

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA  
ON WEDNESDAY, 22 NOVEMBER 2023**

**PRESENT:** Administrator, Bob Stewart

**IN ATTENDANCE:** Greg Hill (General Manager)  
Reece Wilson (Director Shire Services)  
Glenda Dunn (Senior Planning Officer)  
Kevin Smith (Finance Manager)  
Darryl Telfer (Acting Rates Officer)  
John Carleton (Operations Manager)  
Kara Mohr (Risk & WHS Officer)  
Natalie Batson (Executive Assistant)  
Nerida Carr (Governance Officer)  
Jane McEwan (Customer Service Manager)  
Shirley Burraston (Management Accountant)  
Uday Mamidala (Finance Officer)  
Gabrielle Johnstone (Community Engagement)

## **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 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.

### **RESOLVED: OCM 01-11-2023**

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 02-11-2023**

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 25 October 2023 be received and confirmed as an accurate record.

**CARRIED**

## **6 NOTICE OF MOTION**

Nil

## **7 MAYORAL (ADMINISTRATOR) MINUTE(S)**

### **7.1 MAYORAL MINUTE - NOVEMBER 2023**

**RESOLVED: OCM 03-11-2023**

Mover: Administrator Bob Stewart

As per report

**CARRIED**

## **8 FINANCIAL REPORTS**

### **8.1 CASH AND INVESTMENTS - OCTOBER 2023**

**RESOLVED: OCM 04-11-2023**

Mover: Administrator Bob Stewart

That Council will

1. receive the report and note the report.

**CARRIED**

### **8.2 GRANTS REGISTER - OCTOBER 2023**

**RESOLVED: OCM 05-11-2023**

Mover: Administrator Bob Stewart

That Council:

1. receive and note the report.

**CARRIED**

### **8.3 QUARTERLY BUDGET REVIEW AS AT 30 SEPTEMBER 2023**

#### **RESOLVED: OCM 06-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the variations to Council's 2023/24 Annual Budget.
3. Note that the projected operating surplus for the financial year 2023/24 is \$34,000.

**CARRIED**

## **9 GOVERNANCE REPORTS**

### **9.1 LOCAL GOVERNMENT ELECTION 2024-ENGAGEMENT OF ELECTORAL COMMISSION**

#### **RESOLVED: OCM 07-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Authorise the General Manager to negotiate the engagement of the NSW Electoral Commission to potentially conduct the September 2024 Local Government Election.

**CARRIED**

### **9.2 MEMORANDUM OF UNDERSTANDING BETWEEN WEST DARLING ARTS AND CENTRAL DARLING SHIRE COUNCIL**

#### **RESOLVED: OCM 08-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Council defers signing Memorandum of Understanding between West Darling Arts and Central Darling Shire Council for the Financial Year 2023/24.
3. Consideration be given to fund West Darling Arts \$5,000 in budget preparation for 2024/25 Financial Year.
4. Consideration be given to sign Memorandum of Understanding between West Darling Arts and Central Darling Shire Council on the outcome of council's Budget for the Financial Year 2024/25 and Council Long Term Financial Plan.

**CARRIED**

### 9.3 CHRISTMAS AND NEW YEAR OFFICE CLOSURES

**RESOLVED: OCM 09-11-2023**

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 22<sup>nd</sup> December and reopen on Monday 8<sup>th</sup> January 2024.

**CARRIED**

### 9.4 ORDINARY COUNCIL MEETING DATES FOR 2024

**RESOLVED: OCM 10-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopts the commencement of the Ordinary Council meeting time to be 10.30am
3. Adopts the following dates for Ordinary Council meetings to be held at 21 Reid Street Wilcannia:
  - No meeting in January 2024
  - Wednesday 28 February 2024
  - Wednesday 20 March 2024
  - Wednesday 17 April 2024
  - Wednesday 22 May 2024
  - Wednesday 26 June 2024
  - Wednesday 24 July 2024
  - Wednesday 28 August 2024
  - Wednesday 25 September 2024
  - Wednesday 23 October 2024
  - Wednesday 27 November 2024
  - Wednesday 18 December 2024

**CARRIED**

### 9.5 HUMAN RESOURCE POLICIES

**RESOLVED: OCM 11-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

2. Endorse the Employee Vehicle Policy for placement on Council's website.

**CARRIED**

## **9.6 DELIVERY AND OPERATIONAL PLAN PROGRESS REPORT 2022-2023**

### **RESOLVED: OCM 12-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Place the Report on Council's website for Public Information.

