

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 26 AUGUST 2020 AT 2:16PM**

PRESENT: Mayor John Medcalf (OAM), Cr Elaine Bendall, Cr Melissa Blewitt, Cr Dennis Brady, Cr Mark Hall, Cr Peter Harris, Cr Brian Nelson, Deputy Mayor Paul Phillips, Cr Melissa Rees

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

1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

Was read out by Councillor Brady

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2020/187

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

Councillor Dave Carter

Councillor Mark Hall will be late.

3 CONFIRMATION OF MINUTES

RESOLUTION 2020/188

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That the minutes of the Ordinary Meeting held on 22 July 2020 be confirmed.

CARRIED

RESOLUTION 2020/189

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That Item 4.1 be moved to after closed session.

4 MAYORAL MINUTE

4.2 MAYORAL MINUTE - EXCLUSION OF LOCAL GOVERNMENT FROM NATIONAL CABINET

RESOLUTION 2020/190

Moved: Cr Peter Harris
 Seconded: Deputy Mayor Paul Phillips

That the Council:

1. Agrees to send a letter to the Premier and to Mark Coulton and Roy Butler as the Federal Member for Parkes and the State member for Barwon respectively which highlights the Council's disappointment that Local Government is not represented on the newly formed National Cabinet and seeks their assistance in requesting that First Ministers review the decision to exclude Local Government.
2. Seeks a meeting with our local Federal and State Members to discuss in more detail the importance of having local government representation on National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda.
3. Notes that the Australian Local Government Association, Local Government NSW and other state/territory local government associations will continue to advocate for local government representation on the National Cabinet and for Local Government's interests in all relevant forums.

CARRIED

5 PUBLIC FORUM

Mr Tony Slade on behalf of the Lee Enfield Rifle Association

6 DISCLOSURE OF INTEREST

Councillor Brady declared a non-significant, non-pecuniary interest in Item 8.3 as he is a member of Rotary Club and Item 18.9 as he is President of the Chamber of Commerce.

The General Manager declared a pecuniary interest in Items 4.1 and 18.9 as the items related to the GM Performance review and employment contract.

7 GENERAL MANAGER

7.1 MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR

RESOLUTION 2020/191

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Dennis Brady

That Council:

- (i) Receive and Note Mayoral Report No R20/227.

CARRIED

At 2:38pm Councillor Mark Hall joined the meeting.

7.2 UPCOMING CONFERENCES

RESOLUTION 2020/192

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager's Report No. R20/225 be received.
2. Council nominate Councillors Phillips, Hall and Brady to attend the Murray Darling Basin Association National Conference and AGM, Clrs Carter and Nelson to attend The Australian Local Government Association National Local Road and Transport Congress and Clrs Phillips, Brady, Medcalf and Harris the Local Government NSW Annual Conference and Clrs Hall and Brady the Mental Health Foundation's National Symposium on Farmers' Mental Health.

CARRIED

7.3 MOTIONS FOR THE NSW LOCAL GOVERNMENT ANNUAL CONFERENCE 2020

RESOLUTION 2020/193

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Melissa Rees

That:

1. The General Manager's Report No. R20/226 be received.
2. The following motions be endorsed for submission to the Local Government NSW 2020 Annual Conference;
 - a) Lobby the NSW Valuer General to limit the retrospective revaluation or re-ascertainment of land values for mining properties,
 - b) Lobby the NSW Department of Planning, Industry and Environment to amend the NSW Biodiversity Conservation Act 2016 to remove the impact of un-intended consequences of the legislation on community events in regional and rural communities,
 - c) Lobby the NSW Government and NSW Office of Water to review water allocation rules and provide community water allocations for communities where economic benefit and community wellness are impacted by reduced water allocations.
 - d) Request the NSW Government to review the recently introduced requirement for owners of non-desexed cats and dangerous/restricted dogs to pay an annual registration fee; particularly in relation to the definition of dangerous dogs.
 - e) Lobby the NSW Government to improve the transport corridor from city of Sydney to western New South Wales by building a tunnel through the Blue Mountains for motor vehicles as well as facilitating a fast train link.
3. The Mayor be given delegated authority to authorise the submission of any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.

