

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 19 JUNE 2024 AT 2:00 PM**

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

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

The meeting opened at 2:02pm.

1 WEBCASTING

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

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The Acknowledgement of Country and Elders was made by **Cr Blewitt**.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil.

4 CONFIRMATION OF MINUTES

RESOLUTION 2024/115

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That the minutes of the Ordinary Meeting held on 15 May 2024 be confirmed.

CARRIED

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS

RESOLUTION 2024/116

Moved: Cr Peter Harris

Seconded: Cr Robyn Turner

That:

1. The Mayoral Minute No. R24/148 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Nil.

8 READ AND NOTE**RESOLUTION 2024/117**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

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

- 8.1 Building Projects Monthly Update for May/June;
- 8.2 Development Data May 2024;
- 8.3 Active Resolutions
- 8.4 FY23/24 Urban Works Monthly Update for May
- 8.5 Swimming Pool Operations – End of Season Report;
- 8.6 Tourism and Promotions Update – May 2024;
- 8.7 Investments as at 31 May 2024;
- 8.8 FY23/24 Utilities Monthly Update for May.

CARRIED**9 DECISION REPORTS****9.1 GENERAL MANAGER****9.1.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL 2024****RESOLUTION 2024/118**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Peter Harris

That:

1. The General Manager's Report No. R24/137 be received and noted.
2. Council note advice regarding the 2024/2025 Determination of the Local Government Remuneration Tribunal relating to the annual fees for the Mayor and Councillors.
3. Council determine the annual fees for 2024/2025 to be:

- (a) Mayor Additional Fee - \$29,500
- (b) Councillors - \$13,520
- (c) Deputy Mayor - \$3,215 (from the Mayoral Additional fee)

Cr Blewitt, Cr Rees, Cr Harris and Cr Turner requested that their names be recorded as voted against the motion.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 MAKING THE RATES FOR THE 2024-2025 FINANCIAL YEAR

RESOLUTION 2024/119

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

1. The Director of Corporate and Community Services Report No. R23/378 be received and noted.
2. Council resolve to MAKE the Rates, Annual Charges and Water Consumption Charges, and ADOPT the Fees and Charges for the year 1 July 2024 to 30 June 2025, as set out in the 2022 – 2026 Delivery Program, the 2024-2025 Operational Plan, the 2024-2025 Budget (all provided under separate cover), and as listed in the attachment to this report.

CARRIED

9.2.2 INTERGRATED PLANNING & REPORTING DOCUMENTS 2024.2025

RESOLUTION 2024/120

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report R23/379 be received and noted.
2. The following documents, provided under separate cover, be adopted as presented:
 - a) The 2022-2026 Delivery Program;
 - b) The 2024-2025 Operational Plan (OP) incorporating the 2024-2025 Budget, Revenue Policy and, Fees and Charges; and
 - c) The revised Resourcing Strategy including the 10 year Long Term Financial Plan.

CARRIED

9.2.3 ADOPTION OF ARIC INTERNAL AUDIT CHARTER EFFECTIVE 1 JULY 2024.**RESOLUTION 2024/121**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Corporate and Community Services Report R24/67 be noted;
2. The Draft Internal Audit Charter 2024 be adopted effective 1 July 2024.

CARRIED

9.2.4 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM**RESOLUTION 2024/122**

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report R24/140 be received and noted.
2. Council resolves to approve:
 - (a) a donation of \$500 to the Callara Culture & Heritage Aboriginal Corporation for the production of 2 books, on the proviso the books are published by 31 October 2024. This donation is to be funded from GL 3020.405 Elected Members general donations.
 - (b) If the books are not published by this date, the funds are to be returned to council.
3. Council resolves to:
 - (a) approve a donation of \$200 for Skyfest 2024 from GL 3820.460 Community events and;
 - (b) request the balance of the donation approved at the October 2023 meeting (resolution number 2023/241) amounting to \$800 be refunded to Council, within 30 days. To be returned to GL 3820.460 Community events.
4. Council notes the donation of \$500 approved at the May 2024 meeting (resolution 2024/97) to Lakes Alive/Lake Cargelligo Progress Association is for the ongoing beautification of Dead Man's Point, not Frogs Hollow.
5. Council resolves to transfer \$7,000 from Elected members general donations GL 3020.405 to Special Events in kind support GL 3230.509

CARRIED

9.2.5 ADOPTION OF THE 2024-2029 IT STRATEGIC PLAN**RESOLUTION 2024/123**

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Corporate & Community Services Report No. R24/157 be received and noted.
2. Council adopt the draft 2024-2029 IT Strategic Plan as presented.

