

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA  
ON WEDNESDAY, 28 AUGUST 2024**

**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)  
 Evelyn Pollard (Human Resource Officer)  
 Natalie Batson (Executive Assistant)  
 Nerida Carr (Governance Officer)  
 Jacqui Portch (Rates Officer)  
 Gabrielle Johnston (Community Engagement)  
 Uday Mamidala (Finance Officer)  
 Shirley Burraston (Management Accountant)

**1 OPENING OF MEETING**

The meeting was declared open at 10:30am

**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 01-08-2024**

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 02-08-2024**

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 24 July 2024 be received and confirmed as an accurate record.

**CARRIED**

## **6 NOTICE OF MOTION**

Nil

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

Verbal update given

## **8 FINANCIAL REPORTS**

### **8.1 SALE OF COUNCIL LAND**

#### **RESOLVED: OCM 03-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. To sell the parcels of land listed in Attachment 1 to this report.
3. To authorise the General Manager to negotiate sales of the land listed in Attachment 1 to this report in accordance with Council's Acquisition and Disposal of Land Policy.
4. To authorise the General Manager to execute all necessary documents to facilitate the above land transfers.

**CARRIED**

### **8.2 WRITE OFF RATES - TERMINATED CROWN LAND LICENCE - TOMS HUT WHITE CLIFFS - ESTATE OF THE LATE BARRY THOMAS DAY**

#### **RESOLVED: OCM 04-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.

Write-off rates and charges of \$5,933.23 outstanding against former Permissive Occupancy Licence 68829 over Crown Land Part Lot 1 DP 1182315 at White Cliffs, previously held by Barry Thomas Day.

**CARRIED**

### **8.3 CASH AND INVESTMENTS - JULY 2024**

**RESOLVED: OCM 05-08-2024**

Mover: Administrator Bob Stewart

That Council

1. Receive and note the report.

**CARRIED**

### **8.4 GRANTS REGISTER - JULY 2024**

**RESOLVED: OCM 06-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

**CARRIED**

## **9 GOVERNANCE REPORTS**

### **9.1 NATURAL DISASTER DECLARATION FOR AGRN 1141 CENTRAL DARLING NSW STORM - 5 FEBRUARY - 6 FEBRUARY 2024**

**RESOLVED: OCM 07-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.
2. Record Councils appreciation for the General Manager for his efforts in lobbying to obtain the Natural Disaster funding.

**CARRIED**

### **9.2 RESCHEDULE OF SEPTEMBER ORDINARY COUNCIL MEETING**

**RESOLVED: OCM 08-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.

2. Reschedule Septembers Ordinary Council meeting to Monday 23 (September 2024).

**CARRIED**

### **9.3 COUNCIL COMMUNITY ENGAGEMENT AND TOURISM UPDATE**

**RESOLVED: OCM 09-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

**CARRIED**

### **9.4 HUMAN RESOURCE MANAGEMENT ACTIVITIES**

**RESOLVED: OCM 10-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

### **9.5 MANAGING EXCESS LEAVE PROGRESS REPORT**

**RESOLVED: OCM 11-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

**CARRIED**

### **9.6 NEW DATA BREACH POLICY**

**RESOLVED: OCM 12-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Resolve to adopt the Data Breach Policy.

**CARRIED**

## **10 CUSTOMER SERVICE REPORTS**

## 10.1 COMMUNITY GRANT APPLICATION - IVANHOE CWA BRANCH

### RESOLVED: OCM 13-08-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve financial assistance of \$1,000 to the Country Women's Association, Ivanhoe Branch under Council's Community Grants Policy to partially cover the annual service charges levied on 64 Columbus Street, Ivanhoe NSW for the 2024-25 period.

**CARRIED**

## 10.2 COMMUNITY GRANT APPLICATION - CENTRAL DARLING PISTOL CLUB

### RESOLVED: OCM 14-08-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve financial assistance of \$526.26 to the Central Darling Pistol Club Incorporated under Council's Community Grants Policy to cover the Ordinary Rates levied for 2024-25 on 123 Menindee Road Menindee.

**CARRIED**

## 10.3 COMMUNITY GRANT APPLICATION - WILCANNIA COMMUNITY TOURISM ASSOCIATION

### RESOLVED: OCM 15-08-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Provide \$1,000.00 Community Grant to the Wilcannia Community Tourism Association to help cover the printing cost of Wilcannia Tourism Brochures

**CARRIED**

## 11 SHIRE SERVICES REPORTS

### 11.1 ENVIRONMENTAL SERVICES REPORT JULY 2024

#### RESOLVED: OCM 16-08-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and Note the report.

**CARRIED****11.2 KARoola REALIGNMENT, POONCARIE RD - COMPULSORY ACQUISITION****RESOLVED: OCM 17-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. That Council delegate authority to its General Manager to negotiate with the landowners and other interest-holders of Lots 2 - 6 in registered Plan of Acquisition DP1305678 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 DP1305678, Council approve the compulsory acquisition of those relevant interests in DP1305678 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 registered Plan of Acquisition DP1305678; 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 registered Plan of Acquisition DP1305678.
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 registered Plan of Acquisition DP1305678plan.
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 registered Plan of Acquisition DP1305678 that do not require the Common Seal of Council.

