

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 19 APRIL 2023**

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE: Greg Hill (General Manager)
Reece Wilson (Director Shire Services)
Gordon Seeto (Director Business Services)
Glenda Dunn (Senior Planning Officer)
Kevin Smith (Finance Manager)
Darryl Telfer (Acting Rates Officer)
Evelyn Pollard (Human Resource Officer)
Janette Bussell (Minutes Secretary)
Kara Mohr (Risk & WHS Officer)
Robert Hunt (Acting General Manager)

1 OPENING OF MEETING

The meeting was declared open at 9am

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

Mr. Greg Hill – General Manager - leave

Mr. Reece Wilson – Director Shire Services - leave

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 01-04-2023

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 02-04-2023

Mover: Administrator Bob Stewart

Note that resolution numbers are missing from the minutes published of 22 March 2023. This has now been rectified and the corrected version will be published.

That the minutes of the Ordinary Council Meeting held on 22 March 2023 be received and confirmed as an accurate record with the above correction made.

CARRIED

RESOLVED: OCM 03-04-2023

Mover: Administrator Bob Stewart

That the minutes of the Extraordinary Council Meeting held on 5 April 2023 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE -

RESOLVED: OCM 04-04-2023

Mover: Administrator Bob Stewart

Been a busy month with the fish kills and all of the meetings involved.

CARRIED

8 FINANCIAL REPORTS

8.1 GRANTS REGISTER - MARCH 2023

RESOLVED: OCM 05-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.2 FINANCIAL PERFORMANCE REPORT - MARCH 2023

RESOLVED: OCM 06-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

8.3 CASH AND INVESTMENTS - MARCH 2023

RESOLVED: OCM 07-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

9 GOVERNANCE REPORTS

9.1 COMMUNITY ENGAGEMENT UPDATE

RESOLVED: OCM 08-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

10 CORPORATE SERVICES REPORTS

Nil

11 SHIRE SERVICES REPORTS

11.1 ROADS AND AERODROMES

RESOLVED: OCM 09-04-2023

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.2 ENVIRONMENTAL SERVICES UPDATE**RESOLVED: OCM 10-04-2023**

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

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Note the commencement dates for the amendments by the Department of Planning and Environment to the *Central Darling Local Environmental Plan 2012* for **26 April 2023**.

CARRIED**11.4 SERVICES****RESOLVED: OCM 12-04-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED**11.5 WATER AND SEWER****RESOLVED: OCM 13-04-2023**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED**11.6 POONCARRIE RD REALIGNMENTS – COMPULSORY ACQUISITION****RESOLVED: OCM 14-04-2023**

Mover: Administrator Bob Stewart

1. That Council delegate authority to its General Manager to negotiate with the landowners and other interest-holders of Lots 2 - 6 in the enclosed plan to acquire their interests in that land for the purpose of public road pursuant to Council's legislative authority under sections 177 and 178 of the *Roads Act 1993* (NSW).
2. That, if agreement cannot be reached with the landowners and/or other interest-holders of Lots 2 - 6 in the enclosed plan, Council approve the compulsory acquisition of those relevant interests in the enclosed plan pursuant to its legislative authority under sections 177 and 178 of the *Roads Act 1993* (NSW) and in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) and delegate authority to its General Manager to make an application to:
 - a. the Minister for Local Government to issue Proposed Acquisition Notice(s) under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for Council to compulsorily acquire Lots 2 - 6 in the enclosed plan; and
 - b. the Governor of NSW for the publication of an Acquisition Notice in the NSW Government Gazette under the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW) for Council to compulsorily acquire Lots 2 - 6 in the enclosed plan.
3. That Council affix the Common Seal of Council to any documents required to be sealed as part of the process for Council to acquire Lots 2 - 6 in the enclosed plan.
4. That Council delegate authority to its General Manager to execute any documents required to be executed as part of the process for Council to compulsorily acquire Lots 2 - 6 in the enclosed plan that do not require the Common Seal of Council.

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 9.14am.

RESOLVED: OCM 15-04-2023

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.:

13.1 Purchase of Land By Council - Sale of Land for Unpaid Rates Auction

Item 13.1 is confidential under the *Local Government Act 1993* Section 10A(2) - (d) as it relates to 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 16-04-2023

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 9.17am

CARRIED

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

13.1 PURCHASE OF LAND BY COUNCIL - SALE OF LAND FOR UNPAID RATES AUCTION

RESOLVED: OCM 17-04-2023

Mover: Administrator Bob Stewart

That Council:

1. Receive the report.
2. Authorise the Acting General Manager to bid, at the sale of land for unpaid rates auction on 4 May 2023, for properties listed in Attachment 1 to this report, up to the maximum amounts indicated in Attachment 1.
3. Authorise the Acting General Manager to execute contracts and all other documentation necessary to complete the transfer of properties purchased by Council at the sale of land for unpaid rates auction on 4 May 2023.
4. Receive a further report at its Ordinary Meeting scheduled for 24 May 2023 detailing any properties which are purchased at the sale of land for unpaid rates auction on 4 May 2023 and to consider classifying those properties Operational in accordance with the *Local Government Act 1993 (NSW) Section 34*.

CARRIED

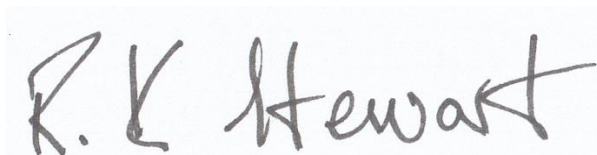
14 RESOLUTION TRACKER

Nil

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **9.20am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 24 May 2023.



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ADMINISTRATOR