

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 25 MAY 2022 AT 9:04AM**

PRESENT: Mayor John Medcalf (OAM), Cr Judith Bartholomew, Cr Elaine Bendall, Cr Melissa Blewitt, Cr Dennis Brady, Cr Dave Carter, Cr Megan Mortimer, Deputy Mayor Paul Phillips, Cr Melissa Rees

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Adrian Milne (Director - Infrastructure Services), Paula Ewing (Executive Assistant),

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Clr Carter delivered the acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Leave of absence - Councillor Peter Harris

RESOLUTION 2022/140

Moved: Cr Dennis Brady

Seconded: Cr Dave Carter

3 CONFIRMATION OF MINUTES

RESOLUTION 2022/141

Moved: Cr Dennis Brady

Seconded: Cr Dave Carter

That the minutes of the Ordinary Meeting held on 27 April 2022 be confirmed.

CARRIED

4 MAYORAL MINUTE

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

RESOLUTION 2022/142

Moved: Cr Dennis Brady

Seconded: Cr Elaine Bendall

That:

1. The Mayoral Minute Report No. R22/143 be received and noted.

CARRIED

5 PUBLIC FORUM

Keith Mulette – Forbes Art Society, Lachlan Sculpture Trail

At 9:35am Councillor Bartholomew left the meeting.

At 9:38am Councillor Bartholomew returned to the meeting.

William Loader - DA2021/63 - Alterations and Additions to Railway Hotel including Extension to Street Verandah

6 DISCLOSURE OF INTEREST

Clr Blewitt declared a non-significant, non-pecuniary interest in Item 7.2 as her sister was a former employee of Lachlan Shire Council.

Clr Bendall declared a non-significant, non-pecuniary interest Item 18.7 as the proposed purchaser is a distant relative.

7 GENERAL MANAGER

7.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2022

RESOLUTION 2022/143

Moved: Cr Dave Carter

Seconded: Cr Dennis Brady

That

1. The General Manager's Report No. R22/137 be received and noted.
2. Council note advice regarding the 2022/2023 Determination of the Local Government Remuneration Tribunal relating to the annual fees for the Mayor and Councillors.
3. Council determine the annual fees for 2022/2023 to be:
 - (a) Mayor - \$27,600
 - (b) Councillors - \$12,650
 - (c) Deputy Mayor - \$3,009 (from the Mayoral fee)

Councillors Blewitt, Rees, Bendall, Mortimer requested their names be recorded as voting against the motion.

CARRIED

Moved: Cr Melissa Blewitt

Seconded: Cr Melissa Rees

That Council:

Not increase the fee, and maintain the current fee.

In Favour: Crs Elaine Bendall, Melissa Blewitt, Melissa Rees and Megan Mortimer

Against: Crs John Medcalf, Paul Phillips, Dennis Brady, Dave Carter and Judith Bartholomew

LOST

Councillor Blewitt left the meeting at 9:51am

7.2 ACTIVE RESOLUTIONS - MAY

RESOLUTION 2022/144

Moved: Cr Elaine Bendall

Seconded: Cr Dennis Brady

That:

1. The General Manager's report no R22/138 be received and noted.

CARRIED

7.3 REVIEW OF ORGANISATION STRUCTURE 2022

RESOLUTION 2022/145

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No. R22/145 be received and noted.
2. Council confirm that the positions of Director Infrastructure Services, Director Corporate and Community Services and Director Environment, Tourism and Economic Development are not to be classified as Senior Staff positions under section 332 of the Local Government Act 1993.
3. Note the roles and reporting lines of the Senior Staff positions as presented in the Organisation Structure attached to this report.

CARRIED

8 CORPORATE AND COMMUNITY SERVICES

8.1 DONATIONS

RESOLUTION 2022/146

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director of Corporate and Community Services Report No. R22/105 be received and noted.
2. Council provide a donation of \$1,000 to the Lake Cargelligo Art & Crafts Society Inc. for the Blue Water Arts and Crafts Exhibition.
3. Council provide a donation of \$2,000 to the Condobolin & District Kennel Club Inc.

CARRIED**8.2 INVESTMENTS AS AT 30 APRIL 2022****RESOLUTION 2022/147**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Elaine Bendall

That:

1. The Director Corporate and Community Services Report No. R22/119 be received and noted.

CARRIED**8.3 DRAFT DISABILITY INCLUSION ACTION PLAN****RESOLUTION 2022/148**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report R22/123 be received and noted.
2. The draft Disability Inclusion Action Plan 2021-2025 be placed on public exhibition of for a period of 28 days from 26 May to 23 June 2022.
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 Disability Inclusion Action Plan 2021-2025.

