

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA  
ON THURSDAY, 20 MAY 2021**

**PRESENT:** Administrator, Bob Stewart

**IN ATTENDANCE:** General Manager, Greg Hill  
Acting Director Business Services, Kevin Smith  
Senior Finance Officer, Gemma Dillon  
Senior Planner, Glenda Dunn  
Acting Rates Officer, Darryl Telfer  
Human Resources Officer, Evelyn Pollard

Present: 2 community members are in attendance

#### **OPENING OF MEETING**

The meeting was declared open at 11.05am.

#### **ACKNOWLEDGEMENT OF COUNTRY**

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

#### **APOLOGIES AND LEAVE OF ABSENCE**

Nil

#### **DISCLOSURES OF INTEREST**

Pursuant to the Mode 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.  
No declarations were received.

#### **CONFIRMATION OF MINUTES**

##### **5.1 ORDINARY MEETING – 22 April 2021**

**Resolved**

That the Minutes of the Ordinary Council Meeting held on 22 April 2021 be received and adopted.

**Minute Number: 01.05.21**

##### **5.2 BUSINESS ARISING**

Nil

## NOTICE OF MOTION

### 6.1 Notice of motion put forward by Administrator, Bob Stewart:

#### Resolved:

That the GM bring forward a report to the June Council Meeting detailing:

1 Issues and concerns associated with the operation of the electronic road condition signs recently installed at various locations in the Shire and the program to rectify these.

2 Policy and operational procedures for road closures when electronic signs are not working, including coordination with adjoining LGAs.

3 Details on updating Councils Web page to notify Road Closures in a timely manner including clear road descriptors.

**Minute Number: 02.05.21**

## MAYORAL (ADMINISTRATOR) MINUTE(S)

### 7.1 MAY 2021 ADMINISTRATORS REPORT:

- Administrator Stewart provided his report and a short summary as follows:
- Office of Local Government are currently in the procurement process of a consultant to look at governance models for the Central Darling Shire. He has made a specific request that the consultants travel to the shire and meet with residents. He has been given assurance that this will happen.
- He encourages everyone to participate the Community Strategic Plan process.
- Attendance at the Murray Darling Association Conference saw 3 motions put forward by Central Darling Shire, all of which were successful and supported by the Association.

#### Resolved to

1. Receive and note the report.

**Minute Number: 03.05.21**

## FINANCIAL REPORTS

### 8.1 GRANTS REGISTER RECONCILIATION

#### Resolved

1. Receive and adopt the report.

**Minute Number: 04.05.21**

### 8.2 SALE OF LAND FOR UNPAID RATES AUCTION RESULTS

#### Resolved

1. Receive and note the report.

**2. Note that monthly reports will be provided to Council until such time that the contracts of sales have been completed and the sale process is finalised.**

**3. Increase provision for doubtful debt, provision for roads, annual charges and interest by \$108,000.**

**Minute Number: 05.05.21**

### **8.3 CASH AND INVESTMENTS – APRIL 2020**

**Resolved:**

- **Receive and note the report.**

**Minute Number: 06.05.21**

### **8.4 OUTSTANDING RATES, CHARGES AND OTHER DEBTS**

**Resolved:**

- 1. Receive and note the report.**
- 2. That the General Manager bring forward an action plan to reduce outstanding debt.**

**Minute Number: 07.05.21**

### **8.5 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2021**

**Resolved:**

- 1. Receive 3<sup>rd</sup> quarter budget review and note the report.**
- 2. Adopt the variations to Council's 2020-21 annual budget.**
- 3. Note the projected operating surplus for the 20/21 financial year is \$187,000.**
- 4. Note the projected capital works expenditure budget for the 20/21 financial year is \$14,000,596.**
- 5. The General Manager will bring forward a report on leave and long service leave liability to council and how this will be managed.**

**Minute Number: 08.05.21**

### **8.6 DRAFT 2021-22 INTEGRATED PLANNING AND REPORTING DOCUMENTS FOR PUBLIC EXHIBITION**

General Manager notes the following amendments to the Business Paper:

- 1. Points 2 a), b), and c) should read 2021 – 2022 – not 2020-21 as printed.**
- 2. Additional line e) – Draft Long Term Financial Plan 2022 – 2031 be listed for public exhibition.**

**Resolved:**

1. Receive and note the Draft 2021-22 Integrated Planning and Reporting Documents.
2. Endorse the Draft 2021-22 Integrated Planning and Reporting Documents incorporating:
  - a) Draft 2021-22 Operational Plan
  - b) Draft 2021-22 Revenue Policy
  - c) Draft 2021-22 Fees and Charges Schedule
  - d) Draft 2021-22 Operational Budget
  - e) Draft Long Term Financial Plan
3. Place the draft documents on public exhibition for a period of 28 days to seek community submissions for consideration prior to adopting the documents at the June 2021 council meeting.

