

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE  
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA  
ON WEDNESDAY, 26 JUNE 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)  
 Kara Mohr (Risk & WHS Officer)  
 Natalie Batson (Executive Assistant)  
 Nerida Carr (Governance Officer)  
 Gabrielle Johnston (Community Engagement)  
 Shirley Burraston (Management Accountant)  
 Uday Mamidala (Finance Officer)  
 John Carleton (Operations Manager)

**1 OPENING OF MEETING**

The meeting was declared open at 10:45am

**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 01-06-2024**

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 02-06-2024**

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 22 May 2024 be received and confirmed as an accurate record.

**CARRIED**

## 6 NOTICE OF MOTION

Nil

## 7 MAYORAL (ADMINISTRATOR) MINUTE(S)

### 7.1 MAYORAL MINUTE - JUNE 2024

**RESOLVED: OCM 03-06-2024**

Mover: Administrator Bob Stewart

As per tabled report

**CARRIED**

## 8 FINANCIAL REPORTS

### 8.1 CASH AND INVESTMENTS - MAY 2024

**RESOLVED: OCM 04-06-2024**

Mover: Administrator Bob Stewart

That Council

1. receive and note the report.

**CARRIED**

### 8.2 ADOPTION OF DRAFT OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET 2024-25

**RESOLVED: OCM 05-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.
3. Adopt the Draft 2024-25 Operational Plan and Budget noting a net surplus of \$15,000.00.
4. Note the following amendments:
  - i. RMS works an increase of \$250,000
  - ii. Private Works an increase of \$750,000 (These amendments have been made due to an increase in expected activity and an increase in charged on-costs)
  - iii. Contractor costs a decrease of \$350,000 (Re-assessment based on likely expenditure to be incurred in relation to the level of grants received, private and RMS works)
  - iv. Adjustment to Roads Depreciation (A minor adjustment to the useful lives of some of the roads within the municipality)
  - v. The Draft budget for capital works indicated total expenditure of \$18.099 million, which included expenditure of \$350,000 for a new three bedroom house. On review this item has been removed.

Total capital works is now \$17.649 million.

5. Make and levy the following rates and charges under the *Local Government Act 1993* for the 2024-25 year.
  - (a) In accordance with Sections 492-494, 497-499, 533-535 and 543 of the *Local Government Act 1993*, Council make and levy the following ordinary rates for the 2023/24 year as follows:
    - (i) Farmland Rate ad valorem amount 0.0004470 cents in the dollar
    - (ii) Farmland Base Amount: \$130.00
    - (iii) Residential Rate ad valorem amount 0.070630 cents in the dollar
    - (iv) Residential Base Amount \$130.00
    - (v) Business Rate ad valorem amount 0.0582740 cents in the dollar
    - (vi) Business Base Amount \$130.00
  - (b) In accordance with Sections 496 and 501 of the *Local Government Act 1993*, Council make and impose charges for waste management services in 2024/25 as follows:

DOMESTIC WASTE SERVICE CHARGES LEVIED UNDER SECTION 496 OF THE LOCAL GOVERNMENT ACT 1993	CHARGE UNIT	2024-25 CHARGE
DOMESTIC WASTE MANAGEMENT AVAILABILITY CHARGE  (PREVIOUSLY KNOWN AS AN "UNOCCUPIED" PROPERTY CHARGE)  <u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND. <u>APPLIES TO:</u> ALL VACANT PARCELS OF RATEABLE	PER PROPERTY	\$327.00

