



Wentworth

SHIRE COUNCIL

ORDINARY MEETING MINUTES

12 FEBRUARY 2025

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1 OPENING OF MEETING

The Mayor opened the meeting at 5:01pm

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Daniel Linklater
Councillor Jon Armstrong
Councillor Peter Crisp
Councillor Tim Elstone (via Video Conference)
Councillor Susan Nichols
Councillor Jody Starick
Councillor Michael Weeding

STAFF: Ken Ross (General Manager)
George Kenende (Acting Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant to General Manager)
Ebony Carter (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apologies and grants the Leave of Absence requests from Cr. Rodda and Cr. Evans. Cr. Elstone previously applied for a Leave of Absence but has withdrawn that leave.

Moved Cr. Armstrong Seconded Cr. Crisp

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Crisp advised that he has a less significant non-pecuniary interest in Item 9.13 as he is a member of the Dareton Community Action Team.

Councillor Nichols advised that she has a less than significant non-pecuniary interest in Item 9.16 as she has a family member who is serviced by the NDIS

Council Resolution

That Standing Orders be suspended for the purpose of the Public Forum.

Moved Cr. Crisp, Seconded Cr. Starick

CARRIED UNANIMOUSLY

Public Forum

Jamie Simmons spoke against Item 9.16

Sue Matulich spoke against Item 9.16

Travis O'Donnell spoke against Item 9.16

Travis O'Donnell spoke against Item 9.17

Sue Matulich spoke against Item 9.17

Matt McWhae spoke against Item 9.17

Council Resolution

That Council reconvenes into open session and that Item 9.16 & 9.17 be moved prior to Item 9.1 and that the Late Confidential item 12.4 be accepted into the agenda.

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 18 December 2024 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 18 December 2024 be confirmed as circulated.

Moved Cr. Nichols, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

Nil

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT FEBRUARY 2025

File Number: RPT/25/63

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. Crisp

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/25/8

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

At 05:55 pm Councillor Susan Nichols returned to Council Chambers.

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
Circulars 24-23 – 25-01
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. Nichols, Seconded Cr. Elstone

CARRIED UNANIMOUSLY

9.2 REQUEST FOR FINANCIAL ASSISTANCE - FIRE SERVICES MEN IN A SHED

File Number: RPT/25/68

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 another financial request from the Dareton Men in a Shed Group. In this instance the request is for \$104,000 for the reason of completing fire service to allow occupation of the building that was officially opened by Helen Dalton on 26 April 2024.

Recommendation

That Council contribute \$44,000 to complete the fire service which will be due and payable when the fire service is commissioned.

Council Resolution

That Council contribute \$104,000 to complete the fire service at the new Men in a Shed building which will be due and payable when the fire service is commissioned.

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

9.3 ATTENDANCE AND MOTIONS FOR THE 2025 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

File Number:	RPT/25/47
Responsible Officer:	Ken Ross - General Manager
Responsible Division:	Office of the General Manager
Reporting Officer:	Ebony Carter - 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 2025 National General Assembly of Local Government is being held from 24 June to 27 June 2025 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 31 March 2025.

To meet this deadline any motions to the Annual Conference will need to be submitted to the General Manager by 28 February 2025 for consideration at the 19 March 2025 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 the conference and from time to time one other Councillor.

Recommendation

That Council:

- a) Notes that motions for the 2025 National General Assembly are required by to be submitted to the General Manager by 28 February 2025
- 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 2025 National General Assembly are required by to be submitted to the General Manager by 28 February 2025
- b) Endorses the attendance of the Mayor or the Mayors representative and General Manager at the National General Assembly of Local Government

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.4 DRAFT EVENT FUNDING POLICY 2025

File Number: RPT/25/36

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Lexi Stockman - Manager Tourism and Promotion

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

The draft *Event Funding Policy* was developed after it was identified that there is currently no formal structure as to how event sponsorship money is distributed. The *Event Funding Policy* was developed in line with the *Wentworth Region Tourism & Events Strategy 2024-2029*. This strategy outlined the need to continue to leverage on the success of existing events, as well as creating the capacity and space for new events to be welcomed and encouraged within the region.