**Minute Number: 09.05.21**

**GOVERNANCE REPORTS**

**9.1 Pooncarie Road Construction-Investigations of impacts and harm to Aboriginal cultural heritage sites**

**Resolved that Council will:**

1. Receive and note the report and
2. Endorse a further progress report to presented to Council at next meeting.

**Minute Number: 07.05.21**

**9.2 HUMAN RESOURCE MANAGEMENT ACTIVITIES**

**Resolved that Council will:**

1. Receive and note the report.

**Minute Number: 08.05.21**

**9.3 COMMUNITY PARTICIPATION PLAN**

**Resolved that Council will:**

1. Receive the report
2. Note no submissions were received during the exhibition period
3. Formally adopt the Community Participation Plan and register it with the Department of Planning through the NSW Planning Portal.

**Minute Number: 09.05.21**

#### **9.4 DIGITAL (WEB AND SOCIAL MEDIA) POLICY**

**Resolved that Council will:**

- 1. Receive the report**
- 2. There being no submissions to the Policy, it be adopted, listed in Council's Policy Register, and placed on Council's website.**

**Minute Number: 10.05.21**

#### **9.5 COMMUNITY ENGAGEMENT UPDATE**

**Resolved that Council will:**

- 1. Receive and note the report**

**Minute Number: 11.05.21**

#### **9.6 40A Reid Street Wilcannia and 40B Reid Street Wilcannia**

**Resolve that Council will to:**

- 1. Accept ownership of Lot 1 DP 906421, 40A Reid Street Wilcannia, from Christine Gaye Elliot and Clarence Lawrence Elliott, for no monetary consideration and subject to any costs incurred in having the transfer completed being paid by Christine Gaye Elliot and Clarence Lawrence Elliott.**
- 2. Classify Lot 1 DP 906421 as Operational Land in accordance with section 31 of the Local Government Act 1993.**
- 3. Sell Lot 1 DP 906421 and Lot B DP 312008 for sale through a land agent.**
- 4. Authorise the General Manager or his delegate authority to negotiate the terms of the sale of Lot 1 DP 906421 and Lot B DP 312008 and to execute all relevant documentation to affect such sales.**

**Minute Number: 12.05.21**

### **10. SHIRE SERVICES REPORTS**

#### **10.1 WATER AND SEWER UPDATE**

**Resolved that Council:**

- 1. Receive and note the report.**

**Minute Number: 13.05.21**

#### **10.2 SERVICE UPDATE**

**Resolved that Council:**

1. Receive and note the report.

**Minute Number: 14.05.21**

### **10.3 ROADS AND AERODROMES REPORT**

**Resolved that Council:**

1. Receive and note the report.

**Minute Number: 15.05.21**

### **10.4 PLAN OF MANAGEMENT FOR 44 REID STREET WILCANNIA – LOT 1, S13 DP759091 – BAAKA CULTURAL CENTRE**

**Resolved that Council will :**

1. Receive the report and note the information and endorse the exhibition of the Plan of Management for the new land use category – General Community use and the new use of the community cultural centre at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia.
2. Receive the report and note the information and endorse the exhibition of the new lease for the land at Lot 1, S13 DP759091 – 44 Reid Street Wilcannia for the use as the Baaka Cultural Centre.
3. Resolve to hold a public hearing on the Plan of Management for the new land use category – General Community use, and the new use of land for a community cultural centre.
4. Resolve to hold a public hearing on the new lease for the use of the land for the Baaka Cultural Centre.
5. The public hearing will be held at council chambers at 21 Reid Street Wilcannia at a date to be determined by the General Manager.

**Minute Number: 16.05.21**

### **10.5 PUBLIC HEARING INTO THE PLANNING PROPOSAL TO RECLASSIFY LAND**

Administrator Mr Bob Stewart resolved that Council move into Committee of the Whole at 11.55am to allow further comment from members of the public present.

**Minute Number: 17.05.21**

Administrator Mr Bob Stewart resolved that Council move back into the Council Meeting at 12.04pm.