CARRIED

Clr Paul Phillips left the room at 10:12am

Clr Paul Phillips returned to the room at 10:14am

8.4 QUARTERLY BUDGET REVIEW 3 2022 FY**RESOLUTION 2022/149**

Moved: Cr Melissa Rees

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report No. R22/132 be received and noted.
2. The Quarterly Budget adjustments and reserve movements be adopted as presented.

CARRIED**8.5 DRAFT INTEGRATED PLANNING & REPORTING DOCUMENTS****RESOLUTION 2022/150**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Judith Bartholomew

That

1. The Director Corporate and Community Services Report R22/144 be received and noted.
2. The draft Community Strategic Plan 2022/23-2031/32, Delivery Program 2022/26, Operational Plan 2022/23 and Resourcing Strategy comprising the Workforce Management Plan 2022/26 and 10 year Long Term Financial Plan be placed on public exhibition for a period of 28 days from 26 May to 23 June 2022.
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 Community Strategic Plan 2022/23-2031/32, Delivery Program 2022/26, Operational Plan (OP) 2022/23 and Resourcing Strategy comprising the Workforce Management Plan 2022/26 and Long Term Financial Plan.

CARRIED**9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT****9.1 INDUSTRIAL AND RURAL LANDS STRATEGY 2022-2024****RESOLUTION 2022/151**

Moved: Cr Dave Carter

Seconded: Cr Judith Bartholomew

That

1. The Director of Environment, Tourism and Economic Development Report No. R22/36 be received and noted.
2. Council adopt the Industrial and Rural Lands Strategy (as presented) and
3. Authorise completion of the necessary arrangements to finalise and implement the strategy.

CARRIED**9.2 REGIONAL ECONOMIC DEVELOPMENT STRATEGY - REVIEW****RESOLUTION 2022/152**

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

That

1. The Director of Environment, Tourism and Economic Development Report No. R22/110 be received and noted.
2. That the Director of Environment, Tourism and Economic Development prepare and lodge an on-line submission to the Regional Economic Development Strategy Update Process, which includes the matters outlined within this report.

CARRIED

9.3 DEVELOPMENT DATA APRIL 2022

RESOLUTION 2022/153

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

The Director Environment, Tourism and Economic Development Report No. R22/117 be received and noted.

CARRIED

9.4 DA2021/63 - ALTERATIONS AND ADDITIONS TO RAILWAY HOTEL INCLUDING EXTENSION TO STREET VERANDAH

RESOLUTION 2022/154

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

That:

1. The Director of Environment, Tourism and Economic Development Report No. R22/118 be received and noted.
2. Council resolve to approve DA2021/63 in accordance with the Recommended Conditions of Consent provided in Attachment 2, including consent for the street verandah extension over the footway/road reserve.

In Favour: Crs John Medcalf, Paul Phillips, Elaine Bendall, Melissa Blewitt, Dennis Brady, Melissa Rees, Judith Bartholomew and Megan Mortimer

Against: Cr Dave Carter

CARRIED

9.5 FY21/22 PROJECT MONTHLY UPDATE FOR APRIL/MAY

RESOLUTION 2022/155

Moved: Cr Dave Carter

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No. R22/122 be received and noted.

CARRIED

9.6 UPDATE ON SCULPTURES DOWN THE LACHLAN TRAIL

RESOLUTION 2022/156

Moved: Cr Dave Carter

Seconded: Cr Melissa Rees

That

1. The Director Environment, Tourism and Economic Development Report No. 22/121 be received and noted.
2. Council authorise the final payment to the Forbes Art Society of \$33,333.

Councillor Brady asked for his name to be recorded against the motion.

CARRIED

10 INFRASTRUCTURE SERVICES

10.1 ASSET MANAGEMENT POLICY AND STRATEGY

RESOLUTION 2022/157

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Infrastructure Service Report No. R22/106 be received and noted.
2. The Asset Management Policy and Asset Management Strategy be adopted

CARRIED

10.2 FY21/22 ROADWORKS MONTHLY UPATE FOR APRIL

RESOLUTION 2022/158

Moved: Cr Dave Carter

Seconded: Cr Megan Mortimer

That

1. The Director of Infrastructure Service Report No. R22/126 be received and noted.

CARRIED

10.3 FY21/22 UTILITIES MONTHLY UPDATE FOR APRIL

RESOLUTION 2022/159

Moved: Cr Elaine Bendall

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R22/131 be received and noted.

CARRIED

10.4 FY21/22 URBAN WORKS MONTHLY UPDATE FOR APRIL

RESOLUTION 2022/160

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director Infrastructure Services Report No. R22/134 be received and noted.

CARRIED

11 DEPUTATIONS

Nil

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT

Clr Dave Carter attended the Road Safety Steering Committee in Forbes Monday 16th May.

