

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE LAKE CARGELLIGO MEMORIAL HALL
ON WEDNESDAY, 22 APRIL 2020 AT 2:06PM**

PRESENT: Mayor John Medcalf (OAM), Cr Elaine Bendall, Cr Melissa Blewitt, Cr Dennis Brady, Cr Mark Hall, Cr Peter Harris, Cr Brian Nelson, Deputy Mayor Paul Phillips, Cr Melissa Rees

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Tekohi Rivera (Director - Infrastructure Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Paula Ewing (Executive Assistant), Terri Jacobson (Information Technology Manager)

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Was read out by Councillor Harris

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

3 CONFIRMATION OF MINUTES

RESOLUTION 2020/73

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That the minutes of the Ordinary Meeting held on 8 April 2020 be confirmed.

CARRIED

4 MAYORAL MINUTE

4.1 MAYORAL MINUTE - COVID 19 - FINANCIAL SUPPORT

RESOLUTION 2020/74

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. Lachlan Shire Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.

2. Lachlan Shire Council Calls for the packages to include the following measures:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 and drought as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
3. Lachlan Shire Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
 4. Council writes to the local Federal and State Member(s) the Hon Mark Coulton MP and the Hon Roy Butler MP, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
 5. Lachlan Shire Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
 6. Council advises LGNSW President Linda Scott of the passage of this Mayoral Minute.

CARRIED

4.2 MAYORAL MINUTE - MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR APRIL

RESOLUTION 2020/75

Moved: Cr Peter Harris
Seconded: Cr Elaine Bendall

That Council:

- (i) Receive and Note Mayoral Report R20/93.

CARRIED

4.3 MAYORAL MINUTE - APRIL

RESOLUTION 2020/76

Moved: Cr Dennis Brady
Seconded: Cr Elaine Bendall

That:

- (i) Receive and Note Mayoral Report No R20/94.

CARRIED

5 PUBLIC FORUM

Nil

6 DISCLOSURE OF INTEREST

Councillor Brady declared a significant pecuniary interest in 9.1 Development Data - March 2020

Councillor Blewitt declared a non-significant, non-pecuniary interest in Items 8.1 Review of Debt Recovery Policy and 8.3 Budget 20.21 draft Fees and Charges as her sister is an employee of Lachlan Children Service's.

7 GENERAL MANAGER

7.1 ACTIVE RESOLUTIONS APRIL

RESOLUTION 2020/77

Moved: Cr Peter Harris
Seconded: Cr Mark Hall

That:

- 1) The General Manager's Report No R20/96 be received and noted.

CARRIED

8 CORPORATE AND COMMUNITY SERVICES

8.1 REVIEW OF DEBT RECOVERY POLICY

RESOLUTION 2020/78

Moved: Cr Peter Harris
Seconded: Cr Mark Hall

That;

1. The Director of Corporate and Community Services Report No. R19/319 be received and noted.
2. The revised Debt Recovery Policy be placed on public exhibition for 42 days.
3. The revised Hardship Policy be placed on public exhibition for 42 days.
4. Following expiry of the public exhibition period the Director of Corporate and Community Services prepare a report for Council's consideration summarising the details of any public submissions received for Council's further consideration prior to adoption of these policies.

CARRIED

8.2 POLICY UPDATES - INTERNAL REPORTING, GIFTS, BENEFITS & BRIBES, FRAUD & CORRUPTION

RESOLUTION 2020/79

Moved: Cr Dennis Brady

Seconded: Cr Brian Nelson

That:

1. The Director of Corporate and Community Services Report No R20/50 be received and noted.
2. Council approve the renaming of the current Fraud Control Policy to the Fraud and Corruption Policy.
3. Council adopts the revised Fraud and Corruption Policy, Gifts, Benefits and Bribes Policy and the Internal Reporting Policy.

CARRIED

8.3 BUDGET 20.21 DRAFT FEES AND CHARGES

RESOLUTION 2020/80

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That;

1. The Director Corporate & Community Services Report R20/56 be received and noted
2. The draft fees and charges for the 2020.2021 financial year be placed on public exhibition for 28 days as required under the Local Government Act 1993 sections 610F and 705.

