

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 28 JUNE 2023 AT 2:00 PM**

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

IN ATTENDANCE: Greg Tory (General Manager), Karen Pegler (Director - Corporate and Community Services), Jon Shillito (Director - Environment, Tourism and Economic Development), Shaula Siregar (Acting Director - Infrastructure Services), Cherise Small (Executive Assistant).

Meeting opened at 2:04pm.

1 WEBCASTING

The statement regarding webcasting was read out by the Mayor.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The Acknowledgement of Country and Elders was made by Cr Dennis Brady.

In accordance with the Local Government Act 1993 Councillor Robyn Turner took her affirmation of office before the General Manager.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2023/131

Moved: Cr Dennis Brady
Seconded: Deputy Mayor Paul Phillips

That the request for Leave of Absence received from Cr Carter and Cr Rees be accepted.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2023/132

Moved: Cr Peter Harris
Seconded: Cr Dennis Brady

That:

1. The minutes of the Ordinary Meeting held on 23 May 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - GENERAL MANAGER'S 2022/2023 PERFORMANCE REVIEW****RESOLUTION 2023/133**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. Mayoral Minute R23/154 be received and noted.

CARRIED**5.2 MAYORAL MINUTE - MEETINGS AND FUNCTIONS JUNE**

The Mayor made an amendment to the Meetings and Functions attended by the Mayor and Deputy Mayor in June 2023 by adding the following:

26.06.2023 Meeting with Minister Rose Jackson – Parkes.

Cr Harris and **Cr Phillips** made no objection to the amendment.

RESOLUTION 2023/134

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Mayoral Minute No. R23/173 as amended be received and noted.

CARRIED**5.3 MAYORAL MINUTE - 2022 NSW LOCAL GOVERNMENT PROFESSIONALS RURAL MANAGEMENT CHALLENGE****RESOLUTION 2023/135**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Mayoral Minute No. R23/180 be received and noted.

CARRIED**6 PUBLIC FORUM**

Nil.

7 DISCLOSURE OF INTEREST

Nil.

8 READ AND NOTE

RESOLUTION 2023/136

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:

1. Investments as at 31 May 2023;
2. Development Data May 2023;
3. FY22/23 Urban Works monthly update for May;
4. FY22/23 Utilities monthly update May;
5. Swimming Pool Operations – End of Season Report;
6. NSW Local Roads Congress;
7. FY22/23 Roadworks monthly update for May;
8. Active Resolutions;
9. Building Projects monthly update for May/June.

CARRIED

9 DECISION REPORTS

9.1 GENERAL MANAGER

Nil

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 INTEGRATED PLANNING & REPORTING DOCUMENTS 2023.2024

RESOLUTION 2023/137

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Director Corporate and Community Services Report R23/17 be received and noted.
2. The following documents, provided under separate cover, be adopted as presented
 - a) The 2022-2026 Delivery Program;
 - b) The 2023-2024 Operational Plan (OP) incorporating the 2023-2024 Budget, Revenue Policy and, Fees and Charges; and
 - c) The revised Resourcing Strategy including the 10 year Long Term Financial Plan.

CARRIED

9.2.2 MAKING THE RATES FOR THE 2023-2024 FINANCIAL YEAR**RESOLUTION 2023/138**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No. R23/93 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 2023 to 30 June 2024, as set out in the 2022 – 2026 Delivery Program, the 2023-2024 Operational Plan, the 2023-2024 Budget (all provided under separate cover) , and as listed in the attachment to this report.

CARRIED

9.2.3 COMMUNITY DONATION AND EVENT SUPPORT POLICY COMMENCING 1 JULY 2023.**RESOLUTION 2023/139**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director of Corporate & Community Services Report R23/105 be received and noted.
2. The Community Donation and Event Support Policy be adopted with effect from 1 July 2023.
3. Council delegates to the General Manager, with the approval of the Mayor, the power to grant financial assistance under section 377(1A) of the *Local Government Act 1993*.
4. Council rescinds all and any prior resolutions for community event support, donations, fee concessions, and rates and charges donations, unless specifically listed in the Integrated Planning and Reporting documents commencing 1 July 2023.
5. Council rescinds the Donations Policy that was last adopted in 2017, and any donations policies that may have not already been previously extinguished.

