

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 24 FEBRUARY 2021 AT 2:09PM**

PRESENT: Mayor John Medcalf (OAM), Cr Elaine Bendall, Cr Melissa Blewitt, Cr Mark Hall, Cr Peter Harris, Cr Brian Nelson, Deputy Mayor Paul Phillips, Cr Melissa Rees (arrived 4.09pm)

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Adrian Milne (Director - Infrastructure Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Carolyne Marchant (Minute Taker)

The Chair welcomed those present to the first meeting of 2021 and declared the meeting open at 2.09pm.

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The Acknowledgement of Country and Elders was read by Cr Hall.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2021/1

Moved: Cr Mark Hall

Seconded: Cr Melissa Blewitt

That the apologies of Cr Dennis Brady and Cr Dave Carter be accepted and leave of absence be granted.

CARRIED

3 CONFIRMATION OF MINUTES

RESOLUTION 2021/2

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That the minutes of the Ordinary Meeting held on 6 December 2020 be confirmed.

CARRIED

4 MAYORAL MINUTE**4.1 MAYORAL BOARD REPORT CENTRAL NSW JOINT ORGANISATION MEETING
DECEMBER 4 2020****RESOLUTION 2021/3**

Moved: Cr Elaine Bendall

Seconded: Cr Mark Hall

That

1. The Mayoral Report No. R21/28 be received and noted.
2. Council note that feedback has been provided to the CNSWJO Executive Officer on the revised Central NSW Visitor Economy Strategy 2021-2026.

CARRIED**4.2 MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR
JANUARY - FEBRUARY****RESOLUTION 2021/4**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Melissa Blewitt

That:

1. The Mayor's Report No. R21/33 be received and noted.

CARRIED

Council requested that in the future the report should distinguish between functions attended by the Mayor and Deputy Mayor.

4.3 MAYORAL MINUTE - FEBRUARY**RESOLUTION 2021/5**

Moved: Cr Melissa Blewitt

Seconded: Deputy Mayor Paul Phillips

That Council

1. Receive and note Mayoral Minute No R21/35.

CARRIED**5 PUBLIC FORUM**

Nil

6 DISCLOSURE OF INTEREST

Cr Hall declared a Less Than Significant Non-pecuniary Interest in item 9.3 Environment, Tourism and Economic Development – Shipping Container Policy as he has a shipping container on his land.

7 GENERAL MANAGER

7.1 ACTIVE RESOLUTIONS - FEBRUARY 2021

RESOLUTION 2021/6

Moved: Cr Elaine Bendall
 Seconded: Cr Melissa Blewitt

That

1. The General Manager’s Report No R21/24 be received and noted.

CARRIED

7.2 LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAM EXTENSION 2

RESOLUTION 2021/7

Moved: Cr Mark Hall
 Seconded: Deputy Mayor Paul Phillips

That

1. The General Manager’s Report No. R21/25 be received and noted
2. Council confirm the following list of priority projects for funding under the Local Road and Community Infrastructure Extension 2 Program.

Project Ranking	Project Name
1	Condobolin - Youth Centre renovation
2	Lake Cargelligo - Foster St Upgrade
3	Tottenham Swimming Pool Barbeque Area replacement
4	Tullibigeal Recreation Ground AFL and Netball shed
5	Albert - Barbeque and shade shelter in Park
6	Tottenham Hall ceiling and insulation replacement
7	Albert - Federation St shoulder sealing
8	Condobolin- Netball Courts LED lighting
9	Condobolin - SRA Ground LED lighting
10	Tullibigeal - Gymkhana area yard extension
11	Swimming Pool Improvement Projects – Lake Cargelligo, Condobolin and Tottenham
12	Lake Cargelligo - Foreshore Irrigation
13	Condobolin - SRA soccer ground irrigation
14	Tullibigeal - Racecourse skillion roof extension
15	Burcher - Old shower block renovation or camp kitchen
16	Tottenham - Water Tank Mural

3. The priority projects be submitted to the Commonwealth Government for approval as soon as possible.

CARRIED

7.3 MEMBERSHIP COUNTRY MAYORS ASSOCIATION OF NSW**RESOLUTION 2021/8**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That:

1. The General Manager's Report No. R21/27 be received and noted.
2. Council join the Country Mayors Association of NSW with the Mayor and General Manager, or their nominated delegate, as Council's representatives.
3. That cost of membership be included in Council's future Operational Plan.