<p>LAND WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS.  <u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND.</p>		
<p>DOMESTIC WASTE MANAGEMENT SERVICE  <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN &amp; FREE ACCESS TO DISPOSE OF DOMESTIC WASTE AT COUNCIL'S WASTE MANAGEMENT FACILITY IN THE TOWN THE PROPERTY IS LOCATED IN.  <u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE IVANHOE, MENINDEE OR WILCANNIA COUNCIL'S WASTE COLLECTION AREAS, WITH AN APPROVAL FOR A RESIDENTIAL BUILDING.</p>	<p>PER PROPERTY</p>	<p>\$685.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – SUNSET STRIP  <u>PURPOSE:</u> PROVIDE SUNSET STRIP RESIDENTS WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE SUNSET STRIP WASTE MANAGEMENT FACILITY.  <u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN SUNSET STRIP.</p>	<p>PER PROPERTY</p>	<p>\$87.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – WHITE CLIFFS  <u>PURPOSE:</u> PROVIDE RESIDENTS OF THE WHITE CLIFFS TOWNSHIP WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE WHITE CLIFFS WASTE MANAGEMENT FACILITY.  <u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN THE WHITE CLIFFS TOWNSHIP.</p>	<p>PER PROPERTY</p>	<p>\$73.00</p>
<p>DOMESTIC WASTE MANAGEMENT – ADDITIONAL BIN COLLECTION SERVICES  <u>PURPOSE:</u> WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BIN (ADDITIONAL CHARGE PER BIN).  <u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS WHERE AN ADDITIONAL DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.</p>	<p>PER BIN</p>	<p>\$685.00</p>

<p>WASTE MANAGEMENT SERVICE CHARGES - NON DOMESTIC          LEVIED UNDER SECTION 501 OF THE LOCAL GOVERNMENT ACT 1993</p>	<p>CHARGE UNIT</p>	<p>2023-24 CHARGE</p>
<p>WASTE MANAGEMENT SERVICE  <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN.  <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE A WASTE COLLECTION SERVICE HAS BEEN REQUESTED AND PROVIDED.</p>	<p>PER PROPERTY</p>	<p>\$685.00</p>

<p>WASTE MANAGEMENT ADDITIONAL BIN  <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BINS.  <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE AN ADDITIONAL NON DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.</p>	PER BIN	\$685.00
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c. In accordance with Sections 501 and 502 of the *Local Government Act 1993*, make and levy charges for water supply services in 2023-24 as follows:

Water Service Charges - Wilcannia		
Service Charge Description	Charge Unit	2023-24 Charge
Filtered Water Connected	Per Connection	\$275.00
Non- Potable/Raw Water Connected	Per Connection	\$1,083.00
Filtered Water Availability	Per Property	\$181.00
Non- Potable/Raw Water Availability	Per Property	\$181.00
Filtered Water Usage	Per Kilolitre (kL)	\$3.75
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$3.75
Non- Potable/Raw Water Usage – Metered Non Rateable Properties	Per Kilolitre (kL)	\$3.75
Water Service Charges - Ivanhoe		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$322.00
Non- Potable/Raw Water Connected	Per Connection	\$539.00
Filtered Water Availability	Per Property	\$240.00
Non- Potable/Raw Water Availability	Per Property	\$240.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.18
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$1.81
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$5.03
Non -Potable/Raw Water Usage – Metered Non -Rateable Properties	Per Kilolitre (kL)	\$4.18

Water Service Charges – White Cliffs		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$1,043.00
Non- Potable/Raw Water Connected	Per Connection	\$1,043.00
Filtered Water Availability	Per Property	\$912.00
Non -Potable/Raw Water Availability	Per Property	\$912.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.08
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$4.08
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08
Non- Potable/Raw Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08

d. In accordance with Sections 501 of the *Local Government Act 1993*, Council make and levy charges for sewerage services in 2023-24 as follows:

Service Charge Description	Unit Type	2024-25 Charge
Sewerage Service Charge	Per property – up to 2 connections	\$980.00
Sewerage Service Additional Charge	Per connection – more than 2 connections	\$338.00

e. Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566(3) of the *Local Government Act 1993*, being 10.5 per cent per annum for the period 1 July 2024 to 30 June 2025.

f. Fees and Charges for the use of services provided by the Council as detailed in the Operational Plan and Budget 2024-25 be adopted in accordance with Section 608 of the *Local Government Act 1993*. **CARRIED**

### 8.3 ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2025-34

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

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.

