

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 7 AUGUST 2024 AT 2:00 PM**

PRESENT: Mayor Paul Phillips, Deputy Mayor John Medcalf, Cr Judith Bartholomew, Cr Melissa Blewitt, Cr Dennis Brady, Cr Peter Harris, Cr Megan Mortimer, Cr Melissa Rees.

IN ATTENDANCE: Greg Tory (General Manager), Adrian Milne (Director - Infrastructure Services), Patrick Ruettjes (Director - Environment and Planning), Cherise Small (Executive Assistant).

Meeting started at 2:13pm.

1 WEBCASTING

The statement regarding the webcasting was read out by **the Mayor**.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The Acknowledgment of Country and Elders was made By **Cr. Bartholomew**.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2024/178

Moved: Cr Dennis Brady

Seconded: Cr Melissa Blewitt

That:

1. The request for Leave of Absence received from Cr Robyn Turner be accepted.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2024/179

Moved: Cr Judith Bartholomew

Seconded: Cr Megan Mortimer

That the minutes of the Ordinary Meeting held on 17 July 2024 be confirmed.

CARRIED

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS

RESOLUTION 2024/180

Moved: Deputy Mayor John Medcalf

Seconded: Cr Dennis Brady

That:

1. The Mayoral Minute No. R24/218 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Nil.

8 READ AND NOTE

RESOLUTION 2024/181

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That:

The recommendations included in the business paper to receive and note the following items be adopted:

- 8.1 Delivery Program 6 monthly update to 30 June 2024;
- 8.2 Lachlan Shire Council – Local Water Utility Performance Report;
- 8.3 Development Date July 2024;
- 8.4 Active Resolutions;
- 8.5 Building Projects Monthly Update for July/August;
- 8.6 Customer Requests as at 226 July 2024;
- 8.7 FY24/25 Roadworks monthly update July;
- 8.8 Water Allocations – July 2023 – June 2024;
- 8.9 FY23/24 Utilities Monthly Update for July;
- 8.10 Tourism and Promotions Update – July 2024;
- 8.11 FY23/24 Urban Works Monthly Update for July;
- 8.12 Investments as at 31 July 2024

CARRIED

9 DECISION REPORTS

9.1 GENERAL MANAGER

9.1.1 DELEGATIONS OF MAYOR - ELECTION PERIOD

RESOLUTION 2024/182

Moved: Deputy Mayor John Medcalf

Seconded: Cr Dennis Brady

That:

1. The General Manager’s report No. R24/211 be received and noted.
2. Council delegate to Mr Paul Arthur Phillips the authority to:
 - Carry out the civic and ceremonial functions of the Mayoral office, between election day and the holding of the Mayoral election after the elections.

CARRIED

9.1.2 STANDARD CONTRACT OF EMPLOYMENT FOR GENERAL MANAGERS

RESOLUTION 2024/183

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The General Manager’s Report No. R24/213 be received and noted.
2. Council authorise the Council seal to be affixed to the General Manager’s contract of employment.

CARRIED

9.1.3 EMPLOYEE RESEARCH SURVEY 2024

RESOLUTION 2024/184

Moved: Cr Dennis Brady

Seconded: Deputy Mayor John Medcalf

That:

1. The General Manager’s Report No R24/225 be received and noted.
2. Consideration be given to determining alternate means of measuring staff satisfaction during the development of the next Council Delivery Program.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM****RESOLUTION 2024/185**

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report R24/224 be received and noted.
2. The Callara Culture & Heritage Aboriginal Corporation be granted an extension of time until 29 November 2024, for the publishing of their books, whilst the organisation awaits the outcome of an additional funding application. If the books are not published by 29 November 2024, the funds are to be returned to council.

CARRIED

9.2.2 AMENDMENTS TO ADOPTED FEES AND CHARGES 2024.2025**RESOLUTION 2024/186**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The Director Corporate and Community Services Report R24/243 be received and noted.
2. The draft Fees and Charges be placed on public exhibition for a period of 28 days.
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 amended Fees and Charges.

