

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 24 MARCH 2021 AT 2:07PM**

PRESENT: Mayor John Medcalf (OAM), Cr Elaine Bendall, Cr Melissa Blewitt, Cr Dennis Brady, Cr Dave Carter, 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), Adrian Milne (Director - Infrastructure Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Paula Ewing (Executive Assistant)

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Was read out by Councillor Bendall

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil

3 CONFIRMATION OF MINUTES

RESOLUTION 2021/40

Moved: Cr Mark Hall
Seconded: Cr Peter Harris

That the minutes of the Ordinary Meeting held on 24 February 2021 be confirmed.

4 MAYORAL MINUTE

4.1 MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR

RESOLUTION 2021/41

Moved: Deputy Mayor Paul Phillips
Seconded: Cr Melissa Blewitt

That:

1. Mayoral Minute No. R21/68 be received and noted.

Council noted the change of date of the "Bird in Hand" Opening and that the Mayor was unable to attend as he was at the 21/22 Budget Meeting at the Council Chambers, Condobolin.

CARRIED

4.2 MAYORAL MINUTE - MARCH**RESOLUTION 2021/42**

Moved: Cr Elaine Bendall

Seconded: Cr Melissa Rees

That:

1. The Mayoral Minute No. R21/71 be received and noted.

CARRIED

5 PUBLIC FORUM

Nil

6 DISCLOSURE OF INTEREST

Councillor Peter Harris declared an non significant non pecuniary interest in Item 9.8 as Cllr Harris is a friend of the family.

7 GENERAL MANAGER**7.1 MURRAY DARLING ASSOCIATION NATIONAL CONFERENCE AND AGM****RESOLUTION 2021/43**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager's Report No. R21/59 be received and noted.
2. Council nominate Councillor Mark Hall and Councillor John Medcalf OAM and the General Manager as delegates to attend the Murray Darling Association National Conference and AGM at Wentworth NSW from 16 to 19 May 2021.

CARRIED

7.2 REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS**RESOLUTION 2021/44**

Moved: Cr Mark Hall

Seconded: Cr Dave Carter

That:

1. The General Manager's Report No. R21/63 be received and noted.
2. Council support the proposed consultation paper and direct the General Manager to communicate that position to the Office of Local Government.

CARRIED

7.3 CLASSIFICATION OF LAND - 7 HAY STREET CONDOBOLIN

RESOLUTION 2021/45

Moved: Cr Peter Harris
Seconded: Cr Melissa Blewitt

That:

1. The General Manager's Report No. R21/65 be received and noted.
2. Council classify the land being acquired at 7 Hay Street Condobolin as Operational Land.

CARRIED

7.4 DELIVERY PROGRAM AND OPERATIONAL PLAN STATUS UPDATE - 31 DEC 2020.

RESOLUTION 2021/46

Moved: Cr Peter Harris
Seconded: Cr Melissa Rees

That:

1. The General Manager's Report No R21/69 be received and noted.

CARRIED

7.5 ACTIVE RESOLUTIONS AS AT MARCH 2021

RESOLUTION 2021/47

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager's Report No. R21/70 be received and noted.

CARRIED

8 CORPORATE AND COMMUNITY SERVICES

8.1 CUSTOMER SURVEY - INFORMATION FOR COUNCILLORS AND COMMUNITY

RESOLUTION 2021/48

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director Corporate & Community Services Report No. R21/48 be received and noted.

CARRIED

8.2 2018-2023 IT STRATEGIC PLAN UPDATE

RESOLUTION 2021/49

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Director Corporate and Community Services Report No R21/23 be received and noted.
2. Council note the revised 2018-2023 IT Strategic Plan.

CARRIED

8.3 INVESTMENTS AT 28 FEBRUARY 2021

RESOLUTION 2021/50

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Corporate and Community Services Report No. R21/42 be received and noted.

CARRIED

8.4 DRAFT YOUTH STRATEGY 2021-2030 REALISING OUR POTENTIAL

RESOLUTION 2021/51

Moved: Cr Mark Hall

Seconded: Cr Melissa Rees

That:

1. The Director Corporate and Community Services Report R21/44 be received and noted.
2. The draft Youth Strategy 2021-2030 Realising our Potential be placed on public exhibition of for a period of 28 days from 25 March to 22 April 2021 be approved.
3. Following the completion of the public exhibition period the Director of Corporate and Community Services present a further report, summarising any submissions received

during the public exhibition period, for the consideration of Council prior to final adoption of the Youth Strategy 2021-2030 Realising our Potential.

CARRIED

8.5 POLICY REVIEW - ASSET ACCOUNTING POLICY

RESOLUTION 2021/52

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director Corporate and Community Services Report No R21/53 be received and noted.
2. The revised Asset Accounting Policy be adopted as presented.

CARRIED

Councillor Rees left the room at 2:47pm.

Councillor Rees returned to the room at 2:49pm.