CARRIED

7.5 EXECUTION OF FUNDING DEED - FREIGHT AND TOURISM PROJECT

RESOLUTION 2020/194

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. The General Manger's Report No. R20/232 be received.
2. The General Manager be authorised to negotiate and accept the funding deed for the Condobolin Improved Freight Logistics and Visitor Information Centre Project.
3. The Mayor and General Manager be authorised to execute the final funding deed and affix the Council seal.

CARRIED

7.6 ACTIVE RESOLUTIONS AUGUST

RESOLUTION 2020/195

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That Council:

- (i) Receive and Note General Manager's Report R20/233.

CARRIED

7.7 REVIEW OF CODE OF MEETING PRACTICE. ADOPTION OF CODE OF CONDUCT - COUNCILLORS 2020 AND PROCEDURES FOR ADMINISTRATION OF THE CODE OF CONDUCT FOR COUNCILS.

RESOLUTION 2020/196

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. The Director Corporate and Community Services Report No. R20/234 be received.
2. Council adopt the Lachlan Shire Council Code of Conduct – Councillors, Delegates and Council committee members 2020 and Procedures for the Administration of the Model Code of Conduct.
3. Council rescind the Lachlan Shire Council Code of Conduct - Councillors 2019.
4. The abovementioned policies be updated in Council's Policy register and be displayed on Council's website.

CARRIED

7.8 PROPOSAL FOR SUPPORT OF ALLIED HEALTH SERVICES IN LACHLAN SHIRE LGA

RESOLUTION 2020/197

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The General Manager's Report No. R20/235 be received and noted.
2. Council decline the offer from PHYZX2U to support subsidised allied health services and continue to advocate for improved medical services in the Lachlan Shire LGA at every opportunity.

CARRIED

7.9 DELIVERY PROGRAM AND OPERATIONAL PLAN - STATUS UPDATE AS AT 30 JUNE

RESOLUTION 2020/198

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

- (i) The General Manager's Report No R20/239 be received and noted.
- (ii) Council note the status of the Delivery Program and Operational Plan as at 30 June 2020.

CARRIED

8 CORPORATE AND COMMUNITY SERVICES

8.1 TELSTRA LEASE RENEWAL - TULLIBIGEAL RESERVOIR HILL 31665500

RESOLUTION 2020/199

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Corporate and Community Services report R20/194 be received and noted;
2. Council lease the area at Tullibigeal Reservoir Hill to Telstra, commencing 1 July 2021 for \$1,500 per year plus CPI on each anniversary for the periods 2021 to 2026, 2026 to 2031 and 2031 to 2036.
3. The General Manager be delegated authority to sign the lease agreement for the periods 2021 to 2026, 2026 to 2031 and 2031 to 2036.

CARRIED

8.2 INTERIM CAPITAL WORKS ACTUAL VS BUDGET TO 30 JUNE 2020

RESOLUTION 2020/200

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That the Director of Corporate and Community Services Report R20/174 be received and noted.

CARRIED

8.3 DONATION REQUESTS

RESOLUTION 2020/201

Moved: Cr Peter Harris
Seconded: Cr Mark Hall

That:

1. The Director Corporate & Community Services Report No. R20/191 be received.
2. Council donate \$1000.00 to West Milby Rodeo and Sports Gymkhana.
3. Council approve the donation of one night's double room accommodation at the Tottenham Caravan Park in support of the Frosty's Memorial Bowls Day should the event be able to go ahead.
4. Council waive the fee for the use of the SRA Pavilion for the Condobolin Chamber of Commerce awards event.

CARRIED

8.4 CANCELLED EVENT DONATIONS

RESOLUTION 2020/202

Moved: Cr Peter Harris
Seconded: Cr Mark Hall

That:

1. The Director Corporate & Community Services Report No. R20/196 be received.
2. The request from Lake Cargelligo Arts & Craft Society Inc. to retain the \$1,000.00 donation to offset some of their costs that were incurred prior to the cancellation of their 2020 Blue Water event, due to Covid-19 be approved.