CARRIED

8.4 DRAFT CAPITAL BUDGET 20.21

RESOLUTION 2020/81

Moved: Cr Mark Hall
Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report R20/69 be received and noted.
2. Council authorise the draft capital budget v2, for the 20.21 financial year, to be placed on public exhibition and invite community submissions on the document.
3. The Director of Corporate and Community Services prepare a further report detailing any submissions or comments received on the draft budget for Council's consideration at the June Council meeting.

CARRIED

8.5 AUDIT ENGAGEMENT PLAN

RESOLUTION 2020/82

Moved: Deputy Mayor Paul Phillips
Seconded: Cr Peter Harris

That the Director Corporate and Community Services Report R20/74 be received and noted.

CARRIED

8.6 INVESTMENTS AT 31 MARCH 2020

RESOLUTION 2020/83

Moved: Deputy Mayor Paul Phillips
Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report No. R20/78 be received and noted.

CARRIED

8.7 PROCUREMENT, LOCAL PREFERENCE AND ASSET DISPOSAL POLICIES

RESOLUTION 2020/84

Moved: Cr Dennis Brady
Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No R20/79 be received and noted.

2. Council approve the public exhibition of the newly created Procurement Policy, the revised Local Preference Purchasing Policy and the newly created Disposal of Asset Policy for a period of 42 days.
3. Following the completion of the public exhibition period the Director of Corporate and Community Services present a further report to Council summarising the details of any submissions received regarding the proposed policies for the consideration of Council when adopting the draft policies.
4. Council resolve to extinguish the Procurement and Disposal Policy as it will be replaced by the draft policies detailed in this report.
5. The Local Preference rates be increased to 10% or a maximum of \$25,000.

CARRIED

8.8 CAPITAL WORKS ACTUAL VS BUDGET TO 31 MARCH 2020

RESOLUTION 2020/85

Moved: Cr Mark Hall
Seconded: Cr Melissa Rees

That the Director of Corporate and Community Services Report R20/83 be received and noted.

CARRIED

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 DEVELOPMENT DATA - MARCH 2020

RESOLUTION 2020/86

Moved: Cr Peter Harris
Seconded: Cr Mark Hall

That the Director Environment, Tourism and Economic Development Report No. R20/67 be received and noted.

CARRIED

9.2 COVID-19 - COMMUNITY AND ECONOMIC RESILIENCE RESPONSE

RESOLUTION 2020/87

Moved: Cr Mark Hall
Seconded: Cr Dennis Brady

That:

1. The Director Environment, Tourism and Economic Development Report No. R20/89 be received and noted.
2. Council endorse the preparation of a resilience response program and request that Council officers move to a planning stage and that a further report be brought back to Council on proposed initiatives, the financial and resource implications associated of those initiatives which will allow Council to determine which initiatives to support.

CARRIED

10 INFRASTRUCTURE SERVICES

10.1 FY1920 ROADWORKS MONTHLY UPDATE FOR MARCH

RESOLUTION 2020/88

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Director Infrastructure Services Report No. R20/70 be received and noted

CARRIED

10.2 FY1920 RECREATION MONTHLY UPDATE FOR MARCH

RESOLUTION 2020/89

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. Council receive and note the Director Infrastructure Services report R20/84

CARRIED

10.3 FY1920 UTILITIES MONTHLY UPDATE FOR MARCH

RESOLUTION 2020/90

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report No. R20/81 be received and noted.

CARRIED

11 DEPUTATIONS

Nil

12 NOTICES OF MOTION**12.1 NOTICE OF MOTION - CRICKET NETS LAKE CARGELLIGO****RESOLUTION 2020/91**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That:

1. The cricket practice nets proposed for construction at the Lake Cargelligo Recreation Ground be relocated to the south west corner of the Lake Cargelligo Central School recreational grounds.
2. Item 1 be subject to an appropriate signed Memorandum of Understanding with the NSW Department of Education.

CARRIED**13 NOTICES OF RESCISSION**

Nil

14 DELEGATES REPORT

Nil

15 CORRESPONDENCE

Nil

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**16.1 REQUEST FOR PROJECT UPDATES****RESOLUTION 2020/92**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That the response to the question regarding Bridge Street and Foster Street Lake Cargelligo raised by Councillor Phillips be received and noted.