**Minute Number: 18.05.21**

Administrator Bob Stewart gave the following presentation regarding this proposal:

This proposal to reclassify community land to operational land for the purpose of development of a Community Health Centre has led to considerable discussion and comment within the community. Firstly, I thank everyone for their input and time taken to attend meetings and write submissions. I have read the submissions and reports.

I note the concern that the matter has come before Council at a time when it is under administration and

the decision rests with one individual.

As always, I will make comment around the decision I will make so the community will gain some context.

Leadership is about making the hard decisions and I acting as the Council will always put the broad community and public interest at the forefront of the process once I am satisfied the legal aspects are addressed as required.

The challenges of providing medical services and attracting health professional in rural and remote communities are well documented and understood.

Our shire is characterised by a sparse population with the large regional centre of Broken Hill where higher order medical services are concentrated. We have several small, isolated communities with hospitals or MPS providing local health care. Services are supplemented by the RFDS which provides emergency retrieval and other specialised services and programs.

Our shire and particularly Wilcannia has a large population of Aboriginal people who have specialised health needs.

The above are recognized in the Far West Regional Plan that under Direction 23 states:

- *Health services must meet the needs of remote communities, including Aboriginal people, people with a disability, the disadvantaged, young people and families. Community-based health care and the roll out of e-health initiatives and distance education to smaller and isolated communities are examples of integrated service delivery.*
- *Investments in existing public health facilities can drive the development of complementary health services that meet community needs and support local employment.*

The Central Darling Community Strategic Plan 2017-2027 as adopted provides under Goal 1 -Social provides that

Strategy	Performance Target	Actions (Statement of Means)	By When
Relevant and quality health and family support services for all members of our community	• Retain and enhance existing health services	• Advocate for the continual funding of services and programs	Ongoing
	• Continuous improvement program (as part of the operational plan - service level agreements)	• Advocate for appropriate and accessible health services	Ongoing
		• Advocate for services that support healthy lifestyles	Ongoing
		• Support services that address alcohol and substance misuse in our communities	Ongoing

Council is responsible for coordinating the delivery of the plan and it provides a mandate to pursue relevant actions to achieve the plan for all members of the community by retention and enhancement of appropriate and quality health services.

The NSW Government and the Far West Health District is responsible for service provision.

Maari Ma manages the primary health care services including GP clinics run by Maari Ma and RFDS doctors for chronic disease and acute care. Visiting services include child and adult dental; and a wide range of visiting specialist clinics held quarterly – cardiology, renal, endocrinology, smoking cessation, GP obstetrician, ophthalmology and optometry.

Maari Ma is an Aboriginal Community controlled Health Organisation based in Broken Hill dedicated to improving the health outcomes for communities in the far west region of New South Wales with a special focus on Aboriginal health. It provides primary health care services in Broken Hill and outreach services to smaller communities.

Maari Ma was established in November 1995, following extensive community consultation conducted on behalf of the Murdi Paaki ATSIC Regional Council.

The Murdi Paaki Regional Strategic Plan 2016 has listed for Wilcannia Community Priorities and Priority Actions.

# Foster access to locally-based culturally safe health and human services which address the many factors affecting the wellbeing of our community members;

Council officers in their report detail the process to where we are at today.

I understand the community's confusion and difference between the Planning Proposal to reclassify the land, the Plan of Management and the need for a lease to permit a DA to be lodged for assessment.

The community rightly has raised concerns about:

1. Flooding,
2. Access for viewing the river,
3. Community Benefit.

Wilcannia is built on a floodplain and any development must meet the requirements of the NSW Floodplain Development Manual 2005 and this will be addressed as part of the development application process.

The site is in backwater and is not subject to high velocity mainstream flows.

The building design will be accompanied by a Flood report by a Flood Engineer.

I also note submissions about viewing the river from the site and suggest that with the construction of the new weir with its increased height and backup and the abundance of public access land along both sides of the river this is not a major issue.

At the end of the day, I must consider the higher long term public interest in supporting the provision of medical services that this proposed development will bring to the community.