CARRIED

9.3 ENVIRONMENT AND PLANNING**9.3.1 PLAN OF MANAGEMENT - CROWN RESERVE 86016 (CONDOBOLIN CARAVAN PARK)****RESOLUTION 2024/124**

Moved: Cr Peter Harris

Seconded: Cr Robyn Turner

That:

1. The Director Environment and Planning Report No. R24/139 be received and noted.
2. The draft Plan of Management be placed on public exhibition in accordance with Section 38 Local Government Act 1993 from Friday 21 June to 5pm Friday 2 August 2024, being a period of forty three (43) days.
3. That a further report be presented to Council at the end of the public exhibition period.

CARRIED

9.3.2 BUILDING LINE VARIATION - DA2024/11 - CARPORT - 58 MELROSE SREET CONDOBOLIN**RESOLUTION 2024/125**

Moved: Cr Peter Harris

Seconded: Cr Robyn Turner

That:

1. The Director Environment and Planning Report No. R24/144 be received and noted.
2. Council approve DA2024/11 in accordance with the Recommended Conditions of Consent provided in Attachment 2, including the front building line variation.

A motion DA2024/11 – Carport – 58 Melrose Stret Condobolin 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
 Cr Robyn Turner

Voted in favour of the motion.

CARRIED

9.3.3 GOANNA MANOR - CONSULTATION UPDATE (PETITION)

RESOLUTION 2024/126

Moved: Cr Peter Harris
 Seconded: Deputy Mayor John Medcalf

That:

1. The Director Environment and Planning Report No. R24/146 be received and noted.

Cr Brady requested that his name be recorded as voted against the motion.

CARRIED

9.3.4 BUILDING LINE VARIATION - DA2024/12 - SHED - 6 WATTLE STREET TULLIBIGEAL

RESOLUTION 2024/127

Moved: Cr Dennis Brady
 Seconded: Cr Robyn Turner

That:

1. The Director Environment and Planning Report No. R24/182 be received and noted.
2. Council resolve to approve DA2024/12 in accordance with the Recommended Conditions of Consent provided in Attachment 2, including the front building line variation.

A motion DA2024/12 – Shed – 6 Wattle Street Tulligigeal 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

Cr Robyn Turner

Voted in favour of the motion

CARRIED

9.4 INFRASTRUCTURE SERVICES

9.4.1 FY23/24 ROADWORKS MONTHLY UPDATE MAY

RESOLUTION 2024/128

Moved: Deputy Mayor John Medcalf

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services report No R24/174 be received and noted.
2. The variations to Contract C2024/03 Kiacatoo Road flood restoration at the value of approx. \$250,000 to include additional TfNSW approved defects on Kiacatoo Road and North River Road and additional complementary works on Kiacatoo Road be approved.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - GOANNA MANOR

RESOLUTION 2024/129

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. Notice of Motion Report No. R24/96 be received and noted.
2. Resolution 2023/276 titled Goanna Manor – Lionel Hunt park, 125 Bathurst street, Condobolin that was passed on 29 November 2023 be rescinded.

LOST

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

13.1 DELEGATES REPORT

RESOLUTION 2024/130

Moved: Cr Judith Bartholomew

Seconded: Cr Robyn Turner

That:

1. The Delegate’s Report No. R24/150 be received and noted.

CARRIED

13.2 DELEGATES REPORT

RESOLUTION 2024/131

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The Delegates Report No. R24/161 be received and noted.

CARRIED

14 CORRESPONDENCE

14.1 CORESPONDENCE

RESOLUTION 2024/132

Moved: Deputy Mayor John Medcalf

Seconded: Cr Dennis Brady

That:

1. The Correspondence Report No. R24/145 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RESOLUTION 2024/133

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 Request for water adjustment - Assessment no. 1003715

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).

17.2 Update on Liquidation - Lake Cargelligo Sports Club Assessment 1034724

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.

17.3 Condobolin Child Care Facilities

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.

17.4 Sale of land for unpaid rates - Lot 5 DP 752102

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.

17.5 Internal Audit - Plant Utilisation

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.

17.6 Draft Attestation Statement for Internal Audit and Risk Management as at 27 May 2024

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.

17.7 Tender Assessment - T2023/16 Condobolin Borefields II Scheme - Contract No.3: Condobolin WTP Modifications

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.

17.8 Appointment of Audit, Risk & Improvement Committee Independent Member

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).

17.9 Supply and delivery of one new 4x4 truck

This matter is considered to be confidential under Section 10A(2)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 competitor of the council.

17.10 Supply and delivery of one new 4x2 truck

This matter is considered to be confidential under Section 10A(2)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 competitor of the council.

18. Outcome of the ARIC Chair Performance Review & appointment of ARIC Chair.

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).

CARRIED

The meeting paused at 3:00pm

The meeting resumed at 3:21pm.

