

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 22 MAY 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)
Gabrielle Johnston (Community Engagement)
Uday Mamidala (Finance Officer)
Kara Mohr (Risk & WHS Officer)
Natalie Batson (Executive Assistant)
Nerida Carr (Governance Officer)
John Carleton (Operations Manager)
Shirley Burraston (Management Accountant)

1 OPENING OF MEETING

The meeting was declared open at 10:32am

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 01-05-2024

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 02-05-2024

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 17 April 2024 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

Nil

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - APRIL 2024

RESOLVED: OCM 03-05-2024

Mover: Administrator Bob Stewart

That Council

1. receive and note the report.

CARRIED

8.2 GRANTS REGISTER - APRIL 2024

RESOLVED: OCM 04-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

CARRIED

8.3 2024-25 INTEGRATED PLANNING AND REPORTING DOCUMENTS

RESOLVED: OCM 05-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. That the draft operational plan be amended prior to placing the document on public exhibition by
 - \$750,000 decrease in Fees and charges due to a re-assessment of expected private and RMS works, this amendment will increase the original operating deficit of \$475,000 to \$1.225 m.
 - Adjustment to the plant replacement reserve with an allocation of \$200,000 to be funded from Council's road component of the Federal Assistance Grants.
3. Resolve that the following draft integrated planning and reporting documents 2024/2025 be placed on public exhibition for a period of 28 days closing 21/06/2024:
 - Draft Delivery Program 2022-2026, (2024 Revision)
 - Draft Operational Plan 2024-2025 detailing the Budget for the 2024-25 financial year.
 - Draft Revenue Policy 2024-2025
 - Draft Fees and Charges 2024-2025
 - Revised Draft Long Term Financial Plan
 - Noting the Long Term Financial Plan 2025-34 will subsequently be amended to include the current amendments to Council's Operating Budget for 2023-24

CARRIED

8.4 QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2024

RESOLVED: OCM 06-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the variations to Council's 2023/24 Annual Budget
 1. Note that the projected operating surplus for the financial year 2023/24 is \$2.154 million.
 2. Note projected capital works budgeted expenditure for the financial year 2023/24 will be \$24.311 million.

CARRIED

9 GOVERNANCE REPORTS

9.1 ABILITY OF LOCAL GOVERNEMENT TO FUND INFRASTRUCTURE AND SERVICES- INVITATION TO MAKE SUBMISSION

RESOLVED: OCM 07-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.2 UPDATE AND ALTERATIONS TO NSW SEVERE WEATHER AND FLOOD PROJECTS.**RESOLVED: OCM 08-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

CARRIED

9.3 COMMONWEALTH 'CLEAN WATER, HEALTHY COMMUNITY AND RIVER PROJECT' \$10M FUNDING**RESOLVED: OCM 09-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.
2. Receive further reports on the progress on planning, milestones and delivery of the three Water Treatment Plants and the potable water reticulation system.

CARRIED

9.4 NEW POLICY - CONTROL OF ACCESS TO RESTRICTED LOCATIONS**RESOLVED: OCM 10-05-2024**

Mover: Administrator Bob Stewart

That Council will:

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

CARRIED

9.5 HUMAN RESOURCE MANAGEMENT ACTIVITIES**RESOLVED: OCM 11-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report
2. Endorse the 1.28 FTE increase for the Customer Service Officer and the ICT Support Officer positions.
3. That the general manager brings a report to a future council meeting of the current staff structure.

CARRIED

9.6 COMMUNITY ENGAGEMENT AND TOURISM UPDATE**RESOLVED: OCM 12-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

9.7 MANAGING EXCESS LEAVE PROGRESS REPORT**RESOLVED: OCM 13-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

CARRIED

10 CUSTOMER SERVICE REPORTS**10.1 COMMUNITY GRANTS APPLICATION****RESOLVED: OCM 14-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Provide \$1000 Community Grant to the Ivanhoe Central School which will be used to engage presenters and provide meals for NAIDOC Day.
3. Provide \$1000 Community Grant to the Outback Theatre for Young People which goes towards cost of the Wilcannia Runs Away with the Circus project.