CARRIED

9.2.4 DONATIONS**RESOLUTION 2023/140**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Director of Corporate and Community Services Report No. R23/174 be received and noted.

2. Council approve the \$5,000 donation requested by the Festivals of the Lake, to be funded from the Elected Member donations.
3. Council approve the in kind donation (estimated value of \$4,865) requested by the Festivals of the Lake, to be funded from the Elected Member donations, with any over spend to be funded from the unspent balance in the rates donations account.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.3.1 LACHLAN DEVELOPMENT CONTROL PLAN 2018 - DRAFT BUSHFIRE PROVISIONS

RESOLUTION 2023/141

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/161 be received and noted.
2. Council endorse the public exhibition of Draft Lachlan Development Control Plan (DCP) 2018 for a minimum period of 28 days.
3. A further report be presented to Council, following the completion of the public exhibition period, detailing any submissions received during the public exhibition period.

CARRIED

9.4 INFRASTRUCTURE SERVICES

9.4.1 MANAGEMENT OF CEMETERIES POLICY

RESOLUTION 2023/142

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report R23/155 be received and noted.
2. The draft Management of Cemeteries policy be placed on public exhibition for a minimum of 28 days.
3. Following the completion of the public exhibition period a further report be presented to Council summarising any submissions and feedback received from the public throughout the exhibition period

CARRIED

9.4.2 DRAFT WATER MAIN EXTENSION AND CONNECTION POLICY**RESOLUTION 2023/143**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report R23/175 be received and noted.
2. The draft Water Main Extension and Connection Policy be placed on public exhibition for a minimum of 28 days.
3. Following the completion of the public exhibition period a further report be presented to Council summarising any submissions and feedback received from the public throughout the exhibition period.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - BY-ELECTIONS AND SUGGESTED CHANGES TO BE MADE**

CLlr Brady moved an amendment to the recommendation to read as follows:

1. That Notice of Motion Report No. R23/181 be received and noted.
2. Council make the following representations to the Minister for Local Government requesting that:
 - 2.1 Voting in a by-election not be compulsory, and
 - 2.2 The Local Government Act be amended to remove the requirement for nominations for candidates to be called during the months of December and January.
3. The Executive Leadership Team develop a policy regarding pre-poll and postal voting for By-elections, for the consideration of Council.
4. **Council write to the Minister of Local Government outlining the issues encountered at the Lachlan Shire Council D-ward by-election requesting that suggested changes be implemented state wide.**

Cr Brady and Cr Phillips made no objection to the amendment.

RESOLUTION 2023/144

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

1. That Notice of Motion Report No. R23/181 be received and noted.

2. Council make the following representations to the Minister for Local Government requesting that:
 - 2.1 Voting in a by-election not be compulsory, and
 - 2.2 The Local Government Act be amended to remove the requirement for nominations for candidates to be called during the months of December and January.
3. The Executive Leadership Team develop a policy regarding pre-poll and postal voting for By-elections, for the consideration of Council.
4. Council write to the Minister of Local Government outlining the issues encountered at the Lachlan Shire Council D-ward by-election requesting that suggested changes be implemented state wide.

CARRIED

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

13.1 DELEGATES REPORT

RESOLUTION 2023/145

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. Councillor Dennis Brady's Delegates Report No. R23/177 be received and noted

CARRIED

13.2 DELEGATES REPORT

RESOLUTION 2023/146

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. Councillor John Medcalf OAM Delegates Report No. R23/178 be received and noted.