15 CORRESPONDENCE

15.1 CORRESPONDENCE - MAY

RESOLUTION 2022/161

Moved: Cr Dave Carter

Seconded: Deputy Mayor Paul Phillips

That

1. The General Manager's Correspondence Report No. R22/133 be received and noted.

CARRIED

DRAFT

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION

DRAFT

RESOLUTION 2022/162

Moved: Cr Dave Carter

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 Tender Plant and Truck Hire - Additional Contractor

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.

18.2 Audit, Risk & Improvement Committee - Minutes of ARIC Meetings

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 Lachlan Shire Housing Strategy

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 Tender Assessment - Footpath Tender - 7 locations

This matter is considered to be confidential under Section 10A(2)dii and diii 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 competitor of the council and information that would, if disclosed, reveal a trade secret.

18.5 APA Group - Private works update

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.

18.6 Electricity Procurement - CNSWJO tender

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.

18.7 Offer to purchase part lot 1 DP 1134922 Bathurst St Condobolin

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.

18.8 1 McInness Street Lake Cargelligo Master Plan

This matter is considered to be confidential under Section 10A(2)di and h 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 and information concerning the nature and location of a place or an item of Aboriginal significance on community land.

CARRIED

At 11am Council paused for a break.

At 11am Councillor Judith Bartholomew left the meeting.

At 11:15am Councillor Elaine Bendall left the meeting.

At 11:16am Council resumed

RESOLUTION 2022/163

Moved: Cr Dave Carter

Seconded: Cr Dennis Brady

That Council moves out of Closed Council into Open Council.

CARRIED

18.1 TENDER PLANT AND TRUCK HIRE - ADDITIONAL CONTRACTOR

RESOLUTION 2022/164

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That

1. The Director Infrastructure Services Report No. R22/109 be received and noted.
2. The tendered from Seton Electrical Contracting Pty Ltd detailing rates for the plant and equipment term panel be accepted.
3. The General Manager be authorised to execute the contract documents.

CARRIED

18.2 AUDIT, RISK & IMPROVEMENT COMMITTEE - MINUTES OF ARIC MEETINGS

RESOLUTION 2022/165

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director Corporate & Community Services Report R22/124 be received and noted.
2. The confirmed minutes of the Audit, Risk & Improvement Committee meetings held on 9 June 2021, 22 September 2021 and 10 November 2021 be noted.

CARRIED**18.3 LACHLAN SHIRE HOUSING STRATEGY****RESOLUTION 2022/166**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The Director Environment Tourism and Economic Development Report No. R22/130 be received and noted.
2. Council endorse the preparation of a Lachlan Shire Housing Strategy and engage Eight Mile Planning to prepare the strategy.
3. Council be provided with regular updates regarding the preparation of the Lachlan Shire Housing Strategy.

CARRIED**18.4 TENDER ASSESSMENT - FOOTPATH TENDER - 7 LOCATIONS****RESOLUTION 2022/167**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report R22/135 be received and noted.
2. The tender submission from Central Industries be accepted.
3. The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal.

CARRIED**18.5 APA GROUP - PRIVATE WORKS UPDATE****RESOLUTION 2022/168**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report No R22/136 be received and noted

CARRIED

18.6 ELECTRICITY PROCUREMENT - CNSWJO TENDER**RESOLUTION 2022/169**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dave Carter

That:

1. The General Manager's Report No. 22/139 on electricity procurement be received and noted.
2. Council note the extreme and unprecedented volatility of the electricity market currently being experienced,
3. Council replace the previous resolution from Council report resolution No. R2022/77 that
 1. *contribute a minimum of 50% of Council's electricity load to a renewable energy Power Purchase Agreement where the pricing is lower than the existing contracted price,*
 2. *with*
 3. *contribute a minimum of 50% of Council's electricity load to a renewable energy Power Purchase Agreement, and*
4. Receive a report on completion of the procurement process.

CARRIED

18.7 OFFER TO PURCHASE PART LOT 1 DP 1134922 BATHURST ST CONDOBOLIN**RESOLUTION 2022/170**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No. R22/141 be received and noted.
2. Council reject the proposal to sell part lot 1 DP 1134922 due to the reduced opportunity for further development of the site in the future and advise the proponent accordingly.

CARRIED

18.8 1 MCINESS STREET LAKE CARGELLIGO MASTER PLAN**RESOLUTION 2022/171**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director of Environment, Tourism and Economic Development Report No. R22/35 be received and noted.

2. A further report be presented to Council in the third quarter of 2022 with an update on the budget, findings of the preliminary investigations and the development of a draft site constraints map.

CARRIED

The Meeting closed at 11:47am.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 June 2022.

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CHAIRPERSON

DRAFT