CARRIED

Councillor Mel Rees left the meeting at 3:25pm
Councillor Mel Rees returned to the meeting at 3:26pm

8.5 ACCEPTABLE USE OF ELECTRONIC SIGNATURES POLICY

RESOLUTION 2020/203

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That

1. The Director of Corporate and Community Services Report No R20/204 be received.
2. The Acceptable Use of Electronic Signatures Policy be adopted.

CARRIED

8.6 INVESTMENTS AT 31 JULY 2020

RESOLUTION 2020/204

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Corporate and Community Services Report No. R20/208 be received and noted.

CARRIED

8.7 REVOTE OF FUNDS - GUM BEND LAKE WALKWAY AND FIFIELD COMMUNITY BBQ

RESOLUTION 2020/205

Moved: Cr Peter Harris

Seconded: Cr Elaine Bendall

That:

- (a) The Director Corporate and Community Services report R20/212 be received.
- (b) Council revote the \$29,687 Clean TeQ VPA unspent 2020 budget and allocate \$9,687 to install a community BBQ at the Hannah Mahon Park in Fifield and \$20,000 to the Gum Bend Lake Walkway (S1) project.
- (c) Council allocate \$20,000 from the CDRV reserve (Condobolin unallocated) to the Gum Bend Lake Walkway (S1) project.

CARRIED

9 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

9.1 DEVELOPMENT DATA - JULY 2020

RESOLUTION 2020/206

Moved: Cr Mark Hall

Seconded: Deputy Mayor Paul Phillips

That:

1. That the Director Environment, Tourism and Economic Development Report No. R20/207 be received and noted.

CARRIED

9.2 DA2020/22 - BUILDING LINE VARIATION - CONSTRUCTION OF SHED

RESOLUTION 2020/207

Moved: Cr Peter Harris
 Seconded: Cr Melissa Rees

That:

1. Council receive and note the Director Environment, Tourism and Economic Development Report No. R20/223.
2. Council approve DA2020/22 in accordance with the recommended conditions of consent provided in Attachment 2.

In Favour: Crs John Medcalf, Paul Phillips, Elaine Bendall, Melissa Blewitt, Dennis Brady, Mark Hall, Peter Harris, Melissa Rees and Brian Nelson

Against: Nil

CARRIED

10 INFRASTRUCTURE SERVICES

10.1 FY2021 ROADWORKS MONTHLY UPDATE FOR JULY

RESOLUTION 2020/208

Moved: Cr Brian Nelson
 Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. R20/209 be received and noted.

CARRIED

10.2 FY2021 UTILITIES MONTHLY UPDATE FOR JULY

RESOLUTION 2020/209

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. R20/210 be received and noted and;

2. Council approves the funding of expected non-claimable expenses totalling \$31,550.99 in relation to the RNSW 842 Sewage Effluent Reuse Management System (Lake Cargelligo, Condobolin & Tottenham) project by a transfer from the Sewer Reserve Fund.

CARRIED

10.3 GRANT DEED - CRITICAL DROUGHT INITIATIVE PACKAGE - DWS072 CONDOBOLIN DROUGHT WATER SECURITY PROJECT

RESOLUTION 2020/210

Moved: Cr Peter Harris
Seconded: Cr Melissa Rees

That:

1. The Director Infrastructure Services Report No. R20/211 be received and noted.
2. The General Manager be authorised to execute the funding deed and affix the Council seal.

CARRIED

10.4 GRANT DEEDS - FIXING COUNTRY ROADS

RESOLUTION 2020/211

Moved: Cr Peter Harris
Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services report R20/216 be received.
2. The General Manager be delegated authority to execute the Fixing Council Road Funding Deeds and affix the Council seal for projects RNSW2468 (Bogan Way), RNSW2469 (Tullibigeal Rd) and RNSW2471 (Gipps Way Nerathong Bridge).
3. The Director Infrastructure Services be directed to request a project variation from the funding body to reduce the extent of work for project RNSW2470 (Palesthan Rd) to approximately 7.2km.
4. Subject to a suitable reduction in the extent of work for project RNSW2470 (Palesthan Rd) being negotiated, and approved by the funding body, the General Manager be authorised to execute the amended Fixing Council Road Funding Deed and affix the Council seal.

