

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 26 MARCH 2025 AT 2:00 PM**

PRESENT: Mayor John Medcalf OAM, Deputy Mayor Megan Mortimer, Cr Paul Phillips, Cr Judith Bartholomew, Cr Juanita Wighton, 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), Patrick Ruettjes (Director - Environment and Planning), Adrian Milne (Director - Infrastructure Services), Cherise Small (Executive Assistant).

The Meeting opened at 2:49pm.

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

RESOLUTION 2025/35

Moved: Cr Dennis Brady

Seconded: Cr Paul Phillips

That the request for Leave of Absence received from Cr Bartholomew for the April 2025 council meeting be accepted.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2025/36

Moved: Cr Robyn Turner

Seconded: Cr Dennis Brady

That the minutes of the Ordinary Meeting held on 26 February 2025 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS****RESOLUTION 2025/37**

Moved: Cr Melissa Rees

Seconded: Cr Paul Phillips

That:

1. The Mayoral Minute No. R25/46 be received and noted.

CARRIED

5.2 MAYORAL MINUTE - REQUEST TO ENDORSE ALGA 2025 FEDERAL ELECTION FUNDING PRIORITIES**RESOLUTION 2025/38**

Moved: Deputy Mayor Megan Mortimer

Seconded: Cr Judith Bartholomew

That:

1. Mayoral Minute No. R25/49 be received and noted.
2. Council supports the national federal election funding priorities identified by the Australian Local Government Association (ALGA);
3. Council supports and participates in the Put Our Communities First federal election campaign; and
4. Writes to the local federal member(s) of Parliament, all known election candidates in local federal electorates and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities.

CARRIED

5.3 MAYORAL MINUTE - COUNCIL MEETING DATES APRIL AND JUNE 2025**RESOLUTION 2025/39**

Moved: Cr Juanita Wighton

Seconded: Cr Robyn Turner

That:

1. Mayoral Minute No. R25/56 be received and noted.
2. The date of the April Council meeting be deferred to 30 April 2025.
3. An Extraordinary Council meeting be held on Monday 30 June 2025 at 9:00 am for the purpose of considering any public submissions on the draft Integrated Planning and Reporting documents followed by adoption of the documents as amended.

CARRIED

5.4 MAYORAL MINUTE - FERAL PIG BOUNTY TRIAL

RESOLUTION 2025/40

Moved: Cr Dennis Brady

Seconded: Cr Judith Bartholomew

That:

1. Mayoral Minute R25/65 be received and noted.
2. Council authorise Mayor John Medcalf OAM to submit a Notice of Motion to the next meeting of the Country Mayors Association of NSW on 28 March 2025, requesting the CMA support the establishment of a Feral Pig Bounty Scheme to supplement other existing feral pig control programs.

CARRIED

6 PUBLIC FORUM

Patricia Hurley OAM

Sam Gunn

7 DISCLOSURE OF INTEREST

Cr Robyn Turner declared a Non-Pecuniary Less Than Significant interest in item No 17.2 water Assessment 1035542 – disputed meter reading as the owners of Thomas Farms, Michael and Kate Thomas, is her neighbours.

Cr Judith Bartholomew declared a Non-Pecuniary Less Than Significant interest in item No 17.2 water Assessment 1035542 – disputed meter reading as the owners of Thomas Farms, Michael and Kate Thomas, is her husband's family.

8 READ AND NOTE

8.1 ACTIVE RESOLUTIONS

RESOLUTION 2025/41

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

That:

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

- 8.1 Active Resolutions;
- 8.2 Building Projects Monthly Update for February/March;
- 8.3 FY24/25 Roadwork Monthly Update for February;
- 8.4 Tourism and Promotions Update – February 2025;
- 8.5 Investments as at 28 February 2025.

CARRIED

8.6 FY24/25 UTILITIES MONTHLY UPDATE FOR FEBRUARY**RESOLUTION 2025/42**

Moved: Cr Robyn Turner

Seconded: Cr Melissa Blewitt

That:

1. The Director Infrastructure Services Report R25/61 be received and noted.

CARRIED

8.7 FY24/25 URBAN WORKS MONTHLY UPDATE FOR FEBRUARY**RESOLUTION 2025/43**

Moved: Cr Paul Phillips

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R25/64 be received and noted.

