

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 27 NOVEMBER 2024 AT 2:00PM COUNCIL**

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

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).

Meeting opened at 2:01pm.

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 read by **Cr Mortimer**.

9 DECISION REPORTS

9.1 GENERAL MANAGER

9.1.3 OATH OR AFFIRMATION OF OFFICE

RESOLUTION 2024/268

Moved: Cr Robyn Turner

Seconded: Cr Melissa Blewitt

The following Councillors took an oath or affirmation of office:

Cr Judith Bartholomew – Oath.

Cr Peter Harris – Oath.

CARRIED

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2024/269

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That:

Cr Paul Phillips be granted Leave of Absence.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2024/270

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

That the minutes of the Ordinary Meeting held on 16 October 2024 be confirmed.

CARRIED

5 MAYORAL MINUTE

5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS

RESOLUTION 2024/271

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Mayoral Minute No. R24/311 be received and noted.

CARRIED

5.2 MAYORAL MINUTE - INDUCTION AND REFRESHER TRAINING FOR MAYORS AND COUNCILLORS

RESOLUTION 2024/272

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. Mayoral Minute No. R24/318 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Nil.

8 READ AND NOTE**RESOLUTION 2024/273**

Moved: Cr Peter Harris

Seconded: Deputy Mayor 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 October/November;
- 8.2 Active Resolutions;
- 8.3 Investments as at 31 October 2024;
- 8.4 Tourism and Promotions Update for October 2024;
- 8.5 FY24/25 Roadworks monthly Update for October;
- 8.6 Development Data October 2024;
- 8.7 FY 24/25 Urban Works Monthly Update for October;
- 8.8 FY24/25 Utilities Monthly Update for October;
- 8.9 Draft State of the Shire Report 2021-2024

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 COUNCIL AND COMMUNITY COMMITTEES REPRESENTATIVES****RESOLUTION 2024/274**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Megan Mortimer

That:

1. The General Manager's Report No. R24/324 be received and noted.
2. Councillor Peter Harris and Councillor Judith Bartholomew be appointed as representatives on the council and community committees as listed in the report.

CARRIED

9.1.2 DISCLOSURE OF INTEREST

RESOLUTION 2024/275

Moved: Cr Robyn Turner

Seconded: Cr Dennis Brady

That:

1. The General Manager’s Report No. R24/355 be received and noted.

CARRIED

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 ADOPTION OF AGENCY INFORMATION GUIDE

RESOLUTION 2024/276

Moved: Cr Peter Harris

Seconded: Cr Juanita Wighton

That:

1. The Corporate and Community Services Director report R24/241 be received and noted.
2. The Draft Agency Information Guide 2024 be placed on public exhibition for 28 days, and adopted subject to no significant responses received.
3. That IPC review amendments, if any, be incorporated in the Agency Information Guide 2024, when received.

CARRIED

9.2.2 STREET SAFETY CAMERA PROGRAM CODE OF PRACTICE & WORKPLACE SURVEILLANCE POLICY

RESOLUTION 2024/277

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report R24/294 be received and noted.
2. The Draft Street Safety Camera Program Code of Practice be placed on public exhibition for 28 days, and be adopted subject to no significant submissions being received during the exhibition period.
3. If significant submissions are received a further report be presented to Council detailing the suggested changes.

4. The currently adopted “Public CCTV Code of Practice” be rescinded on adoption of the Draft Street Safety Camera Program Code of Conduct.
5. The updated Workplace Surveillance Policy be adopted as presented.

CARRIED

9.2.3 CHILD SAFE POLICY

RESOLUTION 2024/278

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report R24/303 be received and noted.
2. The draft Child Safe Policy be placed on public exhibition for 28 days, and adopted subject to no significant issues being raised.
3. If significant issues are received during the public exhibition period a report be submitted to Council for consideration of the matters raised.

CARRIED

9.2.4 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM

RESOLUTION 2024/279

Moved: Deputy Mayor Megan Mortimer

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report R24/326 be received and noted.
2. Council decline the request to extend the time for publication of the book, and encourage the group to reapply through the funding rounds when the project is funded and ready to commence.

CARRIED

9.2.5 QUARTERLY BUDGET REVIEW 1 2025 FY

RESOLUTION 2024/280

Moved: Cr Peter Harris

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Director Corporate and Community Service Report No. R24/336 be received and noted.
2. The Quarterly Budget adjustments including reserve movements be adopted.