CARRIED

17 PETITIONS

Nil

Council moved into closed session and then ceased for a break at 3:28pm

Council resumed at 3:48pm

18 CLOSED SESSION**RESOLUTION 2020/93**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

18.1 Youth Services - Contractual services

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

18.2 Audit & Risk Committee February 2020 meeting minutes

This matter is considered to be confidential under Section 10A(2)e of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, prejudice the maintenance of law.

18.3 Articulated Motor Grader Q2020-3

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

18.4 Temporary (Sale) Transfer of Unused High Security Water Allocation Licences FY1920

This matter is considered to be confidential under Section 10A(2)c and f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

18.5 Replacement of Prime Mover - Quote Q2020-7

This matter is considered to be confidential under Section 10A(2)di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

18.1 YOUTH SERVICES - CONTRACTUAL SERVICES**MOTION**

Moved: Cr Mark Hall

Seconded: Cr Dennis Brady

That:

1. The Director Corporate & Community Services report R20/73 be received and noted,

2. Provide direction to the General Manager on the following options
 - a. Option A as set out above OR
 - b. Option B as set out above OR
 - c. Option C as per Council direction.

RESOLUTION 2020/94

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That Council:

- i) Continue to pay WPRD, \$50,000 a year towards their administrative component.
- ii) Continue to fund the Youth Services Component to WPRD less any money that they may receive by the Australian Government's Jobkeeper payment.
- iii) Due to extenuating circumstances as a result of COVID-19 and the unlikely event of obtaining a satisfactory result in calling new tenders for a Youth Services provider Council resolve in accordance with clause 55 3(i) of the Local Government Act 1993 to extend the existing Youth Services contract with WPRD to 30 June 2021.

CARRIED

18.2 AUDIT & RISK COMMITTEE FEBRUARY 2020 MEETING MINUTES**Resolution 2020/95**

Moved: Cr Dennis Brady

Seconded: Cr Mark Hall

That:

1. The Director Corporate & Community Services report r20/19 be received and noted,
2. The draft minutes of the Audit, Risk & Improvement Committee meeting held on 26 February 2020 be noted.

Carried

NB: An error in the minutes as the Mayor is a voting member of ARIC.

18.3 ARTICULATED MOTOR GRADER Q2020-3

RESOLUTION 2020/96

Moved: Cr Brian Nelson

Seconded: Cr Peter Harris

That:

1. The Director Environment, Tourism and Economic Development Report No. R20/89 be received and noted.
2. Council purchase 1 new Caterpillar 150 grader from Westrac Pty Ltd for \$464,482.70, trade fleet no 6007 for \$176,000.00 with a changeover of \$288,482.70. This includes Westrac installing the used front blade to the new grader.
3. The Director Environment, Tourism and Economic Development be authorised to raise a Council purchase order for this procurement.

CARRIED

18.4 TEMPORARY (SALE) TRANSFER OF UNUSED HIGH SECURITY WATER ALLOCATION LICENCES FY1920

RESOLUTION 2020/97

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That Council:

1. Receive and note the Director Infrastructure Services report R20/90
2. Resolve to temporarily transfer (sell) 374ML of high security water licence on the open market in FY1920;
3. Resolve, in accordance with section 55(3)(i) of the Local Government Act 1993, not to call tenders for the temporary transfer of 374ML of high security water due to extenuating circumstances around the time critical sale, remoteness of locality and that a more satisfactory result would not be achieved by inviting tenders.
4. Council delegate authority to the Mayor and General Manager to negotiate the sale of the temporary transfer of the high security water allocation licences, with a minimum value of \$450 per ML.

CARRIED

18.5 REPLACEMENT OF PRIME MOVER - QUOTE Q2020-7

RESOLUTION 2020/98

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Environment, Tourism and Economic Development Report No. R20/91 be received and noted.
2. Council purchase 1 new Mack Trident MP8 500 from Wagga Trucks for \$231,949.40. Trade Fleet No. 7007 for \$61,600.00 with changeover of \$170,349.40.
3. The Director Environment, Tourism and Economic Development be authorised to raise a Council purchase order for this procurement.

CARRIED

RESOLUTION 2020/99

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That Council moves out of Closed Council into Open Council.

CARRIED

The Mayor then read out the confidential resolutions.

The Meeting closed at 5:06pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 May 2020.


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CHAIRPERSON