CARRIED

13.3 DELEGATES REPORT

RESOLUTION 2023/147

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. Councillor John Medcalf OAM Delegates Report No. R23/179 be received and noted.

CARRIED

14 CORRESPONDENCE

14.1 CORRESPONDENCE

RESOLUTION 2023/148

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Correspondence Report No. R23/149 be received and noted.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

RESOLUTION 2023/149

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

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.

CARRIED

Meeting paused at 3:30pm.

Meeting resumed at 4:00pm.

17 CLOSED SESSION**17.1 IT and Cyber Security Internal Audit Progress Report as at June 2023**

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.

17.2 IT & Cyber Risk Specific Risk Appetite Statements

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.

17.3 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.

17.4 Annual review of the 4 year Strategic Internal Audit Plan

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 Internal Audit - Fraud and Corruption

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 Proposed lease - 5 Melrose Street 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.

RESOLUTION 2023/150

Moved: Cr Judith Bartholomew

Seconded: Cr Dennis Brady

That Council moves out of Closed Council into Open Council.

CARRIED**17.1 IT AND CYBER SECURITY INTERNAL AUDIT PROGRESS REPORT AS AT JUNE 2023****RESOLUTION 2023/151**

Moved: Cr Peter Harris

Seconded: Cr Robyn Turner

That:

1. The Director Corporate and Community Services Report R23/168 be received and noted.

CARRIED**17.2 IT & CYBER RISK SPECIFIC RISK APPETITE STATEMENTS****RESOLUTION 2023/152**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director of Corporate and Community Services Report No R23/169 be received and noted.
2. Council adopt the IT & Cyber Risk specific Risk Appetite Statements as presented.

CARRIED

17.3 CYBER SECURITY ACTION PLAN UPDATE TO COUNCIL**RESOLUTION 2023/153**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The Director of Corporate and Community Services Report No. R23/170 be received and noted.

CARRIED

17.4 ANNUAL REVIEW OF THE 4 YEAR STRATEGIC INTERNAL AUDIT PLAN

The Director Corporate and Community Service made an amendment to the recommendation to read as follows:

1. The Director Corporate & Community Services Report No. R23/171 be received and noted.
2. The attached Internal Audit update May 2023 be noted.
3. Council provide any recommended changes to the four year Strategic Internal Audit Plan 2022-2025.
4. **The four year Strategic Internal Audit Plan 2002-2025 be amended as per recommendations made by ARIC.**

Cr Harris and **Cr Bartholomew** made no objection to the amendment.

RESOLUTION 2023/154

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director Corporate & Community Services Report No. R23/171 be received and noted.
2. The attached Internal Audit update May 2023 be noted.
3. Council provide any recommended changes to the four year Strategic Internal Audit Plan 2022-2025.
4. The four year Strategic Internal Audit Plan 2002-2025 be amended as per recommendations made by ARIC.

CARRIED

17.5 INTERNAL AUDIT - FRAUD AND CORRUPTION

RESOLUTION 2023/155

Moved: Cr Peter Harris
Seconded: Cr Dennis Brady

That:

1. The Director Corporate & Community Services Report No. R23/172 be received and noted.
2. The findings detailed in the LSC Fraud and Corruption Internal Audit Reported be noted.
3. Councillors provide feedback on recommendations of the report.

CARRIED

Cr Brady left the meeting at 4:25pm.

17.6 PROPOSED LEASE - 5 MELROSE STREET CONDOBOLIN

RESOLUTION 2023/156

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager’s Report No. R23/183 be received and noted.
2. The General Manager be authorised to sign leases with the Royal Flying Doctors Service for their use and occupation of the following properties as detailed in Option 1 of this report;
 - (a) 5 Melrose Street Condobolin (new Medical Centre)
 - (b) Unit 2/42 McGregor Street Condobolin
 - (c) 38 McGregor Street Condobolin

CARRIED

The Meeting closed at 4:26pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 July 2023.

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CHAIRPERSON