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 DRAFT MOBILE FOOD AND DRINK VENDORS TRADING ON PUBLIC PARKS, PLACES, ROADS AND RESERVES POLICY

RESOLUTION 2021/53

Moved: Cr Dave Carter

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No. R20/242 be received and noted.
2. The draft Mobile Food and Drink Vendor Trading in Public Parks, Places, Roads and Reserves Policy – ENV018 be placed on public exhibition for a period of 28 days and public submissions be invited on the draft Policy.
3. A further report be provided to Council following the public exhibition and submission period for consideration of any submissions received on the draft policy.

CARRIED

9.2 RE - BRANDING OF COUNCIL AND A NEW BRAND FOR COUNCIL'S VISITOR ECONOMY

RESOLUTION 2021/54

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That

1. The Director Environment Tourism and Economic Development Report No. R21/7 be received and noted.
2. Council place the three options for the Shire corporate branding, as well as Council's current logo and the two tourism brands on public exhibition for a minimum period of 28 days and invite the community to vote on the preferred option.
3. A further report be presented to Council outlining the feedback received during the public exhibition period and the outcome of the community vote prior to Council's determination of the future brands.

CARRIED

9.3 ALCOHOL PROHIBITED AREA OR ALCOHOL-FREE ZONE FOR ALBERT

RESOLUTION 2021/55

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

That:

1. The Director Environment Tourism and Economic Development Report No. R21/37 be received and noted.
2. Council proceed with a proposal to declare Albert (as per the area shown in Figure 1 of this report) to be both an Alcohol Free Zone and an Alcohol Prohibited Area.
3. The proposal, to declare Albert an Alcohol Free Zone and an Alcohol Prohibited Area be placed on public exhibition for a period of twenty-eight (28) days and invite submissions/objections to the proposal.
4. A further report be considered by Council, outlining the details of any submissions/objections made during the notification period for Council's consideration before making any final declarations.

CARRIED

9.4 DEVELOPMENT DATA FEBRUARY 2021

RESOLUTION 2021/56

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Director Environment Tourism and Economic Development Report No. R21/39 be received and noted.

CARRIED

9.5 FY2021 PROJECT MONTHLY UPDATE FOR FEBRUARY/MARCH**RESOLUTION 2021/57**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No.R21/47 be received and noted.

CARRIED**9.6 DRAFT KEEPING OF DOMESTIC ANIMALS POLICY****RESOLUTION 2021/58**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/51 be received and noted.
2. The matter be deferred to the April Strategic Briefing for discussion.

CARRIED**9.7 ANZAC DAY, CONDOBOLIN - 2021****RESOLUTION 2021/59**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/55 be received and noted.
2. Council not to support the request from the Condobolin RSL sub branch and suggest that the RSL sub branch call for volunteers to help support the event.
3. That the Director Environment, Tourism and Economic Development assist the Condobolin Sub Branch RSL with finding volunteers to run or assist with the event.

CARRIED

Councillor Harris declared a non-significant non-pecuniary interest in Item 9.8 as Cllr Harris is a friend of the family.

9.8 RAILWAY HOTEL - LAND OWNERS CONSENT REQUEST FOR DEVELOPMENT APPLICATION**RESOLUTION 2021/60**

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager Report No. R21/62 be received and noted.
2. Council provide land owners consent for the Development Application for that part of the proposed development located within the Molong Street road reserve.
3. A further report be presented to Council for determination of the Development Application, if the proposal continues to utilise part of the road reserve for the development.

Councillor Hall and Councillor Carter asked for their names to be recorded against the motion.

CARRIED

9.9 PROPOSED PLANNING AMENDMENTS FOR AGRICULTURE - LACHLAN LOCAL ENVIRONMENTAL PLAN 2013**RESOLUTION 2021/61**

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That

1. The Director Environment Tourism and Economic Development Report No. R21/66 be received and noted.
2. That Council resolve to opt in and add "farm stay accommodation" and "agritourism" as permissible land uses in the R5 Large Lot Residential Zone.

CARRIED

10 INFRASTRUCTURE SERVICES**10.1 FY2021 ROADWORKS MONTHLY UPDATE FOR FEBRUARY****RESOLUTION 2021/62**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

The Director Infrastructure Services Report No. R21/54 be received and noted.

CARRIED

At 4:10pm Council ceased for a break.

At 4:27pm Council resumed.

At 4:27pm Guy Marchant joined the meeting.

10.2 FY2021 RECREATION MONTHLY UPDATE FOR FEBRUARY

RESOLUTION 2021/63

Moved: Cr Melissa Rees

Seconded: Cr Dave Carter

That:

1. The Director Infrastructure Services Report No. R21/57 be received and noted.

CARRIED

10.3 FY2021 UTILITIES MONTHLY UPDATE FOR FEBRUARY

RESOLUTION 2021/64

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. R21/58 be received and noted.