**CARRIED**

## **9.7 NEW POLICY - GRANTS MANAGEMENT**

### **RESOLVED: OCM 13-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Approve the draft Grants Management Policy.

**CARRIED**

## **9.8 DRAFT ANNUAL REPORT 2022/2023**

### **RESOLVED: OCM 14-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.
2. Note that the Certified Financial Statements are not completed and not available for inclusion in the draft report.
3. Approve the Draft Annual Report for Central Darling Shire Council 2022 – 2023.
4. Approve on the completion of the Annual Report for Central Darling Shire Council 2022 – 2023 that it be placed on the council's website and be provided to the Minister for Local Government (via OLG) once the Certified Financial Statements are available and included.

**CARRIED**

## **10 CUSTOMER SERVICE REPORTS**

### **10.1 COMMUNITY GRANTS APPLICATION**

**RESOLVED: OCM 15-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Provide \$400 Community Grant to the Sunset Strip Progress Association INC to host their Annual Christmas function.
3. Provide \$150 Community Grant to St Johns Parish of Wilcannia to cover cost of a plaque for the unidentified infant graves at the Wilcannia Cemetery.

**CARRIED**

**10.2 GENERAL SERVICE REQUESTS AND COMPLAINTS****RESOLVED: OCM 16-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

**CARRIED**

**11 SHIRE SERVICES REPORTS****11.1 FINALISATION OF THE PLANNING PROPOSAL - RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND****RESOLVED: OCM 17-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
  1. Note that there were no submissions on the exhibition and public notification of the public hearing into the Planning Proposal to reclassify Council owned community land to operational land.
  2. Note: The public hearing on the Planning Proposal to reclassify council owned community land to operational land was held on 21 November 2023, and a Public Hearing Report has been completed.
  3. Endorse the forwarding a copy of this report and any other relevant information including the Planning Proposal, to the NSW Department of Planning and Environment and NSW Parliamentary Counsels Office for a review of the Planning Proposal and any submissions received. And in accordance with the *Environmental Planning & Assessment Act 1979* the Minister for Planning (or a delegate on their behalf) take the appropriate actions to secure the making of the Amendment to the *Central Darling Local Environmental Plan 2012*.

**CARRIED**

**11.2 ENVIRONMENTAL SERVICES UPDATE**

**RESOLVED: OCM 18-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

**11.3 ADDITION OF ANNUAL CARAVAN PARK LICENCE FEES TO COUNCIL FEES AND CHARGES****RESOLVED: OCM 19-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse the exhibition of the proposed fee for the annual licence to operate a caravan park or camping ground.
  - (a) Adopt the annual fee for the licence to operate a caravan park or camping ground into Central Darling shire Council fees and charges.

**CARRIED**

**11.4 POONCARIE ROAD CONSTRUCTION - YAMPOOLA ALIGNMENT****RESOLVED: OCM 20-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. That Council proceed with Pooncarie Rd construction along the existing alignment, within the road reserve, at Yampoola Crossing.
3. That the General Manager write to the authors of the emails outlining the resolution, thanking them for their submissions and enclosing a copy of the report.
4. That the following notes of discussion from the Administrator be noted in the minutes:

Pooncarie Road upgrade major infrastructure project for the shire and is subject to delivery timeframe from the funding bodies.

Council adopted an alignment plan for this location.

As the reports sets out there are compelling reasons both culturally and timing to retain the existing alignment.

The design has recognised that the alignment will require the need for advisory speed signage and safety engineering structures. These will be provided in accordance with the relevant standards that are applied for road design across the state for this class of road.

The total project will have 5 such locations appropriately signposted and engineered to consider the risk.

I also reference Councils adopted Community Participation Plan and note there is no requirement to advertise or notify as it is exempt development, and we are staying on the existing alignment.

