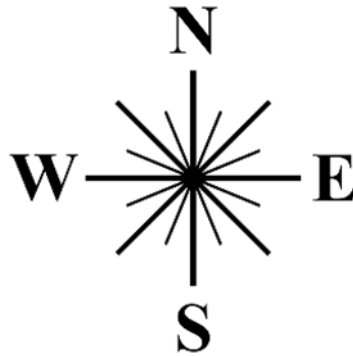


CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

DRAFT MINUTES

14 DECEMBER 2022

The Meeting will be held at in the
Council Chambers, 21 Reid Street, Wilcannia

MISSION STATEMENT

To promote the Central Darling Shire area by encouraging development through effective leadership, community involvement and facilitation of services.

RECORDING AND WEBCAST OF COUNCIL MEETINGS

Council meetings are recorded and webcast on Council's website, your attendance and/or input may be recorded and publicly broadcast.

PUBLIC RECORDING PROHIBITED WITHOUT COUNCIL AUTHORITY

A person may only use a recording device, including audio and visual recording and any device capable of recording speech, to record a Council meeting by the resolution of the Council.

A person may be expelled from a Council meeting for having used a recording device without consent.

PHOTOGRAPHY PROHIBITED WITHOUT PERMISSION

Photography is not permitted at a Council meeting without the consent of the General Manager.

PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

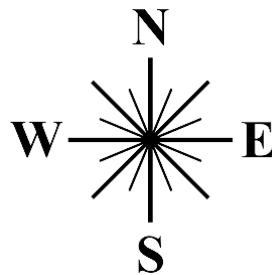
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees of the Council.
2. Public forums are to be chaired by the Mayor or their nominee.
3. To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by same day 8.50am before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
4. A person may apply to speak on no more than two (2) items of business on the agenda of the Council meeting.
5. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
6. The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
7. No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
8. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
9. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the

Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.

10. Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.
11. The General Manager or their delegate is to determine the order of speakers at the public forum.
12. Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
13. Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
15. Speakers are under no obligation to answer a question put under Clause 4.14. Answers by the speaker, to each question are to be limited to three (3) minutes.
16. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
17. The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to three (3) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
18. Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
19. When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct, or making other potentially defamatory statements.
20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in Clause 4.19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
22. Where a speaker engages in conduct of the type referred to in Clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.

23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict-of-interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

Wednesday, 14 December 2022

Council Chambers, 21 Reid Street, Wilcannia

BUSINESS PAPER AGENDA

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1 OPENING OF MEETING

The Council Meeting will be declared open by the Mayor/Administrator.

General Manager, Greg Hill explained the delay in the public release of the Business Paper was due to an issue external to our current system. The recent upgrade completed was not compatible with our current software of Infocouncil which is used to produce council business papers and agendas. Infocouncil administrators and our IT managers EFEX, are currently working together to get the problem solved. Minutes of today's meeting will be completed and published on the website as soon as possible.

2 ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES - NIL

3.2 LEAVE OF ABSENCE - NIL

4 DISCLOSURES OF INTEREST

Pursuant to the Model Code of Conduct for Local Councils in NSW Councillors and Council staff are required to declare any pecuniary or non-pecuniary conflicts of interest.

RECOMMENDATION:

That the Disclosures of Interest – Pecuniary and Non-Pecuniary be received and noted.

RESOLVED: OCM 01-12-2022

Mover: Administrator Bob Stewart

That the Disclosures of Interest – Pecuniary and Non-Pecuniary be received and noted.

CARRIED

No declarations were received

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 23 November 2022 be received and confirmed as an accurate record.

RESOLVED: OCM 02-11-2022

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 23 November 2022 be received and confirmed as an accurate record.

CARRIED

Attachments:

1. [Ordinary Council Meeting - 23 November 2022](#)

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

Administrator provided a short verbal report.

This is the last meet of the year of what has seen lots of challenges throughout the year.

Thank you and acknowledgement of all community and volunteers in all communities who have helped out throughout the year. Special acknowledgement of our emergency services volunteers.

Acknowledgement that we have just produced our second Resident Newsletter. This is a work in progress and will improve over time. Any feedback is appreciated.