CARRIED

7.4 CONDOBOLIN MENS SHED**RESOLUTION 2021/9**

Moved: Cr Melissa Blewitt

Seconded: Cr Elaine Bendall

That

1. The General Manager's Report No. R21/30 be received and noted.
2. Council offer the Condobolin Men's Shed long term accommodation at 7 Hay Street Condobolin.
3. A suitable Memorandum of Understanding be developed to communicate the benefits, liabilities and obligations of the parties.
4. The Condobolin Men's Shed members undertake grounds maintenance and minor building repairs at the site in lieu of rent for 3 years from the date of the first Memorandum of Understanding.
5. The Mayor and General Manager be authorised to offer these arrangements to the Condobolin Men's Shed and negotiate the terms of the Memorandum of Understanding.

CARRIED

7.5 MURRAY DARLING ASSOCIATION - CHANGE OF NAME CONSULTATION**RESOLUTION 2021/10**

Moved: Cr Mark Hall

Seconded: Cr Elaine Bendall

That:

1. The General Manager's Report No. R21/34 be received and noted.
2. The General Manager complete the online MDA survey and Council participate in the consultation process.

CARRIED

7.6 ALGA CALL FOR NOTICES OF MOTION TO NATIONAL GENERAL ASSEMBLY 2021**RESOLUTION 2021/11**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That:

1. The General Manager's Report No. R21/36 be received and noted.
2. Council determine any Notices of Motions it would like to submit to the Australian Local Government Association National General Assembly 2021
3. That the General Manager submit the following motion to the Australian Local Government Association National General Assembly 2021.

The National General Assembly calls on the Australian Government to invest in nation building projects where it can be established they will facilitate better road and transport connections between cities and with regions around Australia. The criteria for these projects should be based on the economic opportunities they create for freight and passenger movement, migration, service provision and business support, as these are known to contribute best to our national productivity.

CARRIED

The General Manager investigate a motion on Cost Shifting to Local Government.

8 CORPORATE AND COMMUNITY SERVICES**8.1 POLICY REVIEW - RELATED PARTIES DISCLOSURE POLICY****RESOLUTION 2021/12**

Moved: Cr Elaine Bendall

Seconded: Cr Mark Hall

That

1. The Director Corporate and Community Services Report No R20/357 be received and noted.
2. The revised Related Parties Disclosure Policy be adopted as presented.

CARRIED

8.2 DONATIONS**RESOLUTION 2021/13**

Moved: Cr Mark Hall

Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Corporate and Community Services Report No. R21/1 be received and noted.
2. Council determine the amount of any donation to be granted to the:

CARRIED

At 2.52pm, Cr Peter Harris left the meeting.

RESOLUTION 2021/14

Moved: Cr Peter Harris
Seconded: Cr Melissa Blewitt

- i. Condobolin and District Historical Society - that Council donate the rates as requested for a twelve month period.

CARRIED

RESOLUTION 2021/15

Moved: Cr Mark Hall
Seconded: Deputy Mayor Paul Phillips

- ii. Condobolin Clay Target Club inc – that Council donate \$1000.00.

CARRIED

Cr Blewitt recorded her vote against the motion.

RESOLUTION 2021/16

Moved: Deputy Mayor Paul Phillips
Seconded: Cr Brian Nelson

- iii. Tottenham Swimming Club – that Council donate \$300.00

CARRIED

RESOLUTION 2021/17

Moved: Cr Mark Hall
Seconded: Deputy Mayor Paul Phillips

- iv. Down the Track Program – that Council make a donation up to \$2000.00 and consider a further donation request next financial year.

CARRIED

At 2.55pm, Cr Peter Harris returned to the meeting.

8.3 INVESTMENTS AT 31 DECEMBER 2020

RESOLUTION 2021/18

Moved: Deputy Mayor Paul Phillips
Seconded: Cr Melissa Blewitt

That:

1. The Director Corporate and Community Services Report No. R21/4 be received and noted.

CARRIED

At 3.06pm, Director Environment, Tourism and Economic Development left the meeting.

8.4 INVESTMENTS AT 31 JANUARY 2021

RESOLUTION 2021/19

Moved: Cr Mark Hall

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Corporate and Community Services Report No. R21/5 be received and noted.

CARRIED

At 3.07pm, Director Environment, Tourism and Economic Development returned to the meeting.

8.5 QUARTERLY BUDGET REVIEW 2 2021FY

RESOLUTION 2021/20

Moved: Cr Mark Hall

Seconded: Cr Melissa Blewitt

That:

1. The Director Corporate and Community Services Report No.R21/15 be received and noted.
2. Council adopt the Quarterly Budget adjustments as presented.

CARRIED

At 3.12pm, Director Environment, Tourism and Economic Development left the meeting.