I thank the residents who contacted me and apologise hat it took a while to obtain this report.

Given that the timeframe between the original resolution is more than 3 month a recission motion is not required and Council may consider the matter.

It is disappointing in that this report has come later in the process and not earlier for Council's consideration.

However, I appreciate that operationally that field decisions need to be made and recognise the reasoning behind and the pressures our staff have been under due to work loads.

**CARRIED**

## **11.5 ROADS AND AERODROMES**

### **RESOLVED: OCM 21-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.6 SERVICES UPDATE**

### **RESOLVED: OCM 22-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **11.7 WATER AND SEWER UPDATE**

### **RESOLVED: OCM 23-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **12 MINUTES OF COMMITTEE MEETINGS**

### **12.1 ARIC MINUTES 25/10/2023**

#### **RESOLVED: OCM 24-11-2023**

Mover: Administrator Bob Stewart

1. That the Minutes of the ARIC Committee held on 25/10/2023 be received and noted.

**CARRIED**



## 13 RESOLUTION TRACKER

### 13.1 RESOLUTION TRACKER - OCTOBER 2023

#### RESOLVED: OCM 25-11-2023

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 25/10/2023 be received and noted and any amendments be noted.
2. That Director Shire Services will table a report on Menindee Landfill in an upcoming meeting.

**CARRIED**

## 14 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 9:47am.

#### RESOLVED: OCM 26-11-2023

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.:

### 14.1 Overdue Rates and Charges - Proposed Payment Arrangements and Future Write off of Interest and Legal Costs

Item 14.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b) as it relates to discussion in relation to the personal hardship of a resident or ratepayer.

### 14.2 Provision of Traffic Control Services

Item 14.2 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### 14.3 Asset Valuations, award of tender

Item 14.3 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### 14.4 Ivanhoe Water Treatment Plant Tender

Item 14.4 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### 14.5 White Cliffs Water Treatment Plant Tender

Item 14.5 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**CARRIED**

**RESOLVED: OCM 27-11-2023**

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers.

**CARRIED**

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

**14.1 OVERDUE RATES AND CHARGES - PROPOSED PAYMENT ARRANGEMENTS AND FUTURE WRITE OFF OF INTEREST AND LEGAL COSTS**

**RESOLVED: OCM 28-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and deal with in confidential.

**CARRIED**

**14.2 PROVISION OF TRAFFIC CONTROL SERVICES**

**RESOLVED: OCM 29-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. That the tenderers representing best value be awarded this contract as the Panel Source suppliers to Central Darling Shire Council for the period 1 January 2024 to 31 December 2025.
3. That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026

**CARRIED**

**14.3 ASSET VALUATIONS, AWARD OF TENDER**

**RESOLVED: OCM 30-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

2. Resolve to award tender VPR650561 to AssetVal for a four (4) year rolling asset valuation program. **CARRIED**

#### **14.4 IVANHOE WATER TREATMENT PLANT TENDER**

##### **RESOLVED: OCM 31-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Advise all tenderers that council are unable to award tender due to funding constraints and will formally respond to all tenderers within 30 business days.
3. Liaise with the funding providers and seek additional funding to complete the new Ivanhoe Water Treatment Plant project.

**CARRIED**

#### **14.5 WHITE CLIFFS WATER TREATMENT PLANT TENDER**

##### **RESOLVED: OCM 32-11-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolve to award tender to SNG Engineering Pty Ltd
3. Delegate authority to its General Manager to execute any documents required to be executed as part of the contract administration process that do not require the Common Seal of Council.
4. Liaise with the funding providers and seek additional funding to complete the full scope of works that the original scope included.

**CARRIED**

#### **MOTION**

##### **MOTION WITHOUT NOTICE**

Mover: Administrator Bob Stewart

1. That council receive a report from the General Manager on the cost of conducting local government elections and expenses to Mayors and councillors.
2. That council receive a confidential report on measures taken to minimise the risk to cyber security exposure and any financial impacts this will have to council.

#### **15 MEETING CLOSE**

There being no further business to discuss, the meeting was closed at **10:19am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 13 December 2023.



R. K. Hewart

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**ADMINISTRATOR**