The *Event Funding Policy* was developed to ensure that Wentworth Shire Council establishes a structure which provides a fair and equitable approval to community groups, organisations and individuals who wish to access and utilise funding to support local events, both existing and new.

The *Event Funding Policy* should be considered alongside the newly developed *Event Planning Guide* and *Event Funding Program Guidelines*. The *Event Planning Guide* assists event organisers by outlining the importance of several factors when running an event. It assists them in making important decisions in relation to the overall success of the event, including important factors such as budget and event space. The *Event Funding Program Guidelines* should be read before an application is submitted. The purpose of the *Event Funding Program Guidelines* is to outline the application process and what is required to successfully apply for the funding, as well as the acquittal process.

The host of documents that are outlined above create a new process in which event organisers will be required to follow, in order to access event funding from Council. It creates a fair and equitable process which allows Council to understand how the funding is being utilised, how the local community is being included, what economic impact the event may have within the region and if the event was deemed successful.

Recommendation

That Council endorses the *Event Funding Policy* for community consultation for 28 days.

Council Resolution

That Council endorses the *Event Funding Policy* for community consultation for 28 days.

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.5 MONTHLY FINANCE REPORT - DECEMBER 2024

File Number: RPT/25/5

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 2024 were \$698,707.12. After allowing for pensioner subsidies, the total levies collected are now 63.24%. For comparison purposes 64.8% of the levy had been collected at the end of December 2023. Council currently has \$52,097,885.25 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for December 2025.

Council Resolution

That Council receives and notes the Monthly Finance Report for December 2025.

Moved Cr. Nichols, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.6 MONTHLY FINANCE REPORT - JANUARY 2025

File Number: RPT/25/91

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 January 2025 were \$234,003.10. After allowing for pensioner subsidies, the total levies collected are now 64.93%. For comparison purposes 67.06% of the levy had been collected at the end of January 2025. Council currently has \$51,490,445.33 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for January 2025

Council Resolution

That Council receives and notes the Monthly Finance Report for January 2025

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.7 MONTHLY INVESTMENT REPORT - DECEMBER 2024

File Number: RPT/25/1

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 2024, Council had \$40 million invested in term deposits and \$12,097,885.25 in other cash investments. Council received \$345,546.77 from its investments for the month of December 2024.

In December 2024 Council investments averaged a rate of return of 5.00% and it currently has \$7,231,651.81 of internal restrictions and \$43,536,350.13 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report for December 2024.

Council Resolution

That Council receives and notes the monthly investment report for December 2024.

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

9.8 MONTHLY INVESTMENT REPORT - JANUARY 2025

File Number: RPT/25/99

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 January 2025, Council had \$47 million invested in term deposits and \$4,490,445.33 in other cash investments. Council received \$166,319.03 from its investments for the month of January 2025.

In January 2025 Council investments averaged a rate of return of 4.98% and it currently has \$7,230,053.81 of internal restrictions and \$43,711,067.44 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report for January 2025.

Council Resolution

That Council receives and notes the monthly investment report for January 2025.

Moved Cr. Armstrong, Seconded Cr. Starick

CARRIED UNANIMOUSLY

9.9 DECEMBER QUARTERLY BUDGET REVIEW 2024-2025 2ND QUARTER

File Number: RPT/25/54

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

A full analysis of Council's Income, Operating Expenditure and Capital Expenditure has been undertaken. Several variations have been identified against the original budget as outlined in this report. Council's revenue and expenditure is reviewed on a quarterly basis to identify any potential areas requiring a variation.