CARRIED

10.4 REQUEST TO TRANSFER A CROWN ROAD FOR PROPERTY ACCESS

RESOLUTION 2021/65

Moved: Cr Peter Harris

Seconded: Cr Elaine Bendall

That:

3. The Director Infrastructure Services Report R21/64 be received and noted.
4. Council decline the request to become the responsible Road Authority for the Crown road access to lots 12 and 13 DP 752866 and lot 25 DP 752901.
5. Mrs Watson be advised of Council's resolution.

CARRIED

11 DEPUTATIONS

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT

14.1 COUNTRY MAYOR'S ASSOCIATION

RESOLUTION 2021/66

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Delegate's Report No. R21/60 be received and noted.

CARRIED

14.2 MINING AND ENERGY RELATED COUNCIL'S MEETING

RESOLUTION 2021/67

Moved: Cr Mark Hall

Seconded: Cr Dennis Brady

That:

1. The Delegate's Report No. R21/61 be received and noted.

CARRIED

14.3 CENTRAL NSW JOINT ORGANISATION BOARD MEETING 11 MARCH 2021

RESOLUTION 2021/68

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Delegates Report no R21/67 be received and noted.

CARRIED

15 CORRESPONDENCE

15.1 CORRESPONDENCE REPORT MARCH

RESOLUTION 2021/69

Moved: Cr Melissa Rees

Seconded: Cr Peter Harris

That:

1. The General Manager's Report No. R21/72 be received and noted.

CARRIED

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION**RESOLUTION 2021/70**

Moved: Cr Elaine Bendall

Seconded: Cr Dennis Brady

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 Undetected Water Leak - Assessment 1003210

This matter is considered to be confidential under Section 10A(2)a 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 personnel matters concerning particular individuals (other than councillors).

18.2 Update on Cyber Security Action Plan

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.

18.3 Provision of Youth Services from 1 July 2021

This matter is considered to be confidential under Section 10A(2)c 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.

18.4 Audit Engagement Plan

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 2021/1 - Supply and Installation of Ground Mount Solar PV and Battery Storage at Lake Cargelligo Water Filtration Plant.

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

RESOLUTION 2021/71

Moved: Cr Dennis Brady
Seconded: Cr Elaine Bendall

That Council moves out of Closed Council into Open Council.

CARRIED

At 5:00pm Guy Marchant left the meeting.

18.1 UNDETECTED WATER LEAK - ASSESSMENT 1003210**RESOLUTION 2021/72**

Moved: Cr Mark Hall
Seconded: Cr Elaine Bendall

That:

1. The Director of Corporate and Community Services Report No. R21/18 be received and noted.
2. Council reject the request to reduce water consumption charges on the basis that it would contravene the adopted Undetected Water Leak and Faulty Water Meter Policy and expose Council to an unknown number of future claims.
3. Council reject the request for an additional Kilolitre allowance as both are outside of Council policy and advise the ratepayer to consider an application under the Hardship Policy.
4. Council not extend the water main in Cunningham Street.

CARRIED

18.2 UPDATE ON CYBER SECURITY ACTION PLAN**RESOLUTION 2021/73**

Moved: Cr Mark Hall
Seconded: Cr Elaine Bendall

That:

1. The Director of Corporate and Community Services Report No. R21/49 be received and noted.
2. Council note the updated Cyber Security Action Plan.

CARRIED

18.3 PROVISION OF YOUTH SERVICES FROM 1 JULY 2021**RESOLUTION 2021/74**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director Corporate and Community Services Report R21/52 be received and noted.
2. A fixed price selective tender process, under *Section 166(b) of the Local Government (General) Regulation 2005*, by which invitations to tender for a particular proposed contract/s are made following a public advertisement asking for expressions of interest, be utilised for the procurement of a Youth Service provider
3. The proposed contract be for a 4 year term from 1 July 2021.
4. That expressions of interest for a dual or single provider model be invited for the delivery of youth services in the Lachlan Shire Council area.

CARRIED

18.4 AUDIT ENGAGEMENT PLAN

RESOLUTION 2021/75

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report R21/46 be received and noted.

CARRIED

18.5 TENDER 2021/1 - SUPPLY AND INSTALTION OF GROUND MOUNT SOLAR PV AND BATTERY STORAGE AT LAKE CARGELLIGO WATER FILTRATION PLANT.

RESOLUTION 2021/76

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Director of Environment, Tourism and Economic Development Report No. R21/50 be received and noted.
2. The tender of Macquarie Energy Pty Ltd for the construction of a 240KW Solar PV Array and 100KWh/100kW battery storage at the Lake Cargelligo Water Treatment Plant, for the price outlined in Table 1 of this report, be accepted.
3. The Mayor and General Manager be authorised to sign the construction contract for this project and affix the Council seal to any contract documents.

CARRIED

The Meeting closed at 5:07pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 April 2021.


.....
CHAIRPERSON