CARRIED

9.3 ENVIRONMENT AND PLANNING**9.3.1 BUILDING LINE VARIATION - DA2024/25 - CARPORT - 6 CONAPAIRA STREET LAKE CARGELLIGO****RESOLUTION 2024/187**

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The Director Environment and Planning Report No. R24/214 be received and noted.

2. Development Application DA2024/25 be approved in accordance with the Recommended Conditions of Consent provided in Attachment 2, including the reduced front and side building line variations.

A motion DA2024/25 – Carport – 6 Conapaira Street, Lake Cargelligo was put to Council, and Council voted on the motion:

Cr Paul Phillips
Cr John Medcalf
Cr Judit Bartholomew
Cr Megan Mortimer
Cr Peter Harris
Cr Melissa Blewitt
Cr Melissa Rees
Cr Dennis Brady

Voted in favour of the motion.

CARRIED

9.3.2 1 MCINNES STREET LAKE CARGELLIGO - MASTER PLAN AND PLANNING PROPOSAL UPDATE

RESOLUTION 2024/188

Moved: Cr Dennis Brady
Seconded: Deputy Mayor John Medcalf

That:

1. The Director of Environment and Planning Report No. R24/73 be received and noted.
2. The Planning Proposal to rezone Lot 212 on DP 1058505 (1 McInnes Street, Lake Cargelligo) from RU1 Primary Production to RU5 Village be placed on public exhibition for a minimum period of 20 working days in accordance with Condition 3 of Gateway Determination PP2023-1839 dated 12 April 2024.
3. The rezoning of the site be completed in accordance with Conditions 1, 2, 3 and 4 of Gateway Determination PP2023-1839 dated 12 April 2024.
4. The final investigations and the development of masterplan subdivision layout options continue, together with detailed cost estimates, for the future consideration of Council once the rezoning of the site has been finalised.
5. A further report be presented to Council once items 2, 3 and 4 above have been completed.

CARRIED

9.3.3 ENERGY SUSTAINABILITY PLAN 2024**RESOLUTION 2024/189**

Moved: Cr Megan Mortimer

Seconded: Deputy Mayor John Medcalf

That:

1. The Director of Environment and Planning Report No. R24/240 be received and noted.
2. The Lachlan Shire Council Energy Sustainability Plan 2024 be adopted.
3. The Lachlan Shire Council Energy Sustainability Plan 2024 be placed on Council's website and that the adoption of the plan be communicated through the media and on Council's media outlets.

CARRIED

9.4 INFRASTRUCTURE SERVICES**9.4.1 PART ROAD CLOSURE - SILOS ROAD, CONDOBOLIN****RESOLUTION 2024/190**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R24/226 be received and noted.
2. Part of SR 340 Silos Road, as identified in the report be closed.
3. The necessary public notifications to close part of a public road be undertaken.
4. A further report be presented to Council advising of the public notification process outcomes.
5. The land in the road reserve be vest in Council when the road is closed.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

Nil

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

13.1 DELEGATE REPORT

RESOLUTION 2024/191

Moved: Cr Dennis Brady

Seconded: Deputy Mayor John Medcalf

That:

1. The Delegate’s Report No. R24/219 be received and noted.

CARRIED

13.2 DELEGATES REPORT

RESOLUTION 2024/192

Moved: Deputy Mayor John Medcalf

Seconded: Cr Dennis Brady

That:

1. The Delegate’s Report No. R24/248 be received and noted.

CARRIED

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2024/193

Moved: Deputy Mayor John Medcalf

Seconded: Cr Judith Bartholomew

That:

1. The Correspondence Report No. R24/216 be received and noted.
2. A letter be sent to the Minister of Agriculture, Regional NSW and Western NSW, the Minister for the Environment and the Member for Barwon providing a copy of the proposal from the Tottenham NSW Farmers Association for a Feral Pig Bounty and indicating Council’s support for the proposal.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

Cr Blewitt left the meeting at 3:10pm

17 CLOSED SESSION

RESOLUTION 2024/194

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

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:

17.1 Tender Assessment T2024/12 - Construction Management - Works Depot, Condobolin

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.