CARRIED

10.5 FY2021 RECREATION MONTHLY UPDATE FOR JULY

RESOLUTION 2020/212

Moved: Cr Peter Harris
Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services report R20/217 be received and noted.

CARRIED

10.6 ROAD SAFETY ACTION PLAN 2020-2023

RESOLUTION 2020/213

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That Director Infrastructure Services Report D20/218 be received and noted.

CARRIED

10.7 LAKE CARGELLIGO - APEX PARK PONTOON PROJECT - GRANT EXECUTION & CO-CONTRIBUTION

RESOLUTION 2020/214

Moved: Cr Mark Hall

Seconded: Cr Melissa Blewitt

That:

1. The Director Infrastructure Services Report No. 20/219 be received.
2. Council accept the \$185,000 grant from TfNSW for the installation of the boating pontoon at Apex Park boat ramp in Lake Cargelligo
3. Council allocate \$15,000 in QBR1 as Council's contribution to the project
4. The General Manager be delegated authority to execute the funding deed.

CARRIED

10.8 RENAMING OF SANDY CREEK CROSSING, PALESTHAN ROAD

RESOLUTION 2020/215

Moved: Cr Melissa Blewitt

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No.R20/197 be received.
2. The renaming of the Sandy Camp Creek Crossing to "Gary Mooney Crossing" be endorsed.
3. Public consultation on the proposed name change commence.

CARRIED

10.9 REGIONAL ROAD TRANSFER AND ROAD CLASSIFICATION REVIEW**RESOLUTION 2020/216**

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That :

1. The Director Infrastructure Services report R20/220 be received.
2. The Lachlan Shire requests that the Independent Panel consider the following roads for reclassification:
 - (a) RR 7513 Lake Cargelligo Road – from non-classified regional road to classified regional road
 - (b) Rodeo Drive and Grace Street (from Rodeo Drive to Foster St), Lake Cargelligo be classified as part of RR 7513.
 - (c) Lake Cargelligo Road (from Rodeo Drive to Narrandera St) and Canada St (from Narrandera St to Foster St), Lake Cargelligo become local roads.
 - (d) Lachlan St (from William St to Harding Ave) and Harding Ave, Condobolin be classified as part of MR 461
 - (e) William St (from Lachlan St to Bathurst St) and Bathurst St (from William St to Harding Ave), Condobolin become local roads, subject to formation failures being corrected.
3. The Lachlan Shire requests that the Independent Panel consider all regional roads within the shire return to State management.

CARRIED

10.10 TREE ASSESSMENT - 74 MOLONG STREET, CONDOBOLIN & 6 LAKE STREET, LAKE CARGELLIGO**RESOLUTION 2020/217**

Moved: Cr Mark Hall

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. 20/221 be received.
2. The report be deferred to the next Council meeting.

CARRIED

11 DEPUTATIONS

12 NOTICES OF MOTION

Nil

13 NOTICES OF RESCISSION

Nil

14 DELEGATES REPORT

Councillor Brady gave a report on the meeting held in West Wyalong for the Evolution Mining Community Consultative Committee that he attended.

15 CORRESPONDENCE**15.1 CORRESPONDENCE - AUGUST****RESOLUTION 2020/218**

Moved: Cr Melissa Rees

Seconded: Cr Peter Harris

That:

- (i) Council Read and Note Correspondence Report No R20/214.
- (ii) Council write to relevant State and Federal Ministers to request a review of regulations on the sale and use of helium and other lighter than air gasses, other than for scientific and non-environmentally detrimental commercial purposes, especially relating to balloons.

CARRIED

At 4:19pm Council ceased for a break.

At 4:47pm Council resumed.

7.4 LOCAL ROAD AND COMMUNITY INFRASTRUCTURE GRANT PROJECTS**RESOLUTION 2020/219**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Mark Hall

That:

1. The General Manager's Report No. R20/231 be received.
2. Council nominate the priority projects for funding under the Local Road and Community Infrastructure Grant program and authorise the submission of those projects for funding.
3. The priority projects be listed as follows:

Lake Cargelligo – Lake Walkway Stage 3, \$293,000

Lake Cargelligo – CCTV cameras in Foster Street \$145,000

Bridge Street Lake Cargelligo drainage upgrade. \$325,000

Tottenham -Tennis Club LED Lighting and Tennis Court resurfacing

Lachlan Shire Council Animal Shelter. \$300,000

4. The funds for Bridge Street Lake Cargelligo drainage upgrade project be taken from the Stormwater Drainage Reserve.

CARRIED

16 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

17 PETITIONS

Nil

18 CLOSED SESSION

RESOLUTION 2020/220

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

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 Rates and Charges Donations - 2020/21

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.

