

**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

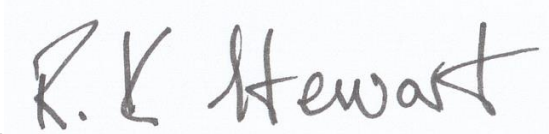
1. That the Resolution Tracker from the Ordinary Council Meeting held on 23<sup>rd</sup> November, 2022 be received and noted and any amendments be noted.

**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 14<sup>th</sup> December, 2022.

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**ADMINISTRATOR**