## **Resolved that Council will :**

1. **Receive and note the public hearing report and submissions from the public hearing held on 28 April 2021.**
2. **Note the public hearing independent chair recommendation that the community members that attended the public hearing on 28 April 2021 did not support the reclassification of the community land to operational land for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.**
3. **Note that a combined 17 written and verbal submissions were received during the two exhibition periods with all submissions taken into account.**
4. **Note that more than 10 verbal submissions and one written submission opposing the reclassification were received during the public hearing on 28 April 2021.**
5. **Note that 20 written submissions were received on 13 May 2021 supporting the planning proposal to reclassify the land from community land to operational land to enable the building of the Maari Ma community health facility.**
6. **Support the reclassification of the subject land from Community to Operational land.**
7. **Progress the reclassification process through referring the public hearing report, Council recommendation, planning proposal to reclassify the land and the Submission Summary Report to the Department of Planning, Industry and Environment to consider making the amendment to the *Central Darling Local Environmental Plan 2012*.**

Minute Number: 19.05.21

## **10.6 PLAN OF MANAGEMENT FOR COMMUNITY LAND FOR CROWN RESERVE LOT 87463 – WILCANNIA GOLF COURSE, LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 WILCANNIA**

### **That Council will:**

- 1 Endorse the preparation of the Plan of Management for the Crown Reserve lot 87463 – Wilcannia Golf Course, with an additional land use category – “area of cultural significance” in addition to the existing land use category of “Sportsground” for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia.
- 2 Note the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* requiring a Plan of Management for new land use categories for community land. The new additional category is for “an area of cultural significance” in addition to the existing category of “sportsground” for the Crown Reserve lot 87463 – Wilcannia Golf Course, for LOTS 69, 88 DP 757463, LOTS 1-14 SECTION 6 DP 759091, LOT 7306 DP 1179888 Wilcannia.
- 3 Note that the Plan of Management, and the lease are required to be publicly exhibited/ notified for a minimum of 28 days for public comment. ‘
- 4 Note that a public hearing for the new Plan of Management introducing a new category for “an area of cultural significance” is a statutory requirement under the *Local Government Act 1993*, and that a meeting be convened at a date to be determined by the General Manager

Minute Number: 20.05.21

#### 10.7 PLAN OF MANAGEMENT FOR COMMUNITY LAND FOR CROWN RESERVE LOT 85567 – UNION BEND PARK, LOT 7315 DP 1181235 WILCANNIA

That Council will:

- 1 Endorse the preparation of the Plan of Management for the Crown Reserve lot 85567 - Union Bend Park, with two new land use categories – “area of cultural significance” and “a park”, and new use for land at Lot 7315 DP 1181235 Wilcannia.
- 2 Note the statutory requirement under the *Local Government Act 1993* and *Crown Land Management Act 2016* requiring a Plan of Management for new land use categories for community land. The new categories are for “an area of cultural significance” and “a park” for the Crown Reserve lot 85567 - Union Bend recreation park, for Lot 7315 DP 1181235 Wilcannia.
- 3 Note that the Plan of Management, and the lease are required to be publicly exhibited/ notified for a minimum of 28 days for public comment..
- 4 Note that a public hearing for the new Plan of Management introducing a new categories for “an area of cultural significance” and “a park” is a statutory requirement under the *Local Government Act 1993*.
- 5 If required, that a meeting be convened at a date to be determined by the General Manager

Minute Number: 21.05.21

#### 10.8 PUBLIC HEARING INTO THE PLAN OF MANAGEMENT AND LEASE FOR LAND AT BONNEY STREET WILCANNIA

Resolved that Council will :

1. Receive and note the public hearing report and submissions from the public hearing held on 28 April 2021.

2. Note the public hearing independent chair recommendation that attendees did not support the Plan of Management and new lease for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.
3. Note that no written submissions were received during the exhibition period.
4. Note that more than 10 verbal submissions and one written submission opposing the Plan of Management and lease were received at the public hearing, necessitating referral to the Office of Local Government.
5. Support the Plan of Management and Lease on the subject land.
6. Refer the public hearing report, Plan of Management and lease to the Office of Local Government for the approval of the lease for Lots 2, 3 and 4 DP 1201089, and Lot 111 DP 1201028, Bonney Street Wilcannia.

Minute Number: 22.05.21

## GENERAL BUSINESS

### 11. IVANHOE INTERNET/MOBILE/LANDLINE SERVICES

Resolved:

1. That this matter be dealt with as a matter of urgency.

Minute Number: 23.05.21

### 12. MEETING CLOSE

There being no further business to discuss, the meeting was closed at 12.20pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Central Darling Shire Council held on Wednesday, 23 June, 2021 at 9am

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**ADMINISTRATOR**