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS – NOVEMBER 2022

FILE NUMBER: GD22/20769

REPORT AUTHOR: FINANCE MANAGER

RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES

RESOLVED: OCM 3-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.2 COUNCIL 2022-2023 CURRENT GRANTS REGISTER

FILE NUMBER: GD22/20770

REPORT AUTHOR: SENIOR FINANCE OFFICER

RESPONSIBLE DIRECTOR: GENERAL MANAGER

RESOLVED: OCM 4-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.3 FINANCIAL PERFORMANCE REPORT NOVEMBER 2022**FILE NUMBER: GD22/20771****REPORT AUTHOR: FINANCE MANAGER****RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES**

RESOLVED: OCM 5-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED**9 GOVERNANCE REPORTS****9.1 ORDINARY COUNCIL MEETING SCHEDULE FOR 2023****FILE NUMBER: GD22/20723****REPORT AUTHOR: GENERAL MANAGER****RESPONSIBLE DIRECTOR: GENERAL MANAGER**

RESOLVED: OCM 06-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Council adopts the following dates for Ordinary Council meetings to be held at 21 Reid Street Wilcannia:
 - No meeting in January 2023
 - Wednesday 22 February 2023
 - Wednesday 22 March 2023
 - Wednesday 19 April 2023 (meeting date adjusted to 3rd week due to proximity to ANZAC Day)
 - Wednesday 24 May 2023
 - Wednesday 28 June 2023
 - Wednesday 26 July 2023
 - Wednesday 23 August 2023
 - Wednesday 27 September 2023
 - Wednesday 25 October 2023
 - Wednesday 22 November 2023
 - Wednesday 13 December 2023 (meeting date adjusted to 3rd week due to proximity to Christmas)

CARRIED

9.2 CHRISTMAS AND NEW YEAR OFFICE CLOSURE AND STAFF CHRISTMAS LUNCH

FILE NUMBER: GD22/20729
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RESOLVED: OCM 07-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. For the Christmas/ New Year period, Council offices at Wilcannia, Menindee, and Ivanhoe will close at 3pm Friday 23rd December and reopen on Monday 9th January 2023.

CARRIED

9.3 ADMINISTRATOR TOWN VISITS SCHEDULE 2023

FILE NUMBER: GD22/20731
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RESOLVED: OCM 038-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. That Council resolves to adopt the following 2023 Administrator Town Visit schedule:
 - February - Wilcannia
 - April – White Cliffs
 - July - Ivanhoe
 - September – Menindee

CARRIED

9.4 MODEL CODE OF MEETING PRACTICE

FILE NUMBER: GD22/20749
REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RESOLVED: OCM 049-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolves to adopt the Code of Conduct.
3. Continue to display the Code of Conduct on the Council's website

CARRIED

10 CORPORATE SERVICES REPORTS**10.1 PRESENTATION AND ADOPTION OF THE AUDITED FINANCIAL STATEMENTS 2021-22**

FILE NUMBER: GD22/20776
REPORT AUTHOR: FINANCE MANAGER
RESPONSIBLE DIRECTOR: DIRECTOR BUSINESS SERVICES

RESOLVED: OCM 050-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Adopt the 2021-22 Audited Financial Statements and Audit Reports for the 2021-22 financial year.
3. Present the reports to the public, in accordance with *Sections 418 and 419 of the Local Government Act 1993*

CARRIED

11 SHIRE SERVICES REPORTS

11.1 COUNCIL COMMENT ON THE DRAFT FAR WEST REGIONAL PLAN 2041

FILE NUMBER: GD22/20515

REPORT AUTHOR: SENIOR PLANNER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 061-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Provide a response to the Department of Planning and Environment on the draft Far West Regional Plan 2041.
 - (i) Support the current draft Far West Regional Plan 2041

CARRIED

11.2 SERVICES REPORT FOR THE MONTH OF NOVEMBER 2022

FILE NUMBER: GD22/20578

REPORT AUTHOR: SENIOR PLANNER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 072-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.3 UPDATE ON THE PROPOSED EMPLOYMENT ZONES IMPLEMENTATION BY THE DEPARTMENT OF PLANNING AND ENVIRONMENT

FILE NUMBER: GD22/20632

REPORT AUTHOR: SENIOR PLANNER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 083-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Notes the change in commencement dates for the amendments proposed by the Department of Planning and Environment to the Central Darling Local Environmental Plan 2012 on **16 December 2022** and the proposed **commencement of these amendments on 26 April 2023.**

CARRIED

11.4 Roads and Aerodromes
FILE NUMBER: GD22/20744
REPORT AUTHOR: DIRECTOR SHIRE SERVICES
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 094-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 SERVICES

FILE NUMBER: GD22/20745
REPORT AUTHOR: DIRECTOR SHIRE SERVICES
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 105-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.6 WATER AND SEWER

FILE NUMBER: GD22/20746
REPORT AUTHOR: DIRECTOR SHIRE SERVICES
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

RESOLVED: OCM 116-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. That the General Manager will write to Essential Water seeking details on the program of the water hydrant checking, repair and replacement in Menindee.