3. Adopt the Long Term Financial Plan 2025 – 2034. **CARRIED**

#### **8.4 GRANTS REGISTER - MAY 2024**

**RESOLVED: OCM 07-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

**CARRIED**

### **9 GOVERNANCE REPORTS**

#### **9.1 ADOPTION OF DRAFT COUNCIL SOCIAL MEDIA POLICY**

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

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note the report
  - (a) Adopt the draft Council Social Media Policy.
    - (i) Place the Council Social Media Policy on Council's website.

**CARRIED**

#### **9.2 FLOW FM RADIO TO BROADCAST TO THE SHIRE**

**RESOLVED: OCM 09-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

**CARRIED**

#### **9.3 ARIC- TERMS OF CONDITIONS AND INTERANL AUDIT CHARTER**

**RESOLVED: OCM 10-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Adopt ARIC Terms of Conditions.
3. Adopt ARIC Internal Audit Charter.

**CARRIED****9.4 ARIC - ENDORSEMENT OF NEW COMMITTEE MEMBER****RESOLVED: OCM 11-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Appoint Sean Hounslow to Councils Audit, Risk and Improvement Committee (ARIC).

**CARRIED****9.5 MENINDEE HOUSE FIRE INSURANCE CLAIM****RESOLVED: OCM 12-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Select Option Four – “Replacement value cash settlement, via unplanned capital expenditure provisions” amount of \$346,018.38.
3. put the funds towards unplanned capital expenditure within two years from the date of the loss.
  - (a) The supply and delivery of one-bedroom prefabricated house on Council land at Ivanhoe to be used for staff accommodation.
  - (b) The supply and installation of Aerated Effluent Water Treatment system at 37 Darling Street, Menindee (DP 1064220 PT1) to service the remaining four houses to address the issues of effluent disposal on the adjoining property.
4. The General Manager to report back to Council with the following:
  - (a) The acceptance by Statewide Mutual, that Council wishes to pursue Option Four with the projects as recommended above (3a & 3b).
  - (b) If projects have been rejected by Statewide Mutual, provide alternative projects.
  - (c) If projects are approved, provide detail project costs and delivery plan.

**CARRIED****9.6 CENTRAL DARLING SHIRE COUNCIL DRAFT RISK MANAGEMENT POLICY & PROCEDURE****RESOLVED: OCM 13-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the Risk Management Policy and Procedure

**CARRIED****9.7 NEW POLICY - CONTROL OF ACCESS TO RESTRICTED LOCATIONS****RESOLVED: OCM 14-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve and adopt the draft Control of Access to Restricted Locations Policy

**CARRIED****9.8 NEW POLICY - DATA BREACH POLICY****RESOLVED: OCM 15-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve the draft Data Breach policy
3. Place the Data Breach Policy on public exhibition for a period of 28 days to allow for public review and submissions.

**CARRIED****10 CUSTOMER SERVICE REPORTS****10.1 POLICY REVIEW - ACCESS TO INFORMATION POLICY****RESOLVED: OCM 16-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve the draft Access to Information Policy
3. Place the Access to Information Policy on public exhibition for a period of 28 days to allow for public review and submissions.

**CARRIED****11 SHIRE SERVICES REPORTS****11.1 ENVIRONMENTAL SERVICES REPORT MAY 2024**

**RESOLVED: OCM 17-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED****11.2 AMENDMENT TO THE CENTRAL DARLING LOCAL ENVIRONMENTAL PLAN 2012 - RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND.****RESOLVED: OCM 18-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that the Department of Planning, Housing and Infrastructure NSW has made legal the amendment to the *Central Darling Local Environmental Plan 2012* to reclassify 232 council owned lots from community land to operational land.