At 3.13pm, Director Environment, Tourism and Economic Development returned to the meeting.

8.6 YOUTH STRATEGY UPDATE ON PROGRESS

RESOLUTION 2021/21

Moved: Cr Mark Hall

Seconded: Cr Melissa Blewitt

That the Director Corporate and Community Services Report R21/16 be received and noted.

CARRIED

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 DEVELOPMENT DATA DECEMBER 2020 AND JANUARY 2021

RESOLUTION 2021/22

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That the Director Environment Tourism and Economic Development Report No. R21/8 be received and noted.

CARRIED

9.2 RURAL AND INDUSTRIAL LAND USE STRATEGY

RESOLUTION 2021/23

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That

1. The Director Environment Tourism and Economic Development Report No. R21/9 be received and noted.
2. Council endorse the preparation of a Rural and Industrial Land Use Strategy (RILS) including the seeking of quotations from appropriately qualified and experienced consultants to prepare the strategy.
3. Council be provided with regular updates regarding the preparation of the RILS.

CARRIED

Cr Hall declared a Less Than Significant Non-pecuniary Interest in item 9.3 Environment, Tourism and Economic Development – Shipping Container Policy as he has a shipping container on his land.

9.3 SHIPPING CONTAINER POLICY

RESOLUTION 2021/24

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That

1. The Director of Environment, Tourism and Economic Development Report No. R21/10 be received and noted.
2. That the Shipping Container Policy be readvertised for a further 28 days to allow for public comment and highlight potential additional cost and restrictions.

CARRIED

9.4 FY2021 PROJECT MONTHLY UPDATE FOR JANUARY

RESOLUTION 2021/25

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/29 be received and noted.

CARRIED

10 INFRASTRUCTURE SERVICES

10.1 FY2021 ROADWORKS MONTHLY UPDATE FOR DECEMBER/JANUARY

RESOLUTION 2021/26

Moved: Cr Elaine Bendall

Seconded: Deputy Mayor Paul Phillips

That

1. The Director Infrastructure Services Report No. R21/6 be received and noted.

CARRIED

10.2 FY2021 RECREATION MONTHLY UPDATE FOR DECEMBER/JANUARY

RESOLUTION 2021/27

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director Infrastructure Services report R21/19 be received and noted.

CARRIED

10.3 FY2021 UTILITIES MONTHLY UPDATE FOR DECEMBER/JANUARY

RESOLUTION 2021/28

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That

1. The Director Infrastructure Services Report No. R21/20 be received and noted.
2. Water restrictions be reduced in Condobolin back to Level 1 from 3 March 2021 until further notice.

CARRIED

10.4 AERODROME WATER STORAGE TANK - USER CHARGES UPDATE**RESOLUTION 2021/29**

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That

1. The Director Infrastructure Services Report R21/21 be received and noted
2. Council implement fees for accessing the water storage tanks :-
 - (a) Aerodrome treated water access fee per day - \$55.70
 - (b) Aerodrome treated water use per kL- \$9.84
3. Council place a limit of 50kL per day to be taken from the tank. Use of water from the tank remains at the discretion of the Director Infrastructure Services or their delegate.
4. Council install appropriate signage at Condobolin, Lake Cargelligo and Tottenham Aerodromes regarding use of the water storage.
5. Council review the fees on an annual basis in association with annual budget process.
6. Council consider funding options for the replacement of the Tottenham Aerodrome tank in the 2021/2022 Budget Process.

CARRIED

11 DEPUTATIONS

Nil

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

At 3.54pm the meeting paused for a break.

At 4.09pm the meeting resumed with Councillor Rees in attendance.

14 DELEGATES REPORT

14.1 MINING AND ENERGY RELATED COUNCILS - DRAFT MEETING MINUTES

RESOLUTION 2021/30

Moved: Cr Mark Hall

Seconded: Cr Elaine Bendall

That:

1. Delegates Report No R21/31 be received and noted.

CARRIED

It was noted that Councillor Nelson attended the Road Safety Committee on 08.02.2021.

It was noted that Councill Harris attended the official opening of a new business on behalf of the Mayor on 12.02.2021.

15 CORRESPONDENCE

15.1 CORRESPONDENCE FEBRUARY

RESOLUTION 2021/31

Moved: Cr Elaine Bendall

Seconded: Cr Peter Harris

That:

1. The General Managers Report No R21/32 be received and noted.

CARRIED

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION**RESOLUTION 2021/32**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

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 Clean TeQ pipeline agreement update

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 Caravan Park Review and Options

This matter is considered to be confidential under Section 10A(2)c and 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 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 prejudice the commercial position of the person who supplied it.