RESOLUTION 2024/134

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 REQUEST FOR WATER ADJUSTMENT - ASSESSMENT NO. 1003715

RESOLUTION 2024/135

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report R24/103 be received and noted.
2. Council approve a reduction of the water account for the 2024 period 2, of \$3,097.05 which is calculated as per Council’s Undetected Water Leak and Faulty Water Meter Policy.
3. The ratepayer be advised this is the first and only application allowable under the Undetected Water Leak and Faulty Water Meter Policy.

CARRIED

17.2 UPDATE ON LIQUIDATION - LAKE CARGELLIGO SPORTS CLUB ASSESSMENT 1034724

RESOLUTION 2024/136

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That:

1. The Director of Corporate and Community Services Report No. R24/149 be received and noted.

CARRIED

17.3 CONDOBOLIN CHILD CARE FACILITIES

RESOLUTION 2024/137

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The General Managers Report No R24/152 be received and noted.
2. The General Manager investigate the various opportunities for the expansion of child care services in Condobolin.
3. A further report be presented to Council on the result of the investigation with a recommended strategy for Council’s consideration.

CARRIED

17.4 SALE OF LAND FOR UNPAID RATES - LOT 5 DP 752102**RESOLUTION 2024/138**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. The General Manager's Report No. R24/158 be received and noted.
2. Council endorse the sale of Lot 5 DP 752102 as outlined in the report.
3. The General Manager be authorised to sign the contract documents and complete the sale.

CARRIED

17.5 INTERNAL AUDIT - PLANT UTILISATION**RESOLUTION 2024/139**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Judith Bartholomew

That:

1. The Director Corporate and Community Services Report R24/165 be received and noted.
2. Council receive and note the Internal Audit – Plant Utilisation.

CARRIED

17.6 DRAFT ATTESTATION STATEMENT FOR INTERNAL AUDIT AND RISK MANAGEMENT AS AT 27 MAY 2024**RESOLUTION 2024/140**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report R24/166 be received and noted;
2. The draft Attestation Statement for Internal Audit and Risk Management as at 27 May 2024 be noted.

CARRIED

17.7 TENDER ASSESSMENT - T2023/16 CONDOBOLIN BOREFIELDS II SCHEME - CONTRACT NO.3: CONDOBOLIN WTP MODIFICATIONS**RESOLUTION 2024/141**

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director Infrastructure Services Report No. R24/168 be received and noted.
2. Council resolve to decline to accept any of the tenders submitted in response to the T2023/16 Condobolin Borefields II Scheme – Contract No.3: Condobolin WTP Modifications.
3. Council authorise the General Manager or their delegate to enter into direct negotiations with Trazlbat Pty Ltd with a view to entering into a contract in relation to the subject matter of the RFT.
4. Council note that the reason for entering into direct negotiations is that it is not expected that further market testing will provide a more satisfactory result.
5. Following the completion of further negotiations, the Director of Infrastructure Services present a further report for Council's consideration.

CARRIED

17.8 APPOINTMENT OF AUDIT, RISK & IMPROVEMENT COMMITTEE INDEPENDENT MEMBER**RESOLUTION 2024/142**

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Corporate & Community Services Report R24/172 be received and noted.
2. Council resolves to re-appoint Sean Row for a period of 2 years to 30 June 2026, subject to a satisfactory internal performance review by the ARIC after the first 6 months.

CARRIED

17.9 SUPPLY AND DELIVERY OF ONE NEW 4X4 TRUCK**RESOLUTION 2024/143**

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report R24/181 be received and noted.
2. The offer from Wagga Trucks for the supply of one new Hino 817 Med 4x4 Crew Cab with super single wheels & tyres and their trade offer for fleet number 7025 as per options 1 be accepted.
3. Council approve the necessary fund transfers from the Plant Reserve to the Plant Replacement Capital Works Program – Truck Replacement.

CARRIED

17.10 SUPPLY AND DELIVERY OF ONE NEW 4X2 TRUCK**RESOLUTION 2024/144**

Moved: Cr Peter Harris

Seconded: Deputy Mayor John Medcalf

That:

1. The Director Infrastructure Services Report R24/183 be received and noted.
2. The offer from Wagga Trucks for the supply of one new Hino 721AT4400 with lifting crane be accepted and fleet number 7028 be sold at Pickles Auctions as per (options 1).
3. Council approve the necessary fund transfers from the Plant Reserve to the Plant Replacement Capital Works Program – Truck Replacement.

CARRIED

18. OUTCOME OF THE ARIC CHAIR PERFORMANCE REVIEW & APPOINTMENT OF ARIC CHAIR.**RESOLUTION 2024/145**

Moved: Deputy Mayor John Medcalf

Seconded: Cr Peter Harris

That:

1. The Director Corporate & Community Services Report R24/167 be received and noted.
2. The outcome of the ARIC Chairperson's performance review be received and noted.
3. Council reappoint Mr Graeme Fleming as the ARIC Chairperson until 23 March 2026.

CARRIED

The Meeting closed at 4:04pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 July 2024.

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CHAIRPERSON