CARRIED

10.2 GENERAL SERVICE REQUEST AND COMPLAINTS OVERVIEW 2024**RESOLVED: OCM 15-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report

CARRIED

11 SHIRE SERVICES REPORTS

11.1 DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE - LEGAL ADVICE ON WHITE CLIFFS DUGOUT

RESOLVED: OCM 16-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and consider the Maddocks Lawyers legal advice regarding the potential liability to Council on the current status of the dugouts at White Cliffs, and the future liability for Council.
2. Note the recommendation from the Department of Planning, Housing and Infrastructure that Council seek its own legal interpretation and legal guidance on the opinion provided by Maddocks Lawyers, and Council source quotations to undertake this work.
3. The General Manager to organise a meeting with the Minister for Planning to discuss the White Cliffs dugouts implications for Council and potentially to remove the White Cliffs dugouts from the *Central Darling Local Environmental Plan 2012*.

CARRIED

11.2 ROADS AND AERODROMES

RESOLVED: OCM 17-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.3 SERVICES

RESOLVED: OCM 18-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.4 WATER AND SEWER

RESOLVED: OCM 19-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 REGISTERED SURVEYS OF WEST WILCANNIA ROAD AND THE SOUTH WESTERN SECTION OF WILCANNIA

RESOLVED: OCM 20-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the requirement to survey the current location of the West Wilcannia Road and to facilitate negotiations with the land owners in regard to the acquisition of the affected land for the legal road corridor.
2. Note the requirement to provide land owners and future land owners of lots in the south western section of Wilcannia with legal formed street access to their properties and to enable the provision of services and infrastructure.
3. That survey work proceed on the road boundary adjustment, any cost associated with this work be adjusted in the QBR and a further report be provided to council on land acquisition and other associated costs.

CARRIED

11.6 FLOOD DAMAGE UPDATE

RESOLVED: OCM 21-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note the General Managers actions in meeting with the NSW Minister for Emergency services and correspondence with NEMA.

CARRIED

11.7 SHIRE SERVICES REPORT FOR APRIL 2024

RESOLVED: OCM 22-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and Note the report.

CARRIED

11.8 EXHIBITION OF THE DRAFT CENTRAL DARLING DEVELOPMENT CONTROL PLAN 2024

RESOLVED: OCM 23-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Endorse the exhibition of the draft *Central Darling Development Control Plan 2024* for a minimum of 28 days.
3. A further report come to council.

CARRIED

11.9 FIXING LOCAL ROADS ROUND 4 - RACECOURSE ROAD

RESOLVED: OCM 24-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Withdraw the approved FLR project with Transport for NSW
3. Submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.
4. Continue with the land acquisition negotiation process of Racecourse Road, Menindee to enable Council to be in a legally compliant position as the Roads Authority to carry out works on that road with a view to applying for further grant funding in the future. With a further report to be provided to council.

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

Nil

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER - APRIL 2024

RESOLVED: OCM 25-05-2024

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 17/04/2024 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 11:25am.

RESOLVED: OCM 26-05-2024

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 Ivanhoe Water Treatment Plant Tender

Item 14.1 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.

14.2 Sale of Land 38 Hood Street and 25 McIntyre Street Wilcannia

Item 14.2 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 27-05-2024

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 IVANHOE WATER TREATMENT PLANT TENDER

RESOLVED: OCM 28-05-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Resolve to award tender to Liquitek 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.

CARRIED

14.2 SALE OF LAND 38 HOOD STREET AND 25 MCINTYRE STREET WILCANNIA**RESOLVED: OCM 29-05-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. To sell Lot B, DP 402894, known as 38 Hood Street Wilcannia, to Murdi Paaki Regional Housing Corporation.
3. To sell Lot 3, DP 910707, known as 25 McIntyre Street Wilcannia to Domestic Violence Services Management Limited.
4. To authorise the General Manager to execute all necessary documents to facilitate the above land transfers.

CARRIED

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **11:33am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 26 June 2024.



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ADMINISTRATOR