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER**

Nil

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM****RESOLUTION 2025/44**

Moved: Cr Dennis Brady

Seconded: Cr Juanita Wighton

That:

1. The Director of Corporate and Community Services Report R25/53 be received and noted.
2. Council provide an in-kind support for the Burcher progress association, for hosting the Burcher Anzac Day Service estimated to be worth \$630. The in-kind support is to be funded from WO 1072 Anzac Day budget and is conditional on the event proceeding.
3. Council provide an in-kind support for the Condobolin RSL Subbranch, for hosting the Condobolin Anzac Day March and Service estimated to be worth \$2,380. The in-kind support is to be funded from the WO 1072 budget and is conditional on the event proceeding.
4. Council approve the request from the Lake Cargelligo RSL Sub Branch, to provide in kind support for hosting the Lake Cargelligo ANZAC Day Dawn and Mid-morning Service

estimated to be worth \$730. The in-kind support is to be funded from the WO 1072 Anzac Day budget and is conditional on the event proceeding.

5. Council approve the request from the Condobolin Camp Draft Association for a financial donation of \$500, and in-kind support estimated to be worth \$3,430. This contribution is to be funded from the general donations budget and Special Events budget. This is conditional on the event proceeding.

CARRIED

9.3 ENVIRONMENT AND PLANNING

9.3.1 DEVELOPMENT APPLICATION DATA FEBRUARY 2025

RESOLUTION 2025/45

Moved: Cr Paul Phillips

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Director Environment and Planning Report No. R25/57 be received and noted.

CARRIED

9.4 INFRASTRUCTURE SERVICES

9.4.1 ASSET AI

RESOLUTION 2025/46

Moved: Cr Juanita Wighton

Seconded: Cr Melissa Rees

That:

1. The Director Infrastructure Services Report No. R25/60 be received and noted.
2. The Memorandum of Understanding be executed to enable Lachlan Shire Council to participate in the Asset AI program.

CARRIED

9.4.2 LACHLAN SHIRE TRAFFIC COMMITTEE MEETING MARCH 2025

RESOLUTION 2025/47

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Megan Mortimer

That:

1. Director Infrastructure Services Report No R25/71 be received and noted.

2. Council consider the recommendations from the Traffic Committee and resolve to:
- (a) Endorse the proposal for EV parking spaces in Condobolin, Lake Cargelligo and Tottenham and the associated changes to parking spaces.
 - (b) Endorse Traffic Guidance Schemes for ANZAC Day events.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - MERC EXECUTIVE MEETING

RESOLUTION 2025/48

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Megan Mortimer

That:

1. Notice of Motion Report No. R25/66 be received and noted.
2. Council writes to the Mining & Energy Related Councils NSW expressing Council's disappointment regarding the lack of communication and organisation of the Executive Officer's visit to Lachlan Shire Council on 11 February 2025.

CARRIED

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

13.1 DELEGATES REPORT

RESOLUTION 2025/49

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Delegate's Report No. R25/50 regarding the Central NSW Joint Organisation (CNSWJO) Board meeting on 27 February 2025, be received and noted.

CARRIED

13.2 DELEGATES REPORT

RESOLUTION 2025/50

Moved: Deputy Mayor Megan Mortimer

Seconded: Cr Juanita Wighton

That:

1. The Delegate's Report No. R25/62 be received and noted.

CARRIED

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2025/51

Moved: Cr Robyn Turner

Seconded: Cr Judith Bartholomew

That:

1. The Correspondence Report No. R25/38 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RESOLUTION 2025/52

Moved: Cr Melissa Blewitt

Seconded: Cr Robyn Turner

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 Lachlan Shire Council Works Depot - Condobolin

This matter is considered to be confidential under Section 10A(2)c and g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

17.2 Water Assessment 1035542 - disputed meter reading

This matter is considered to be confidential under Section 10A(2)a and g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

17.3 2024 Continuous Improvement Pathway Program results

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.

17.4 Collection and disposal of used motor oil - Netwaste Regional Contract.

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 Smart Water Meters

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.

17.6 Proposal to install a monopole tower in Burcher

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.