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

Nil

13 CONFIDENTIAL MATTERS

It was resolved that Council moved into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the Local Government Act 1993 for the reasons specified. Confidential section was closed to the public and began at 9.20am

RESOLVED: OCM 17-12-2022

Mover: Administrator Bob Stewart

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with *Section 10A 2 of the Local Government Act 1993* for the reasons specified.:

13.1 APPOINTMENT OF PROFESSIONAL SERVICES PROVIDER – SALE OF LAND FOR UNPAID RATES

Resolved OCM 18-12-2022 & carried

13.2 WHITE CLIFFS RETICULATION – TENDER RECOMMENDATION

Resolved OCM 19-12-2022 and carried with further negotiation required with the preferred contractor or the possibility of council completing the works.

13.3 2023 OUTSTANDING COMMUNITY SERVICE AWARD NOMINATIONS

Resolved OCM 20-12-2022 and carried with a media embargo placed on the information until 26th January at which time a media release will be put out to the public domain.

13.4 YAMPOOLA CULVERT UPGRADE TENDER

Resolved OCM 21-12-2022 and carried.

RESOLVED: OCM 22-12-2022

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.30am

CARRIED

14 RESOLUTION TRACKER

14.1 RESOLUTION TRACKER

FILE NUMBER: GD22/20741

REPORT AUTHOR: EXECUTIVE ASSISTANT

RESPONSIBLE DIRECTOR: GENERAL MANAGER

RESOLVED: OCM 12-12-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

15 MEETING CLOSE

The Ordinary Council Meeting will be declared closed at 9.33am by the Mayor/Administrator.

The next Ordinary Council Meeting will be held on 22nd February 2023 at Central Darling Shire Chambers.

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 23 NOVEMBER 2022**

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE: Greg Hill (General Manager)
Reece Wilson (Director Shire Services)
Glenda Dunn (Senior Planning Officer)
Kevin Smith (Finance Manager)
Gemma Dillon (Senior Finance Officer)
Darryl Telfer (Acting Rates Officer) – video
Gabrielle Johnstone (Community Engagement Officer) - video
Janette Bussell (Minutes Secretary)
Joyanne Williams (Minute Taker)

1 OPENING OF MEETING

The meeting was declared open at 9.00am

2 ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the Administrator, Bob Stewart.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Pursuant to the Model Code of Conduct for Local Councils in NSW Councillors and Council staff are required to declare any pecuniary or non-pecuniary conflicts of interest.

RESOLVED: OCM 01-11-2022

Mover: Administrator Bob Stewart

That the Disclosures of Interest – Pecuniary and Non-Pecuniary be received and noted.

CARRIED

No declarations were received.

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RESOLVED: OCM 02-11-2022

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 19 October 2022 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 ADMINISTRATOR'S REPORT NOVEMBER 2022

RESOLVED: OCM 03-11-2022

Mover: Administrator Bob Stewart

Administrator Bob Stewart noted the following in his report:

Acknowledgement of all emergency agencies and volunteers of the LEMC for the outstanding work they are doing in managing the flooding events that will be ongoing for some months yet.

CARRIED

8 FINANCIAL REPORTS

8.1 OUTSTANDING RATES AND CHARGES UPDATE

RESOLVED: OCM 04-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Receive a further report regarding outstanding rates and charges at the Ordinary meeting of Council scheduled for on 22 February 2023.

CARRIED

8.2 WRITE OFF RATES AND CHARGES - JULIE MARGARET JOHNSTONE - TERMINATED CROWN LICENCE 761869

RESOLVED: OCM 05-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Write-off rates and charges of \$6,418.89 outstanding against former Licence 761869 over Crown Land Lot 824 DP 761869 previously held by Julie Margaret Johnstone.

CARRIED

8.3 COUNCIL 2022-2023 CURRENT GRANTS REGISTER

RESOLVED: OCM 06-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.4 1.1 CASH AND INVESTMENTS – OCTOBER 2022

RESOLVED: OCM 07-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.5 FINANCIAL PERFORMANCE REPORT OCTOBER 2022

RESOLVED: OCM 08-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.6 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2022

RESOLVED: OCM 09-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the variations to Council's 2022/23 Annual Budget.

CARRIED

9 GOVERNANCE REPORTS

9.1 FLOODING IN THE SHIRE

RESOLVED: OCM 10-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.2 COMMUNITY ENGAGEMENT REPORT**RESOLVED: OCM 11-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.3 DRAFT ANNUAL REPORT FOR CENTRAL DARLING SHIRE COUNCIL 2021 - 2023**RESOLVED: OCM 12-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Approve the Draft Annual Report for Central Darling Shire Council 2021 – 2023.
3. Approve that the report be sent to the NSW Local Government Association, and published on Council's website, once the financial information is available and this has been added to the report.