**CARRIED****11.3 STATUTORY CHANGES TO THE CEMETERIES AND CREMATORIA ACT 2013****RESOLVED: OCM 19-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Write to the NSW Premier and Minister for Lands and Property asking that they urgently reverse their decision to impose a new tax on all burials and cremations
3. Adopt the new statutory levy fees for cremation, ash internment and burials imposed by the *Cemeteries and Crematoria Act 2013*, adding these fees to the Council fees and charges.
4. Note the new statutory maintenance requirements for Council cemeteries.

**CARRIED****11.4 ROADS AND AERODROMES****RESOLVED: OCM 20-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## 11.5 SERVICES

### RESOLVED: OCM 21-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## 11.6 WATER AND SEWER

### RESOLVED: OCM 22-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

**CARRIED**

## 11.7 RACECOURSE ROAD, MENINDEE, JUNE UPDATE

### RESOLVED: OCM 23-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Rescind the resolution of Council OCM 24-05-2024 to withdraw the approved FLR project with Transport for NSW
3. Rescind the resolution of Council to submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.
4. Submit an extension of time request with Transport for NSW for the approved FLR project to December 2025.

**CARRIED**

## 12 MINUTES OF COMMITTEE MEETINGS

### 12.1 ARIC MINUTES 22.05.2024

### RESOLVED: OCM 24-06-2024

Mover: Administrator Bob Stewart

1. That the Minutes of the Audit, Risk and Improvement Committee held on 22/05/2024 be received and noted.

**CARRIED**

## 13 RESOLUTION TRACKER

### 13.1 RESOLUTION TRACKER MAY 2024

#### RESOLVED: OCM 25-06-2024

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 22/05/2024 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 11:22am.

#### RESOLVED: OCM 26-06-2024

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 Overdue Rates and Charges - Proposed Payment Arrangement 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 Morris Pipper -Service Quote for Specialty Grant Service

Item 14.2 is confidential under the Local Government Act 1993 Section 10A(2) - (c) and (d) 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 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**

#### RECOMMENDATION:

That Council moves out of Confidential and back into Open Chambers 11:26am.

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 ARRANGEMENT AND FUTURE WRITE OFF OF INTEREST AND LEGAL COSTS

**RESOLVED: OCM 27-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Enter a payment arrangement in respect of outstanding rates and charges on 86 Reid Street Wilcannia for payments for an initial period of 12 months, subject to payments being commenced within one month of such arrangement being accepted.
  - (a) Subject to that agreement being maintained throughout the initial 12 month period, Council;
    - (i) not undertake any legal/recovery action in respect of outstanding rates and charges on 86 Reid Street Wilcannia, and;
    - (ii) write-off interest charges which accrue on outstanding rates and charges on 86 Reid Street Wilcannia.
  - (b) Upon the successful conclusion of the initial 12 month payment agreement term, and subject to a further payment agreement being made for ongoing payments, and being eligible for assistance Council's Economic Hardship Policy, Council will;
    - (i) write-off interest currently outstanding at 6 June 2024, and;
    - (ii) write-off the debt enforcement costs incurred since June 2022, and;
    - (iii) provide any assistance available under Council's Economic Hardship Policy, including the write-off of further interest charges which accrue.

**CARRIED**

#### 14.2 MORRIS PIPPER -SERVICE QUOTE FOR SPECIALTY GRANT SERVICIE

**RESOLVED: OCM 28-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Council authorises the engagement of Morris Piper to assist Council in the preparation of future grant funding submissions, milestone and acquittal reporting until the end of the Financial Year 24/25.
3. Council notes the engagement of consultant is not in accordance with Council's Procurement Policy, however under the *Local Government Act 1993*, Section 55, Part 3(i) endorses the engagement of Morris Piper due to the remoteness of locality and the unavailability of competitive or reliable tenderers.

**CARRIED**

### 15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **11:29am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 24 July 2024.

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**ADMINISTRATOR**

DRAFT