18.3 Contract extensions - Riverview Caravan park and lakeview caravan park

This matter is considered to be confidential under Section 10A(2)c and 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 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 prejudice the commercial position of the person who supplied it.

18.4 Final 2020 Audit Management letter

This matter is considered to be confidential under Section 10A(2)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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

18.5 Tender Assessment - Condobolin and Tottenham Toddler Pool Filtration upgrade

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.

18.6 Offer to purchase land Walker and Loughnan Street Lake Cargelligo

This matter is considered to be confidential under Section 10A(2)c and 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 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 prejudice the commercial position of the person who supplied it.

CARRIED

No members of the public were present.

RESOLUTION 2021/33

Moved: Cr Mark Hall

Seconded: Cr Elaine Bendall

That Council moves out of Closed Council into Open Council.

CARRIED

The motions adopted in Closed Meeting are as follows:

18.1 CLEAN TEQ PIPELINE AGREEMENT UPDATE**RESOLUTION 2021/34**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That

1. The Director Infrastructure Services Report No. R20/343 be received and noted.
2. The General Manager be authorised to issue a consent to Clean TeQ Holdings Ltd for the construction of a water pipeline to the Sunrise Mine project site under Section 138 of the Roads Act 1993.

CARRIED**18.2 CARAVAN PARK REVIEW AND OPTIONS****RESOLUTION 2021/35**

Moved: Cr Peter Harris

Seconded: Cr Elaine Bendall

That

1. The Director Environment, Tourism and Economic Development Report No. R21/2 be received and noted.
2. Council proceed with option 2 in relation to Riverview and Lakeview Caravan Parks.
3. A further report be presented to Council in relation to the master plans for both parks, following community consultation, to allow Council to consider what master plans are advertised with the tenders to enter into a long term lease to operate and manage the two (2) parks.
4. Council proceed with option 6 in relation to State Centre (Tottenham) Caravan Park and authorises the General Manager to commence an investigation into this option, including community consultation.
5. A further report be presented on the costs, savings and potential offsets associated with option 6 following community consultation and feedback.

CARRIED

18.3 CONTRACT EXTENSIONS - RIVERVIEW CARAVAN PARK AND LAKEVIEW CARAVAN PARK**RESOLUTION 2021/36**

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That:

1. The Director Environment, Tourism and Economic Development Report No. R21/3 be received and noted.
2. The existing contract with P.R.O Management Pty Ltd for the operation and management of the Riverview and Lakeview Caravan Parks be extended from 28 February 2021 to 30 June 2021.
3. The Mayor and General Manager be authorised to sign a deed/contract with P.R.O Management Pty Ltd (and affix the Council seal if required).

CARRIED**18.4 FINAL 2020 AUDIT MANAGEMENT LETTER****RESOLUTION 2021/37**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

1. That the Director Corporate and Community Services report R21/17 be received and noted.
2. Congratulations to the Director Corporate and Community Services and staff for the successful audit results.

CARRIED**18.5 TENDER ASSESSMENT - CONDOBOLIN AND TOTTENHAM TODDLER POOL FILTRATION UPGRADE****RESOLUTION 2021/38**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Infrastructure Services Report No R21/22 be received and noted.
2. Council resolve to accept the revised Tender from Conseth Solutions for the Condobolin Toddler Pool upgrade and resurfacing of the Toddler pool for \$175,250.
3. Council resolve to accept the revised Tender from Conseth Solutions for the Tottenham Toddler Pool upgrade for \$184,545.
4. Council submit the Toddler Pool upgrade works as one additional project to the Local Road and Community Infrastructure Program. \$60,000 for Condobolin, \$35,000 for Tottenham and \$95,000 for Lake Cargelligo.
5. The Mayor and General Manager be authorised to sign the contract documents and affix the Council Seal.

CARRIED

18.6 OFFER TO PURCHASE LAND WALKER AND LOUGHNAN STREET LAKE CARGELLIGO

RESOLUTION 2021/39

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That

1. The General Manager's Report No. R21/26 be received and noted.
2. Council accept the offer to purchase Lots 1, 6, 7 and 10 Section 58 DP 758595 Walker and Loughnan Streets Lake Cargelligo at \$25,000 per lot.
3. The General Manager engage Council's legal representative to prepare the contract documents and transact the sale.
4. The Mayor and General Manager be delegated authority to sign the contract documents and affix the Council Seal.

CARRIED

The Meeting closed at 5.08pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 March 2021.


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CHAIRPERSON

