

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD ONLINE
ON WEDNESDAY, 27 MAY 2020 AT 2:05PM**

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), Tekohi Rivera (Director - Infrastructure Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Paula Ewing (Executive Assistant).

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Councillor Carter

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Councillor Rees will be joining the meeting at 2:30pm.

Councillor Phillips will also join the meeting later.

RESOLUTION 2020/73

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

3 CONFIRMATION OF MINUTES

RESOLUTION 2020/74

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That the minutes of the Ordinary Meeting held on 22 April 2020 be confirmed.

CARRIED

4 MAYORAL MINUTE

4.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR MAY

RESOLUTION 2020/75

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That Council

- (i) Read and Note Mayoral Report No R20/124.

CARRIED

4.2 MAYORAL MINUTE - MAY

RESOLUTION 2020/76

Moved: Cr Peter Harris
Seconded: Cr Elaine Bendall

That Council

- (i) Receive and Note Mayoral Minute No R120/126.

CARRIED

5 PUBLIC FORUM

Nil

6 DISCLOSURE OF INTEREST

Councillor Phillips declared a significant pecuniary interest in Item No 18.3 as his son is a tenderer.
Councillor Medcalf declared a significant pecuniary interest in Item no 18.7 as he is a director of the Tottenham Golf Club

7 GENERAL MANAGER

7.1 ACTIVE RESOLUTIONS - MAY

RESOLUTION 2020/77

Moved: Cr Dennis Brady
Seconded: Cr Peter Harris

That Council

- (i) Receive and Note General Manager's Report No R20/119.

CARRIED

8 CORPORATE AND COMMUNITY SERVICES

8.1 CANCELLED EVENT DONATIONS

RESOLUTION 2020/78

Moved: Cr Dave Carter

Seconded: Cr Peter Harris

That:

1. The Director Corporate & Community Services Report No. R20/87 be received.
2. The
 - (a) CWA Oxley Group AND
 - (b) Lake Cargelligo Arts and Craftsretain their received donation.

CARRIED

8.2 INVESTMENTS AT 30 APRIL 2020

RESOLUTION 2020/79

Moved: Cr Mark Hall

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report No. R20/103 be received and noted.

CARRIED

Councillor Rees joined the meeting at 2:35pm

8.3 QUARTERLY BUDGET REVIEW 3 2020FY

RESOLUTION 2020/80

Moved: Cr Peter Harris

Seconded: Cr Elaine Bendall

That

1. The Director Corporate and Community Services Report No. R20/113 be received.
2. The revised Operating Plan Budget including transfers from the reserves as presented be adopted.

CARRIED

8.4 REVIEW OF DEBT RECOVERY POLICY AND HARDSHIP POLICY

RESOLUTION 2020/81

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That;

1. The Director of Corporate and Community Services Report No. R20/121 be received.

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.
5. When the policies are placed on public exhibition that the public is advised that the policy will be overridden by State Government legislation in relation to Covid-19, until that legislation is lifted.

CARRIED

8.5 DRAFT DELIVERY AND OPERATIONAL PLAN, INCORPORATING THE 2020-21 OPERATING BUDGET.

RESOLUTION 2020/82

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That

1. The Director Corporate & Community Services Report R20/122 be received.
2. Subject to any changes Council wishes to make being incorporated, the draft Operational Plan, Delivery Program and budget documents for the 2020.2021 financial year be placed on public exhibition for 28 days as required under the Local Government Act 1993 section 405.

CARRIED

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 DA2018/55 - PROPOSED REINSTATEMENT OF EXISTING SERVICE STATION AND REPLACEMENT OF ABOVE GROUND DIESEL TANK AND NEW FORECOURT POLLUTION CONTROL

RESOLUTION 2020/83

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

That

1. The Director Environment, Tourism and Economic Development Report No. R20/99 be received.
2. Council resolve to approve DA2018/55 by Deferred Commencement Consent, subject to the conditions outlined in Attachment Two of this Report.

In Favour: Crs John Medcalf, Elaine Bendall, Melissa Blewitt, Dennis Brady, Dave Carter, Mark Hall, Peter Harris, Melissa Rees and Brian Nelson

Against: Nil

CARRIED

9.2 DEVELOPMENT DATA - APRIL 2020**RESOLUTION 2020/84**

Moved: Cr Brian Nelson
Seconded: Cr Dave Carter

That the Director Environment, Tourism and Economic Development Report No. R20/108 be received and noted.

CARRIED

9.3 DA2020/2 - PROPOSED ALTERATIONS AND ADDITIONS TO EXISTING SELF-STORAGE FACILITY, TO BE CONSTRUCTED IN TWO (2) STAGES**RESOLUTION 2020/85**

Moved: Cr Peter Harris
Seconded: Cr Dennis Brady

That

1. The Director Environment, Tourism and Economic Development Report No. R20/112. be received.
2. Council approve DA2020/2 in accordance with the recommended conditions of consent provided in Attachment 2.