Recommendation

That Council:

- a) Note the 2024/2025 Second Quarter Budget Review
- b) Approve the proposed revised 2024/2025 changes to Capital Expenditure Budgets.

Council Resolution

That Council:

- a) Note the 2024/2025 Second Quarter Budget Review
- b) Approve the proposed revised 2024/2025 changes to Capital Expenditure Budgets.

Moved Cr. Starick, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.10 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT

File Number:	RPT/25/52
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

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan, which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The *Local Government Act 1993* requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also compiled on a quarterly basis.

Recommendation

That Council receives and notes the Quarterly Operational Plan progress report.

Council Resolution

That Council receives and notes the Quarterly Operational Plan progress report.

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

9.11 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

File Number:	RPT/25/6
Responsible Officer:	Simon Rule - Director Finance and Policy
Responsible Division:	Finance and Policy
Reporting Officer:	Mardi Cleggett - 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

In accordance with section 252(1) of the *Local Government Act* (1993) (the Act), within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to Councillors in relation to discharging the functions of civic office.

Recommendation

That Council endorses the Payment of Expenses and Provision of Facilities Policy in draft form and place the policy on public exhibition for a period of 28 days.

Council Resolution

That Council endorses the Payment of Expenses and Provision of Facilities Policy in draft form and place the policy on public exhibition for a period of 28 days.

Moved Cr. Crisp, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.12 HARDWASTE COLLECTION

File Number: RPT/25/59

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: 3.4 Use and manage our resources wisely

Summary

Following the resolution of the ordinary Council meeting of August 2023, Council undertook a 12 month hardwaste trial across 2024. Across this period 169 properties booked a collection which is a 38% increase on the number of properties that were involved in the previous collection undertaken in 2021.

Recommendation

That Council continue to offer an annual collection across the periods of February-April and September-November.

Council Resolution

That Council continue to offer an annual collection across the periods of February-April and September-November.

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

9.13 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/25/55

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

Objective: 2.0 Wentworth Shire is a great place to live
 Strategy: 2.4 A well informed, supported and engaged community

Summary

Council has provided an allocation of \$200,000.00 for the 2024/25 financial year for the funding of requests from the community for financial assistance. In this financial year, \$110,337.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process (refer 2024/2025 annual fees & charges).

The total value of requests granted this financial year so far under delegated authority is \$4,301.25.

The total value of requests approved at the November 2024 Council Meeting was \$12,000.00

The total value of requests approved at the November 2024 Council Meeting for Wentworth District Meals on Wheels Association Inc was \$8608.00. (RPT/24/793)

The total value of requests approved at the December 2024 Council Meeting for in-kind assistance for the Gol Gol Public School was \$2,764.00 (RPT/25/32)

The total value of requests for this January 2025 funding application period totals \$419.79 which if granted in full, would leave a balance in the financial assistance program of \$23,998.24

Financial Assistance Program starting balance 2024/25	\$200,000.00
Annual fees & charges annual exemptions granted	\$110,337.00
Granted under delegated authority to 1 July – 31 October 2024	\$ 4,301.25
Value of approved requests August 2024 Council Meeting	\$ 37,042.22
Value of approved requests November 2024 Council Meeting	\$ 12,000.00
Available balance after November 2024 Council Meeting	\$ 36,319.53
Granted under delegated authority 1 November 24 – 31 January 25	\$ 529.50
Available balance as 31 January 2024	\$ 35,790.03
Value of approved requests – November 2024 Council Meeting	\$ 8,608.00
Value of approved requests – December 2024 Council Meeting	\$ 2,764.00
Financial request applications received 1 November 2024 – 31 January 2025	\$ 419.79
Remaining balance if all approved	\$ 23,998.24

Recommendation

That Council having considered the current requests for financial assistance, makes appropriate recommendations on the level of funding to be provided to each of these applications from the Financial Assistance program.

Council Resolution

That Council having considered the current requests for financial assistance, grants \$419.79 to the Dareton Community Action Team from the Financial Assistance program.