CARRIED

9.2.6 SUBMISSION TO COUNCILLOR CONDUCT FRAMEWORK REVIEW**RESOLUTION 2024/281**

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. The Director Corporate and Community Services Report R24/342 be received and noted.
2. Council resolves to lodge a submission to the Councillor Conduct Framework review noting it strongly objects to the proposed changes.

CARRIED

9.3 ENVIRONMENT AND PLANNING**9.3.1 AWNING POLICY****RESOLUTION 2024/282**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director Planning and Environment Report No. R22/331 be received and noted.
2. The draft Awning Policy on public exhibition for a period of sixty (60) days.
3. Direct communication be facilitated with the land and business owners in the business areas of the towns and villages in the shire in regard to the draft policy.
4. A further report be presented to Council providing details of any submission made and any alterations required to the draft policy as a result of the public exhibition.

CARRIED

9.3.2 DRAFT COMPLIANCE AND ENFORCEMENT POLICY

RESOLUTION 2024/283

Moved: Cr Judith Bartholomew

Seconded: Cr Juanita Wighton

That:

1. The Director Environment and Planning Report No. R24/259 be received and noted.
2. Council place the draft Compliance and Enforcement Policy on public exhibition for a period of twenty eight (28).
3. Subject to there being no objections received during the public exhibition period, that cannot be resolved by minor amendments, the draft policy be adopted.
4. Upon adoption of the draft Compliance and Enforcement Policy, following public exhibition, the existing Compliance and Enforcement Food Premises Policy be rescinded.

CARRIED

9.4 INFRASTRUCTURE SERVICES

9.4.1 PART ROAD CLOSURE - SILOS ROAD, CONDOBOLIN.

RESOLUTION 2024/284

Moved: Cr Melissa Rees

Seconded: Cr Robyn Turner

That:

1. The Director Infrastructure Services Report No R24/325 be received and all feedback from the consultation be noted.
2. Council resolve to close that part of SR 340 Silos Road, Condobolin, as identified in the report.
3. The Mayor and General Manager be authorised to execute the necessary documents and affix the council seal.

CARRIED

9.4.2 PARKES, FORBES AND LACHLAN REGIONAL DROUGHT RESILIENCE PLAN

RESOLUTION 2024/285

Moved: Cr Peter Harris

Seconded: Cr Juanita Wighton

That:

1. Director of Infrastructure Services report R24/334 be received and noted.
2. Council endorse and adopt the Parkes, Forbes and Lachlan Regional Drought Resilience Plan.

CARRIED

9.4.3 LACHLAN SHIRE TRAFFIC COMMITTEE MEETING NOVEMBER 2024**RESOLUTION 2024/286**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Megan Mortimer

That

1. Director Infrastructure Services Report No D24/337 be received and noted.
2. Council consider the recommendations from Traffic Committee and resolve to:
 - (a) Deadmans point – not implement speed humps, nor a shared zone, nor review the speed limit. It is recommended for Council to determine appropriate signage.
 - (b) Scott Street Sub-division - **the sub-division signage plan be endorsed. Speed zones to be referred to TfNSW for confirmation.**
 - (c) Traffic Guidance Schemes for Condo 750, Condo comes Alive, Lake Cargelligo Rotary Christmas Festival and Mayfield Hotel Australia Day events be endorsed.
 - (d) St Francis Xavier Kiss and drop zone – implement a shortened bus zone in Conapaira Street and in its place, implement a kiss and drop zone. Implement the changed traffic arrangements with the school through January 2025.

CARRIED

9.4.4 SUBMISSION TO IPART ON PROPOSED INCREASES TO WATERNSW AND WAMC**RESOLUTION 2024/287**

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That

1. The Director Infrastructure Services Report R24/346 be received and noted.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - RSL LIFE CARE CONDOBOLIN

RESOLUTION 2024/288

Moved: Cr Peter Harris
 Seconded: Cr Dennis Brady

That:

1. Notice of Motion Report No. R24/349 be received and noted.
2. Council write to RSL LifeCare regarding current occupancy levels at their Condobolin Residential Care home (William Beech Gardens) and the long-term plans for its future.
3. Council invite RSL LifeCare to present at a future council meeting.

CARRIED

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

13.1 DELEGATES REPORT CNSWJO BOARD MEETING

RESOLUTION 2024/289

Moved: Cr Melissa Rees
 Seconded: Cr Peter Harris

That:

1. The Delegate’s Report No. R24/345 be received and noted.
2. Council determine if they would like a presentation from CNSWJO representatives including details of the value the JO brings to the Lachlan Shire local government area.