In Favour: Crs John Medcalf, Elaine Bendall, Melissa Blewitt, Dennis Brady, Dave Carter, Mark Hall, Peter Harris, Melissa Rees and Brian Nelson

Against: Nil

CARRIED

10 INFRASTRUCTURE SERVICES**10.1 FY1920 UTILITIES MONTHLY UPDATE FOR APRIL****RESOLUTION 2020/86**

Moved: Cr Mark Hall
Seconded: Cr Dave Carter

That

1. The Director Infrastructure Services Report No. R20/106 be received.
2. Water restriction levels be relaxed from 1 June 2020 until further notice as follows:
 - (a) Potable Water Supplies in:
 - (i) Condobolin and Lake Cargelligo: Level One
 - (ii) Tottenham and Albert: Level Two.
 - (b) Non-Potable Water Supplies in:

- (i) Tullibigeal (including Gibsonvale): Level One
- (ii) Burcher and Fifield: Level Two.

CARRIED

10.2 FY1920 ROADWORKS MONTHLY UPDATE FOR APRIL

RESOLUTION 2020/87

Moved: Cr Elaine Bendall
 Seconded: Cr Melissa Blewitt

That

- 1. The Director Infrastructure Services Report No. R20/109 be received and noted.

CARRIED

Councillor Phillips joined the meeting at 3:00pm

10.3 FY1920 ROAD CAPITAL WORKS PROGRAM (AMENDED)

RESOLUTION 2020/88

Moved: Cr Melissa Rees
 Seconded: Deputy Mayor Paul Phillips

That Council

- 1. The Director Infrastructure Services Report No. R20/111 be received.
- 2. Approve the proposed variation to the construction program as detailed in the Report No. R20/111.

CARRIED

10.4 TOTTENHAM, CONDOBOLIN AND LAKE CARGELLIGO SWIMMING POOLS - END OF SEASON REPORT

RESOLUTION 2020/89

Moved: Cr Peter Harris
 Seconded: Cr Mark Hall

That the Director Infrastructure Services Report No R20/114 be received and noted.

CARRIED

10.5 FY1920 RECREATION MONTHLY UPDATE FOR APRIL

RESOLUTION 2020/90

Moved: Cr Melissa Blewitt

Seconded: Cr Dennis Brady

That

1. The Director Infrastructure Services report R20/115 be received and noted.

CARRIED

10.6 CONDOBOLIN AERODROME FENCING PROJECT - GRANT EXECUTION & CO-CONTRIBUTION

RESOLUTION 2020/91

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. 20/117 be received.
2. Council accept the \$35,000 grant from the Australian Government for the upgrade of fencing at the Condobolin Aerodrome and approve the transfer of \$35,000 from the Condobolin Aerodrome Operation budget to a capital budget for the project.
3. The General Manager be delegated authority to execute the grant agreement.

CARRIED

11 DEPUTATIONS

Nil

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT

Nil

15 CORRESPONDENCE

15.1 CORRESPONDENCE - MAY

RESOLUTION 2020/92

Moved: Cr Dennis Brady

Seconded: Cr Dave Carter

That Council

- (i) Receive and Note Correspondence Report No R20/120.

CARRIED

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION

RESOLUTION 2020/93

Moved: Cr Dave Carter

Seconded: Cr Elaine Bendall

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 Council Residence - 123 Officers Parade, Condobolin

This matter is considered to be confidential under Section 10A(2)c and dii 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 information that would, if disclosed, confer a commercial advantage on a competitor of the council.

18.2 Tender 2020/3 - Management Contract for Tottenham Caravan park - Submission

This matter is considered to be confidential under Section 10A(2)a and dii 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) and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

18.3 Q2020/04 - Quotation Assessment - Lake Cargelligo Showground Amenities Building

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 Results of the Cyber Security Audit

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 Contract for collection of scrap metal and e-waste for Councils in the Netwaste region,

This matter is considered to be confidential under Section 10A(2)c, di and dii 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, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

18.6 Lake Cargelligo Aerodrome Grazing Licence - Expressions of Interest

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.

18.7 Rates and Charges Donations - 2019/20

This matter is considered to be confidential under Section 10A(2)b 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 discussion in relation to the personal hardship of a resident or ratepayer.

CARRIED

RESOLUTION 2020/94

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That Council moves out of Closed Council into Open Council.