Moved Cr. Starick, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.14 DA2024/126 MOVEABLE DWELLING HIGH DARLING ROAD LOT 5628 DP 768527 POONCARIE

File Number:	RPT/24/889
Responsible Officer:	George Kenende - Acting Director Health & Planning
Responsible Division:	Health and Planning
Reporting Officer:	Kerrie Copley - Planning Officer
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 (DA2024/126) was received by Council on 13 September 2024 for erection of a moveable dwelling to be located at High Darling Lot 5628 DP 768527 Pooncarie, on a lot below the minimum lot size within the RU1 Primary Production zone.

Under the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, this development is permitted with consent when located within the RU1 Primary Production zone. Despite the lot being below the Minimum Lot Size of 10,000ha dwellings are permitted with consent.

The proposed development is to be located on a lot measuring 4,143ha, while the minimum lot size for land under the RU1 Primary Production zone being 10,000ha. The proposed moveable dwelling does not meet the standard under clause 4.2B of the WLEP 2011 as the lot is below the minimum lot size allowable for a dwelling house. As part of the application, a request for a variation to this standard (usually referred to as a 4.6 variation) has been supplied.

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

Recommendation

That Council:

1. Approve subject to conditions DA2024/126 for a Moveable Dwelling located at High Darling Lot 5628 DP 768527 Pooncarie.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

1. Approve subject to conditions DA2024/126 for a Moveable Dwelling located at High Darling Lot 5628 DP 768527 Pooncarie.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Armstrong, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

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

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

Against the Motion: *Nil.*

9.15 DA2024/132 DWELLING (DEFERRED COMMENCEMENT) DELTA ROAD LOT 17 DP 729491 CURLWAA

File Number:	RPT/25/35
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 (DA2024/132) was received by Council on 8 October 2024 for a deferred commencement dwelling house to be located on Lot 17 DP 729491, Delta Road, Curlwaa, on a lot under the minimum lot size (MLS) requirement for the RU4 Primary Production Small Lot zoning.

The deferred commencement dwelling is to be located on an allotment that contains no existing structures and has been historically utilised for agricultural purposes but is under the 10ha prescribed MLS at only 4.9ha.

Under the *Wentworth Local Environmental Plan (WLEP) 2011*, this development is permitted with consent when located within the RU4 – Primary Production Small Lots zone, as dwelling houses are permitted with consent in the zoning.

The required MLS under Clause 4.2B of the WLEP for erection of dwelling houses on the land is 10ha, as such, as part of the assessment, a variation to the MLS standard is required (referred to as a 4.6 variation).

Due to the variation being 51%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

Recommendation

That Council

1. Approve subject to conditions DA2024/132 being a dwelling house (deferred commencement) located Lot 17 DP 729491, Delta Road, Curlwaa.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council

1. Approve subject to conditions DA2024/132 being a dwelling house (deferred commencement) located Lot 17 DP 729491, Delta Road, Curlwaa.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

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

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

Against the Motion: *Nil.*

9.16 DA2024/156 PERMANENT GROUP HOME 20 WENDY COURT LOT 17 DP 1288183 BURONGA

File Number:	RPT/25/88
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

At 05:35 pm Councillor Susan Nichols left the Council Chambers.

Summary

A development application (DA2024/156) was received by Council on 21 November 2024, for a permanent group home to be situated upon 20 Wendy Court – Lot 17, DP 1288183.

Under the *Wentworth Local Environmental Plan (WLEP) 2011* and the *State Environmental Planning Policy (Housing) 2021*, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for an overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification six (6) submissions (five (5) unique submissions) were received by Council objecting to the proposed development.