CARRIED

10 CORPORATE SERVICES REPORTS

Nil

11 SHIRE SERVICES REPORTS**11.1 URBAN AND RURAL ADDRESSING PROJECT PROGRESS REPORT****RESOLVED: OCM 13-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse
 - (a) The draft street addressing, as exhibited.

- (b) The exhibition for 60 days for the community to nominate names for the unknown road, street and lane names. **CARRIED**

11.2 POONCARIE ROAD – PROGRESS REPORT

RESOLVED: OCM 14-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.3 ENVIRONMENTAL SERVICES UPDATE

RESOLVED: OCM 15-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.4 WATER AND SEWER

RESOLVED: OCM 16-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 SERVICES

RESOLVED: OCM 17-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.6 ROADS AND AERODROME

RESOLVED: OCM 18-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.7 DEVELOPMENT APPLICATIONS FOR THE FOUR (4) PUMP/ BIKE TRACKS FOR WILCANNIA, MENINDEE, IVANHOE AND WHITE CLIFFS

RESOLVED: OCM 19-11-2022

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note Information on the delegated assessment reports by an independent consultant, for development applications D07/2022 PAN 257867 - 96 Hood Street Wilcannia, D11/2022 PAN 267479 - 26 Yartla Street Menindee, D10/2022 PAN 267681 - 42 Leichhardt Street Ivanhoe , and D12/2022 PAN 271813 -20 Ethel Street White Cliffs .
2. Approve the development applications D07/2022 PAN 257867 - 96 Hood Street Wilcannia, D11/2022 PAN 267479 - 26 Yartla Street Menindee, D10/2022 PAN 267681 -42 Leichhardt Street Ivanhoe , and D12/2022 PAN 271813 -20 Ethel Street White Cliffs, for the erection of the four (4) pump/ bike tracks.

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

Nil

13 CONFIDENTIAL MATTERS

It was resolved that Council moved into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the *Local Government Act 1993* for the reasons specified. Confidential section was closed to the public and began at 9.43am

RESOLVED: OCM 20-11-2022

Mover: Administrator Bob Stewart

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the Local Government Act 1993 for the reasons specified.:

13.1 Sale of Land For Unpaid Rates

Item 13.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b), (c) and (d) as it relates to discussion in relation to the personal hardship of a resident or ratepayer, information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret.

CARRIED**RESOLVED: OCM 21-11-2022**

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.40am

CARRIED

The General Manager reviewed the resolutions of the confidential matters and reported the following for the listed reports:

13.1 SALE OF LAND FOR UNPAID RATES**RESOLVED: OCM 22-11-2022**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolve to sell each property listed in Attachment 1 at public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the *Local Government Act 1993*.
3. Resolve to sell each property listed in Attachment 2 at public auction, or by private treaty subsequent to such public auction, pursuant to Section 713 of the *Local Government Act 1993*, subject to;
 - (a) Council firstly obtaining a valuation for each property listed in Attachment 2 from the Valuer-General of NSW, and;
 - (b) Confirming that the total amount of unpaid rates or charges unpaid for more than one year on each property listed in Attachment 2 exceeds the valuation obtained from the Valuer-General of NSW for each respective property, and;
 - (c) The sale of each property listed in Attachment 2 being effected within 6 months after the date when Council obtains the valuation from the Valuer-General of NSW.
4. Authorise the General Manager or his delegate to perform the necessary actions to facilitate the conduct of such public auctions.
5. Authorise the General Manager to set a reserve price for each property listed on Attachments 1 and Attachment 2.
6. Authorise the General Manager or his delegate authority to negotiate the terms of the sale of each property listed in Attachment 1 and Attachment 2, even if the reserve price is not reached, and to execute all relevant documentation to affect such sales.
7. Authorise the General Manager or his delegate to apply the proceeds of any such sales and to write off any rates, charges or costs incurred through the sale of land process which are not recovered by the sale in accordance with Sections 718 and 719 of the *Local Government Act 1993*.
8. Resolve that this report, relating to the matters specified in Sections 10A (2) (b), (c) & (d) of the *Local Government Act 1993*, be treated as confidential and remain confidential until Council determines otherwise.

CARRIED

14 RESOLUTION TRACKER

14.1 RESOLUTION TRACKER REPORT

RESOLVED: OCM 23-11-2022

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 23rd November, 2022 be received and noted and any amendments be noted.

CARRIED

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **9.58am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on 14th December, 2022.

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ADMINISTRATOR