CARRIED

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2024/290

Moved: Cr Robyn Turner
 Seconded: Cr Peter Harris

That:

1. The Correspondence Report No. R24/309 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

Meeting paused at 2:55pm

Meeting resumed at 3:10pm

RESOLUTION 2024/291

Moved: Cr Peter Harris

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 Internal Audit Effectiveness Review and Action Plan with management comments.

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 Request to Vary Special Conditions of Contract - 50 Lachlan Street Condobolin

This matter is considered to be confidential under Section 10A(2)a and 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 personnel matters concerning particular individuals (other than councillors) and 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 2024 Record keeping Monitoring Exercise 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 Trades and Suppliers Panel - Completion of Condobolin Works Depot - Additional EOI's

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.

17.5 Condobolin Depot - Asphalt

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 Condobolin Borefields II Scheme - Contract 3: Condobolin WTP Modifications - Chlorination Dosing Upgrade

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.

CARRIED

RESOLUTION 2024/292

Moved: Deputy Mayor Megan Mortimer

Seconded: Cr Judith Bartholomew

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 INTERNAL AUDIT EFFECTIVENESS REVIEW AND ACTION PLAN WITH MANAGEMENT COMMENTS.

RESOLUTION 2024/293

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director Corporate & Community Services Report R24/270 be received and noted.

CARRIED

17.2 REQUEST TO VARY SPECIAL CONDITIONS OF CONTRACT - 50 LACHLAN STREET CONDOBOLIN

RESOLUTION 2024/294

Moved: Cr Juanita Wighton

Seconded: Cr Robyn Turner

That:

1. The General Manager's Report No. R24/327 be received and noted.
2. Council approve a 3 month extension of time for the purchaser to lodge a development application for their proposed project, subject to a corresponding extension of time being agreed for other time critical conditions detailed in the "Additional Provisions" agreement attached to the contract.
3. The General Manager be authorised to approve a further 3 month extension of time for the purchaser to lodge a development application for their proposed project, if required, subject to a corresponding extension of time being agreed for other time critical conditions detailed in the "Additional Provisions" agreement attached to the contract.

4. The total time period for the lodgement of a development application under the “Additional Provisions” agreement to the contract, must not exceed 12 months from the original date of the contract.
5. Council’s legal representative write to the purchaser and inform them of Council’s decision regarding and the requested extension of time and advise them that Council reserves its rights in relation to the contract of sale and any approved time extension.

CARRIED

17.3 2024 RECORD KEEPING MONITORING EXERCISE RESULTS

RESOLUTION 2024/295

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. That the Director of Corporate and Community Services Report No. R24/329 be received and noted.

CARRIED

17.4 TRADES AND SUPPLIERS PANEL - COMPLETION OF CONDOBOLIN WORKS DEPOT - ADDITIONAL EOI'S

RESOLUTION 2024/296

Moved: Cr Dennis Brady

Seconded: Cr Robyn Turner

That:

1. The Director Environment and Planning Report No. R24/330 be received and noted.
2. In accordance with section 55 of the *Local Government Act 1993*, Council accepts the complying Expression of Interest submitted for the Trades and Suppliers Panel Contract.
3. The General Manager issue letters of acceptance to responders to the Trades and Suppliers Expression of Interest.

CARRIED

17.5 CONDOBOLIN DEPOT - ASPHALT

RESOLUTION 2024/297

Moved: Cr Melissa Rees

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report R24/332 be received and noted.
2. Council resolve not to undertake a competitive Tender process for Asphalt works at the new Works Depot, due to extenuating circumstances and that a satisfactory result would not be achieved inviting tenders.
3. Council engage Civil Independent Industries to undertake the Asphalt works at the new Works Depot, as outlined in their quotation document.
4. Council delegate authority to the General Manager to execute the contract documents.

CARRIED

17.6 CONDOBOLIN BOREFIELDS II SCHEME - CONTRACT 3: CONDOBOLIN WTP MODIFICATIONS - CHLORINATION DOSING UPGRADE

RESOLUTION 2024/298

Moved: Cr Peter Harris

Seconded: Deputy Mayor Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R24/340 be received and noted.
2. Council resolve not to undertake a competitive Tender process for the selection of the Chlorination Dosing Upgrade, due to extenuating circumstances and unavailability of competitive or reliable tenderers that a satisfactory result would not be achieved inviting tenders.
3. The quote from Trility Solutions Australia Pty Ltd for the Chlorination Dosing Upgrade to the Condobolin Water Treatment Plant be accepted.
4. Council delegate authority to the General Manager to execute the contract documents.

CARRIED

The Meeting closed at 3:39pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 11 December 2024.

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CHAIRPERSON