house on it, it doesn't mean that this will see an increase in the land value, in some cases depending on the size of the parcel of land the rate it pays as farmland may be higher than if it was rated as Rural Residential.

Also, any change to the rating structure (ie changing a property from farmland to rural residential) does not equate to additional income to Council but a redistribution of the rating liability of the different property types as we are not adding any additional properties to the rating structure.

Council Resolution

That Council receive and note the response to the question with Notice.

Moved Cr. Nichols, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

10.3 INTEGRATED WATER CYCLE MANAGEMENT PLAN

File Number: RPT/24/875

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

Objective:

Strategy:

Summary

Councillor Daniel Linklater asked the following questions:

Can staff provide an update on progress of the IWCM, will the draft strategic document be received this calendar year as anticipated?

The Manager Engineering Services has advised that while progress is continuing on the IWCM, with preliminary modelling results of water and sewer system being presented in 2024, the draft strategic document will not be received in 2024.

The consultant has had a turn over of staff in a number of key areas, and this has impacted the scheduled delivery of the document. Unfortunately, the latest monthly report details late February for a submission of the draft.

Can staff confirm if the following works have been completed ahead of this summer to help mitigate water supply & pressure issues, including improving the floc chambers process and cleaning of lagoons to improve throughput at Gol Gol Water Treatment Plant, and replacement pump for Wentworth Raw Water Pump Station?

The Manager of Engineering Services has advised that in regard to Gol Gol Water Treatment Plant:

A Contractor has been engaged to improve the floc chamber and inlet pipework, this work is scheduled to be completed by late January. The addition of a flash mixer in the inlet works will assist with better initial mixing.

Another Contractor has been engaged to undertake cleaning of one of the lagoons, unfortunately a series of wet weather events has impacted the start of this work. Subject to the site drying, this work is scheduled to be completed prior to 20 December 2024, enabling both lagoons to be operational. It is expected that all these improvement works will occur prior to the peak of residential use matching the commencement of Winery harvest.

The Manager of Engineering Services has advised that in regard to Wentworth Raw Water Pump Station:

New pump and motor has been procured, fabricated and tested recently in Sydney. Mechanical and Electrical installers have been engaged. Due to the nature of the works, this work is now scheduled for mid January 2025, with plans to be operational by late January 2025.

Council Resolution

That Council receive and note the response to the question with notice.

Moved Cr. Linklater, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

Despite the right of members of the public to attend meetings of a council, the council may choose to close to the public, parts of the meeting that involve the discussion or receipt of certain matters as prescribed under section 10A(2) of the Local Government Act.

With the exception of matters concerning particular individuals (other than councillors) (10A(2)(a)), matters involving the personal hardship of a resident or ratepayer (10A(2)(b)) or matters that would disclose a trade secret (10A(2)(d)(iii)), council must be satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The Act requires council to close the meeting for only so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security being protected. (section 10B(1)(a))

Section 10A(4) of the Act provides that a council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(4) of the Act stipulates that for the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:-

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may -
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Recommendation

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

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-**12.1 Plant Replacement - Approval on Tenders for Replacement of Plant 10 - Caterpillar Grader - VR2425/10. (RPT/24/818)**

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 63 - Hino Street Sweeper - VR2425/63. (RPT/24/819)

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 Extension of PT2223/03 - Bridge Lift and Maintenance. (RPT/24/837)

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 PT2425/01 - Wentworth Shire Council Sewer Rehabilitation Works. (RPT/24/877)

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 PT2425/02 - Formation Drainage Works – Wet Hire of Earthmoving Equipment. (RPT/24/829)

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.

12.6 PT2425/06 - Alcheringa Drive, Pooncarie Road & River Road Stabilisation Works. (RPT/24/836)

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.

12.7 Panel Contract - Additional Suppliers. (RPT/24/841)

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.

12.8 Purchase of land - 1643 Silver City Highway Lot 34 DP756961 Coomealla and Yanco Road Lot 488 DP756961 and 40 Yanco Road Lot 27 DP756961 Coomealla. (RPT/24/830)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (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.

12.9 Wentworth Overland Flow Flood Study. (RPT/24/838)

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.

12.10 Sewer Pump Station Contribution - Wilson's Development Gol Gol. (RPT/24/879)

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. Crisp, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

At 07:27 pm Councillor Peter Crisp left the meeting

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PLANT REPLACEMENT - APPROVAL ON TENDERS FOR REPLACEMENT OF PLANT 10 - CATERPILLAR GRADER - VR2425/10

File Number: RPT/24/818

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 William Adams Pty Ltd for the supply & delivery of one Caterpillar 140JOY3 Motor Grader for the sum of \$584,650.00 inc GST as specified and accepted the trade price of \$126,500.00 inc GST for the Council owned Caterpillar Grader, plant item 10 with a total changeover price of \$458,150.00 inc GST.