The *State Environmental Planning Policy (Housing) 2021* states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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:

1. Approve subject to conditions DA2024/156 for a permanent group home to be located at 20 Wendy Court – Lot 17, DP 1288183, Buronga lie on the table.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

1. DA2024/156 for a permanent group home to be located at 20 Wendy Court – Lot 17, DP 1288183, Buronga lie on the table.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Crisp, 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, Linklater, Starick and Weeding.***

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

9.17 S4-55/2024/031 MODIFY DEVELOPMENT CONSENT DA2024/056 PERMANENT GROUP HOME 24 MIDWAY DRIVE LOT 29 DP 1288183 BURONGA

File Number:	RPT/25/90
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 modification application (S4-55/2024/031) was received by Council on 29 November 2024, to modify an approved development application (DA2024/056) for a permanent group home (with garage) to be situated upon 24 Midway Drive – Lot 29, DP 1288183.

The application seeks approval to modify an approved development application (DA2024/056 – Permanent Group Home), to alter the setback distance of the garage and increase the internal garage size in line with disability requirements, representing a 0.31% increase to the size of the original development. No other amendments are proposed for the development application.

The modification application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification thirteen (13) submissions were received by Council objecting to the proposed modification. However, it should be noted that this application is for the modification of an already approved development, not a new or separate development.

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

Recommendation

That Council

1. Approve S4-55/2024/031 for the modification of DA2024/056 (group home) to be located at 24 Midway Drive, Lot 29 DP 1288183, Buronga subject to modified conditions.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

That Council

1. Approve S4-55/2024/031 for the modification of DA2024/056 (group home) to be located at 24 Midway Drive, Lot 29 DP 1288183, Buronga subject to modified conditions.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Crisp, Seconded Cr. Starick

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, Linklater, Starick and Weeding.***

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

At 05:53 pm Councillor Susan Nichols returned to the Council Chambers.

Council Resolution

That Standing Orders be suspended for the purpose of the gallery to exit

Moved Cr. Crisp, Seconded Cr. Starick

CARRIED UNANIMOUSLY**Council Resolution**

That Council reconvenes into open session and that the recording of the meeting be recommenced.

Moved Cr. Starick, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

9.18 PLANNING PROPOSAL TO REZONE RU4 LAND TO RU5 AND REMOVE 10 HECTARE MINIMUM LOT SIZE 88 & 90 MELALEUCA STREET BURONGA

File Number:	RPT/25/92
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 has received a Planning Proposal from Cadell Consulting Services on behalf of the landowners.

The Planning Proposal seeks to amend the Wentworth Local Environmental Plan 2011 (WLEP) for the subject land made up of 2 allotments by:

- Rezoning subject land from RU4 Primary Production Small Lots to RU5 Village (amend digital zoning map)
- Removing the 10ha Minimum Lot Size (MLS) from the subject land (amend Lot Size Map - Sheet LSZ_004F)

This report seeks Council endorsement to submit the Planning Proposal with supporting documentation to the Department of Planning Housing and Infrastructure (DPHI) for gateway to amend the Wentworth Local Environmental Plan 2011.

Recommendation

That Council resolves to:

- a) Submit the Planning Proposal to rezone subject land (88 & 90 Melaleuca Street rezone RU4 to RU5 and remove the 10ha MLS) to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.
- b) That Council call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council resolves to:

- a) Submit the Planning Proposal to rezone subject land (88 & 90 Melaleuca Street rezone RU4 to RU5 and remove the 10ha MLS) to the Minister for Planning and Public Spaces for consideration of a Gateway Determination in accordance with

Section 3.34 of the Environmental Planning and Assessment Act 1979.

b) That Council call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

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

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

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

9.19 ROAD SAFETY QUARTERLY REPORT

File Number: RPT/25/4

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Barnaby Bates - Council Community Officer Road Safety

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

This report is to provide Council with an update of the Road Safety Officer's activities.

Recommendation

That Council receives and notes the Quarterly Road Safety report.

Council Resolution

That Council receives and notes the Quarterly Road Safety report.