**CARRIED****11.3 KARoola REALIGNMENT, POONCARIE RD - ROAD CLOSURE****RESOLVED: OCM 18-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. That Council approve the closure of the Council public road known as part Pooncarie Road, Menindee, being folio identifiers Lots 8-12 (inclusive) in DP1305678.
2. That, subject to any submissions received in accordance with section 38C of the *Roads Act 1993* and subject to the acquisition of dedication of Lots 2-6 in DP1305678, the General Manager publish a notice in the government gazette formally closing the section of Pooncarie

Road, Menindee previously described in accordance with section 38D(1) of the Roads Act 1993.

3. That the road so closed be classified as operational land in accordance with the Local Government Act 1993 and the gazette notice contain a statement to this effect.
4. That Council affix the Common Seal of Council to any documents required to be sealed as part of the process for Council to close the council public road.
5. That Council delegate authority to its General Manager to execute any documents required to be executed as part of the process to close the council public road that do not require the Common Seal of Council.

**CARRIED**

#### **11.4 ROADS AND AERODROMES**

**RESOLVED: OCM 19-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

#### **11.5 TERRAPAVE STABILISATION TRIAL**

**RESOLVED: OCM 20-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Trial Terrapave stabilisation product and allocate funds from the Local Roads Budget 2024-25.

**CARRIED**

#### **11.6 WATER AND SEWER UPDATE**

**RESOLVED: OCM 21-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## **12 MINUTES OF COMMITTEE MEETINGS**

**12.1 MINUTES OF WHITE CLIFFS HALL COMMITTEE 27.07.2024****RESOLVED: OCM 22-08-2024**

Mover: Administrator Bob Stewart

1. That the Minutes of the White Cliffs Hall Committee held on 27/07/2024 be received and noted.

**CARRIED**

**12.2 WHITE CLIFFS COMMUNITY ASSOCIATION - 355 COMMITTEE****RESOLVED: OCM 23-08-2024**

Mover: Administrator Bob Stewart

1. That the Minutes of the White Cliffs Community Association – 355 Committee held on 19/08/2024 be received and noted.

**CARRIED**

**13 RESOLUTION TRACKER****13.1 RESOLUTION TRACKER - JULY 2024****RESOLVED: OCM 24-08-2024**

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 24/07/2024 be received and noted and any amendments be noted.

**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 10:58am.

**RESOLVED: OCM 25-08-2024**

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 Sale of Land For Unpaid Rates**

Item 14.1 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.

#### **14.2 Footpath Paving Tender CDSC 4/2024**

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 Ivanhoe Post Office Services**

Item 14.3 is confidential under the Local Government Act 1993 Section 10A(2) - (a), (c) and (d) as it relates to personnel matters concerning particular individuals (other than councillors), 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 26-08-2024**

Mover: Administrator Bob Stewart

That Council moves out of Confidential and back into Open Chambers at 11:22am.

**CARRIED**

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

#### **14.1 SALE OF LAND FOR UNPAID RATES**

#### **RESOLVED: OCM 27-08-2024**

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*.

**CARRIED**

**14.2 FOOTPATH PAVING TENDER CDSC 4/2024**

**RESOLVED: OCM 28-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Do not accept tender
2. Delegate authority to the General Manager to negotiate construction works to complete paving works at Wilcannia, adjacent to the new Baaka Centre.
3. Seek fresh quotations under schedule of rates from paving contractors in the western NSW region.

**CARRIED**

**14.3 IVANHOE POST OFFICE SERVICES**

**RESOLVED: OCM 29-08-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. The General Manager write to the Hon. Roy Butler Member of Barwon, Hon. Tara Moriarty Minister for Western NSW, and Hon. Mark Coulton Federal Member for Parkes, seeking financial assistance for upgrades.
3. Authorise the General Manager, in consultation with the Administrator, if Ivanhoe and surrounding area is in threat of not having a Postal Service, take the necessary actions to secure the services, by not imposing a large financial burden to Council.

**CARRIED**

**15 MEETING CLOSE**

There being no further business to discuss, the meeting was closed at **1:06pm**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Monday, 23 September 2024.

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**ADMINISTRATOR**