12.2 PLANT REPLACEMENT - APPROVAL ON TENDERS FOR REPLACEMENT OF PLANT 63 - HINO STREET SWEEPER - VR2425/63

File Number: RPT/24/819

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 Rosmech Sales & Services Pty Ltd for the supply & delivery of one Hino FG 1628 Suction Sweeper for the sum of \$548,984.70 inc GST as specified and accepted the trade price of \$159,500.00 inc GST for the Council owned Hino Street Sweeper, plant item 63 with a total changeover price of \$389,484.70 inc GST.

12.3 EXTENSION OF PT2223/03 - BRIDGE LIFT AND MAINTENANCE

File Number: RPT/24/837

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

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 approved a contract variation of \$6,900.00 inc GST (15 x Bridge Lifts over 1 month) to the contract for Bridge Lift and Maintenance, PT2223/03 with Regional Power Services

12.4 PT2425/01 - WENTWORTH SHIRE COUNCIL SEWER REHABILITATION WORKS

File Number: RPT/24/877

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

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

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

REASON FOR CONFIDENTIALITY

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

The General Manager advised that Council in accordance with the provision of the Local Government (General) Regulation 2021, Section 178(1)(a) accepted the tender from Insituform Pacific Pty Ltd trading as Insituform and subsequently authorised the Mayor and General Manager to sign the contract document and affix the seal for the recommended contractor to carry out all works specified for PT2425/01 / C00022 for \$867,292.00 (GST inc).

And that Council approved the transfer of \$450,000 (GST inc) from the Sewer Infrastructure Fund to the Project, increasing the 2024/2025 budget from \$550,000 (GST inc) to \$900,000 (GST inc).

12.5 PT2425/02 - FORMATION DRAINAGE WORKS – WET HIRE OF EARTHMOVING EQUIPMENT

File Number: RPT/24/829

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: 3.2 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 2005, Section 178(1)(a) accepted the tender from EWAG Pty Ltd to carry out the Formation Drainage Works – Wet Hire of Earthmoving Equipment, Contract PT2425/02 as specified in the amount of \$852.50 inc GST per hour and authorised the Mayor and General Manager to sign the contract documentation and affix the council seal.

**12.6 PT2425/06 - ALCHERINGA DRIVE, POONCARIE ROAD & RIVER ROAD
STABILISATION WORKS**

File Number: RPT/24/836

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

Jarrold Roberts - Manager Works

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 2005, Section 178(1)(a) accepted the tender from Stabilifix Pty Ltd to carry out the Stabilisation works as specified on Alcheringa Drive, Pooncarie Road & River Road, Contract PT2425/06 in the amount of \$355,740.00 inc GST and authorised the Mayor and General Manager to sign the contract documentation and affix the council seal.

12.7 PANEL CONTRACT - ADDITIONAL SUPPLIERS

File Number: RPT/24/841

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: 3.2 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 approved the following supplier list to be included in the 23/24 Panel Contract for the next 2 years based on their reason for missing original application period.

1. Outback Cabins & Construction
2. Zonal Pty Ltd
3. Matt Hugo Contracting Pty Ltd

**12.8 PURCHASE OF LAND - 1643 SILVER CITY HIGHWAY LOT 34 DP756961
COOMEALLA AND YANCO ROAD LOT 488 DP756961 AND 40 YANCO ROAD
LOT 27 DP756961 COOMEALLA**

File Number: RPT/24/830

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

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (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 General Manager advised that Council resolved to purchase Lots 27,34 and 488 in DP 756961 having an area of 11.488 hectares for the purpose of hosting the future Lower Western Zone Fire Control Centre and Emergency Operations Centre for a purchase price of \$550,000 and further categorise the property as operational land in accordance with Clause 31 of the *Local Government Act 1993*. Council also authorised the Mayor and General Manager to attach the council seal and sign all documentation on behalf of Council.

12.9 WENTWORTH OVERLAND FLOW FLOOD STUDY

File Number: RPT/24/838

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

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

Strategy: 3.3 Minimise the impact on the natural environment

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 noted the report for engagement of Lyall and Associates to conduct the Wentworth overland flood study in the amount of \$166,900 ex GST.

12.10 SEWER PUMP STATION CONTRIBUTION - WILSON'S DEVELOPMENT GOL GOL

File Number: RPT/24/879

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

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

Strategy: 3.2 Ensure that community assets and public infrastructure are well maintained

REASON FOR CONFIDENTIALITY

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

That Council committed \$330,000 (GST exc) from the Sewer Fund to support the construction of Sewer Pump Station No 14 Gol Gol with expenditure of \$165,000 2024/2025 and \$165,000 2025/2026 and apply appropriate funding calculations to future developments serviced by Sewer Pump Station No 14 Gol Gol.

13 CONCLUSION OF THE MEETING

The meeting closed at 8:00pm

NEXT MEETING

12 February 2025

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CHAIR