Moved Cr. Crisp, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

9.20 SPEED ZONE REVIEW IN DARETON

File Number: RPT/25/18

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Barnaby Bates - Council Community Officer Road Safety

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

Summary

The speed zone on Silver City Highway in the town centre of Dareton is under review by Transport for NSW (TfNSW). The area in question qualifies for a High Pedestrian Activity Area (HPAA). HPAA are sections of road where there is a high degree of interaction between vehicles and pedestrians. They may be near shopping strips, bus interchanges or services such as medical centres.

Recommendation

That Council recommends a High Pedestrian Activity Area (HPAA) to Transport for NSW for the Dareton town centre speed zone review.

Council Resolution

That Council recommends a High Pedestrian Activity Area (HPAA) to Transport for NSW for the Dareton town centre speed zone review.

Moved Cr. Crisp, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.21 PROJECT & WORKS UPDATE - FEBRUARY 2025

File Number: RPT/25/69

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 January 2025 and the planned activities for February 2025.

Recommendation

That Council receives and notes the major works undertaken in January 2025 and the scheduled works for the following month.

Council Resolution

That Council receives and notes the major works undertaken in January 2025 and the scheduled works for the following month.

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

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 Wentworth Shire Council Bridge Lifts and Maintenance - 12 month period - PT2425/03. (RPT/25/44)

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 Log Bridge Road Lease with Mildura Regional Development. (RPT/25/40)

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

disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

12.3 Plant Replacement - Approval on Tenders for Replacement of Plant 671 - Ford Ranger - VR2425/671. (RPT/25/62)

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 Water Treatment Plants and Raw Water Pump Stations Options Assessments Contract. (RPT/25/109)

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. Weeding

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 WENTWORTH SHIRE COUNCIL BRIDGE LIFTS AND MAINTENANCE - 12 MONTH PERIOD - PT2425/03

File Number: RPT/25/44

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Jarrod Roberts - Manager Works

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

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

REASON FOR CONFIDENTIALITY

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

That Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepted the tender from Regional Power Services – Option 2 to undertake the Bridge Lift and Maintenance contract for a 12 month period for Contract PT2425/03 in the amount of \$616.00 inc GST per bridge lift, and authorised the Mayor and General Manager to sign the contract documentation and affix the Council Seal.

12.2 LOG BRIDGE ROAD LEASE WITH MILDURA REGIONAL DEVELOPMENT

File Number: RPT/25/40

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

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

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

That Council approved a lease payment commencing at \$150,000 to be increased annually as per the conditions of the lease; and authorised the Mayor and the General Manager to sign the lease document and affix the Council Seal

12.3 PLANT REPLACEMENT - APPROVAL ON TENDERS FOR REPLACEMENT OF PLANT 671 - FORD RANGER - VR2425/671

File Number: RPT/25/62

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.

That Council accepted the tender from Mildura Toyota for the supply & delivery of one Toyota Hilux SR for the sum of \$78,339.03 inc GST as specified and accepted the trade price of \$16,000.00 inc GST for the Council owned Ford Ranger, plant item 671 with a total changeover price of \$62,339.03 inc GST.

12.4 WATER TREATMENT PLANTS AND RAW WATER PUMP STATIONS OPTIONS ASSESSMENTS CONTRACT

File Number: RPT/25/109

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 in accordance with the provision of the Local Government (General) Regulation 2021, Section 178(1)(a) accepted the tender from Tonkin Consulting 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 PT2425/10 / C00039 for \$326,021.75 (GST inc.). In addition to the above contract award, Council approved the transfer of \$80,000 (GST exc.) from the Water Infrastructure Fund to enable this work to successfully proceed. WSC Engineering will approach NSW Government to seek 75% portion (an additional \$60,000 (GST exc.)) of funds.

13 CONCLUSION OF THE MEETING

The meeting closed at 7:38pm

NEXT MEETING

19 March 2025

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CHAIR