17.2 Tender Assessment - T2024/1 Officers Parade Sewage Pumping Upgrade

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.

17.3 EOI - Trades and Suppliers Panel - Completion of Condobolin Works Depot

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.

17.4 Cyber Security Action Plan update to Council

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.

17.5 Tender Assessment - T2024-14 Unsealed Road Flood Restoration Work - West of Lake Cargelligo

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.

17.6 Expression of Interest - 341 and 343 Bygalore Road, Ungarie

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.

17.7 Tottenham Caravan Park Management Contract Extension

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

The meeting paused at 3:11pm

Cr Blewitt returned to the meeting at 3:20pm

The meeting resumed at 3:26pm.

RESOLUTION 2024/195

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 TENDER ASSESSMENT T2024/12 - CONSTRUCTION MANAGEMENT - WORKS DEPOT, CONDOBOLIN

RESOLUTION 2024/196

Moved: Cr Melissa Rees

Seconded: Cr Judith Bartholomew

That:

1. The Director Environment and Planning Report No. R24/177 be received and noted.
2. The tender from HAFT Construction Pty Ltd for the Construction Management of the Condobolin Works Depot Project (T2024/12) be accepted.
3. The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal if required.

CARRIED

17.2 TENDER ASSESSMENT - T2024/1 OFFICERS PARADE SEWAGE PUMPING UPGRADE**RESOLUTION 2024/197**

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. R24/209 be received and noted.
2. The tender submission from Trazibat Pty Ltd for the tender amount in Option 1 be accepted.
3. Council resolve to reallocate \$175,000 from the Sewer Main Rehabilitation program for FY2024/25 to complete the project.
4. The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal.

CARRIED

17.3 EOI - TRADES AND SUPPLIERS PANEL - COMPLETION OF CONDOBOLIN WORKS DEPOT**RESOLUTION 2024/198**

Moved: Cr Melissa Rees

Seconded: Cr Peter Harris

That:

1. The Director Environment and Planning Report No. R24/221 be received and noted.
2. In accordance with section 55 of the *Local Government Act 1993*, Council accepts the complying EOI submitted for the Trades & Suppliers Panel Contract.
3. The General Manager issue letters of acceptance to responds to the Trades and Suppliers EOI.
4. The time for submissions of EOIs for the provision of Trades and Supplies for the construction of the Condobolin Works Depot remain open to allow for suitably qualified trades and suppliers to be included on the panel.

CARRIED

17.4 CYBER SECURITY ACTION PLAN UPDATE TO COUNCIL**RESOLUTION 2024/199**

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report No. R24/222 be received and noted.

CARRIED

17.5 TENDER ASSESSMENT - T2024-14 UNSEALED ROAD FLOOD RESTORATION WORK - WEST OF LAKE CARGELLIGO**RESOLUTION 2024/200**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That

1. The Director Infrastructure Services Report No R24/206 be received and noted.
2. The tender of Ross Bros Excavations for T2024/14 – Unsealed Roads Flood Restoration Work – West of Lake Cargelligo be accepted.
3. The Mayor and General Manager be authorised to sign the contract documents and affix the Council seal if required

CARRIED

17.6 EXPRESSION OF INTEREST - 341 AND 343 BYGALORE ROAD, UNGARIE**RESOLUTION 2024/201**

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No. R24/238 be received and noted.
2. The expression of interest from Landify Pty Ltd to purchase lots 341 and 343 Bygalore Road, Ungarie be declined as per option 3 of the report.

CARRIED

17.7 TOTTENHAM CARAVAN PARK MANAGEMENT CONTRACT EXTENSION

RESOLUTION 2024/202

Moved: Deputy Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The Director Environment and Planning Report No. R24/242 be received and noted.
2. The existing contract with Kristy Ivory for the operation and management of the Tottenham Caravan Parks be extended from 28 November 2024 to 27 November 2027.

CARRIED

The Meeting closed at 3:45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 October 2024.

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CHAIRPERSON