CARRIED

Councillor Phillips left the meeting 3:30pm

18.1 COUNCIL RESIDENCE - 123 OFFICERS PARADE, CONDOBOLIN

RESOLUTION 2020/95

Moved: Cr Dennis Brady

Seconded: Cr Dave Carter

That

1. The Director Environment, Tourism and Economic Development Report No. 20/75 be received.
2. A Development Application be lodged to subdivide 123 Officers Parade Condobolin from Council's current land holding;
3. Authorise the Mayor and General Manager to enter into a contract for sale of No. 123 Officers Parade, Condobolin (once subdivision is complete) with a reserve price to be determined at that time.
4. Investigations commence into possible replacement dwelling options and a further report be provided to Council on the outcomes of the investigation and options identified, including cost and funding implications.

CARRIED

Councillor Phillips returned to the meeting at 3:36pm

18.2 TENDER 2020/3 - MANAGEMENT CONTRACT FOR TOTTENHAM CARAVAN PARK - SUBMISSION**RESOLUTION 2020/96**

Moved: Cr Elaine Bendall

Seconded: Cr Peter Harris

That

1. The Director Environment, Tourism and Economic Development Report No. R20/85 be received.
2. Council reject the tender received for management of the Tottenham Caravan Park.
3. Any determination on the future management model for the Tottenham Caravan Park be deferred until a business plan for the park is complete.
4. A further report detailing the recommendations in the Business Plan be prepared for Council's consideration.

CARRIED

At 3:40pm Councillor Paul Phillips declared a significant pecuniary interest in Item 18.3 as his son is a tenderer for the amenities building and left the meeting.

18.3 Q2020/04 - QUOTATION ASSESSMENT - LAKE CARGELLIGO SHOWGROUND AMENITIES BUILDING**RESOLUTION 2020/97**

Moved: Cr Dennis Brady

Seconded: Cr Mark Hall

That

1. The Director of Environment, Tourism and Economic Development Report No R20/104 be received.
2. That Council award the construction of the Lake Cargelligo Showground amenities building to Phillips Building Company, subject to the variation request to alter the project funding deed milestones under the Stronger Country Community Fund, being approved by the NSW State Government.
3. That the Director of Environment, Tourism and Economic Development be authorised to raise a purchase order for the project construction.

CARRIED

Councillor Phillips returned to the meeting at 3:45pm

18.4 RESULTS OF THE CYBER SECURITY AUDIT**RESOLUTION 2020/98**

Moved: Cr Elaine Bendall

Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report No. R20/105 be received and noted.

CARRIED

18.5 CONTRACT FOR COLLECTION OF SCRAP METAL AND E-WASTE FOR COUNCILS IN THE NETWASTE REGION,**RESOLUTION 2020/99**

Moved: Cr Mark Hall

Seconded: Cr Dennis Brady

That:

1. The Director Environment Tourism and Economic Development Report No. R20/107 be received.
2. The current Contract with SIMS Metal Management and SIMS Recycling Solutions be extended in accordance with Clause 2 of the contract, for the final twelve (12) months, finishing on 27 July 2021.
3. Council authorise the Mayor and General Manager to sign the agreement extensions and affix the Council seal if required.

CARRIED

18.6 LAKE CARGELLIGO AERODROME GRAZING LICENCE - EXPRESSIONS OF INTEREST**RESOLUTION 2020/100**

Moved: Cr Melissa Blewitt

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report No. 20/110 be received.
2. The offer of \$3,300 (Inc. GST) from Mr & Mrs Johnson for a 12 month grazing licence at the Lake Cargelligo Aerodrome be accepted.
3. Council authorise to the General Manager to enter into a short term grazing licence with Mr & Mrs Johnson

CARRIED

At 4:06pm Councillor Medcalf declared a significant pecuniary interest in 18.7 and left the meeting as he is a director on the board of Tottenham Golf Club.

18.7 RATES AND CHARGES DONATIONS - 2019/20

RESOLUTION 2020/101

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That:

- 1) The Director of Corporate and Community Services Report No. R20/102 be received and noted.
- 2) Determine if Council wish to provide a donation to Tottenham Bowling Club to cover all or part of the rates and charges liability for that property until the current COVID-19 restrictions are lifted.
- 3) Approve any concession granted to be funded from the General Donations – Elected Members budget.

Upon voting the motion was lost.

RESOLUTION 2020/102

Moved: Cr Mark Hall

Seconded: Cr Dennis Brady

That the report be deferred until June 2020.

CARRIED

Councillor Medcalf returned to the meeting at 4:46pm

Urgent business items

Platina Resources – Council - Lease, Council agreed to the extension of the abattoir lease subject to the outstanding Environmental Levy being paid in 4 equal quarterly instalments commencing 12/07/2020.

Drought Stimulus Program

Staff Matters – Resignation of Director of Infrastructure Services

The Meeting closed at 5:30pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 June 2020.


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CHAIRPERSON