17.7 Proposed Land Acquisition - Jones Lane Condobolin

This matter is considered to be confidential under Section 10A(2)c and g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CARRIED

RESOLUTION 2025/53

Moved: Cr Robyn Turner

Seconded: Cr Dennis Brady

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 LACHLAN SHIRE COUNCIL WORKS DEPOT - CONDOBOLIN

RESOLUTION 2025/54

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

That:

1. The General Manager's Report No. R25/9 be received and noted.
2. The project be completed in accordance with the cost savings and modifications identified in this report with the budget shortfall being funded with a loan from the Plant Reserve and the reallocation of funds from the Unfinished Works Reserve as detailed in Option 1 of the report.
3. The Plant Reserve be repaid with proceeds from the future sale of land.
4. Appropriate legal and cost advice be obtained for a potential negligence claim regarding incorrect legal advice, as per Option 4 of this report, and a further report outlining the advice be submitted for Council's consideration.

CARRIED

Cr Robyn Turner declared a Non-Pecuniary Less Than Significant interest in item No 17.2 water Assessment 1035542 – disputed meter reading as the owners of Thomas Farms, Michael and Kate Thomas, is her neighbours.

Cr Judith Barthomomew declared a Non-Pecuniary Less Than Significant interest in item No 17.2 water Assessment 1035542 – disputed meter reading as the owners of Thomas Farms, Michael and Kate Thomas, is her her husband’s family.

17.2 WATER ASSESSMENT 1035542 - DISPUTED METER READING

RESOLUTION 2025/55

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

That:

1. The General Manager’s Report R25/19 be received and noted.
2. Council decline the request from Commins Hendriks Lawyers on behalf of Thomas Farms to reimburse the interest and part payment of their overdue water account.
3. A letter be sent to Commins Hendriks Lawyers advising of Council’s decision and stating that the matter is now closed and no further action will be taken.

CARRIED

17.3 2024 CONTINUOUS IMPROVEMENT PATHWAY PROGRAM RESULTS

RESOLUTION 2025/56

Moved: Cr Paul Phillips

Seconded: Deputy Mayor Megan Mortimer

That:

1. The General Manager’s Report R24/361 be received and noted.

CARRIED

17.4 COLLECTION AND DISPOSAL OF USED MOTOR OIL - NETWASTE REGIONAL CONTRACT.

RESOLUTION 2025/57

Moved: Cr Robyn Turner

Seconded: Cr Judith Bartholomew

That:

1. The Director Environment and Planning Report No. R25/58 be received and noted.
- 1.
2. Quotation F4287 for the Collection and Recycling of Used Motor Oil be awarded to Sam’s Waste Management for their submission price as set out in this report for the initial two (2) year term with the option of two (2) x 12-month available extensions.
3. As the existing contract expiry date (2024) has passed, a new contract start date for the two (2) year term will be advised by NetWaste upon endorsement from the NetWaste Steering

Committee, and then acceptance by Orange City Council, as the host Council, via a Council meeting.

4. The Mayor or General Manager be authorised to sign the contract documents and affix the Council seal if required.

CARRIED

17.5 SMART WATER METERS

RESOLUTION 2025/58

Moved: Cr Paul Phillips

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R25/59 be received and noted.
2. Further investigations take place regarding the viability of smart water metering in Lachlan Shire. A further report and business case be prepared for Council's consideration.
3. Council formally request a variation to the RNSW841 Tottenham Water Security funding Deed, to consider the installation of smart meters across the Tottenham, Albert and B-section water network.

CARRIED

17.6 PROPOSAL TO INSTALL A MONOPOLE TOWER IN BURCHER

RESOLUTION 2025/59

Moved: Cr Juanita Wighton

Seconded: Cr Paul Phillips

That:

1. The General Manager's Report No. R25/63 be received and noted.
2. Council agree to licence/lease a small portion of Lot 5 Section 2 DP 758191 (49 Bena Street) Burcher to Yless4U for the purpose of installing a Monopole tower to improve internet connectivity throughout the village of Burcher.
3. The lease/licence fee be set as per option 1 of the report.
4. All costs associated with the preparation and registration of the lease/licence are the responsibility of the applicant, Yless4U.
5. The General Manager be authorised to sign the lease/licence documents.

CARRIED

17.7 PROPOSED LAND ACQUISITION - JONES LANE CONDOBOLIN

RESOLUTION 2025/60

Moved: Cr Judith Bartholomew

Seconded: Cr Robyn Turner

That:

1. The General Manager's report No. R25/72 be deferred to the April 2025 council meeting.

CARRIED

The Meeting closed at 4:44pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 April 2025.

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CHAIRPERSON