18.2 Tender: Plant and Truck Hire – Additional Contractors

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.

18.3 Tender Negotiation - IFT T2019/14 Lachlan Shire Council Integrated Water Cycle Management 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 Collection and Disposal of Used Motor Oil - Netwaste Regional Contract

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.

18.5 Contract Extensions - Riverview Caravan Park and Lakeview Caravan Park

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 Offer to purchase land Loughnan Street Lake Cargelligo

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.

18.7 Offer to purchase land Hay Street Condobolin

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.

18.8 Proposal - Outstanding Debts

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.

18.9 Mayoral Minute - General Manager Annual Performance Review for period ending 30 June 2020.

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

RESOLUTION 2020/221

Moved: Cr Dennis Brady
 Seconded: Cr Peter Harris

That Council moves out of Closed Council into Open Council.

CARRIED

18.1 RATES AND CHARGES DONATIONS - 2020/21

RESOLUTION 2020/222

Moved: Cr Peter Harris
 Seconded: Deputy Mayor Paul Phillips

That:

- 1) The Director of Corporate and Community Services Report No. R20/192 be received and noted.
- 2) Council determine the rates and charges concession it wishes to provide to:
 - (i) CWA Tullibigeal Branch approved as requested.
 - (ii) CWA Tottenham Branch approved as requested.
 - (iii) West Wyalong Parish for St Isadore Catholic Church, Tullibigeal and Our Lady of Lourdes Catholic Church, Lake Cargelligo approved as requested.

CARRIED

18.2 TENDER: PLANT AND TRUCK HIRE – ADDITIONAL CONTRACTORS

RESOLUTION 2020/223

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Melissa Blewitt

That;

1. The Director Infrastructure Services Report No. R20/202 be received and noted.

2. Tendered rates from A & B Rural Contracting be accepted.
3. Tendered rates from EMMAT Group Pty Ltd be accepted
4. The General Manager be authorised to execute the contract documentation.

CARRIED

At 4:56 Councillor Phillips left the meeting.

18.3 TENDER NEGOTIATION - IFT T2019/14 LACHLAN SHIRE COUNCIL INTEGRATED WATER CYCLE MANAGEMENT STRATEGY

RESOLUTION 2020/224

Moved: Cr Mark Hall
 Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report No. R20/213 be received and noted.
2. Public Works Advisory's proposal for the preparation of the IWCM Strategy be accepted.
3. Council's contribution as detailed in option 2 of the report be re-allocated from the current 2020/21 Operational Plan through QBR1.
4. The General Manager be authorised to execute the final funding deed and contract documents and affix the Council seal.

CARRIED

At 4:58pm Councillor Phillips returned to the meeting.

18.4 COLLECTION AND DISPOSAL OF USED MOTOR OIL - NETWASTE REGIONAL CONTRACT

RESOLUTION 2020/225

Moved: Cr Dennis Brady
 Seconded: Cr Melissa Blewitt

That:

1. The Director Environment Tourism and Economic Development Report No. R20/215 be received and noted.
2. Council accept the tender submitted by Cleanaway dated 28 July 2020 for the initial two (2) year term.
3. Council authorise the Mayor and General Manager to sign the contract documents and affix the Council seal (if required).

CARRIED

18.5 CONTRACT EXTENSIONS - RIVERVIEW CARAVAN PARK AND LAKEVIEW CARAVAN PARK

RESOLUTION 2020/226

Moved: Cr Mark Hall
 Seconded: Cr Dennis Brady

That:

1. The Director Environment, Tourism and Economic Development Report No. R20/224 be received and noted.
2. The General Manager and Mayor be authorised to sign a deed/contract with P.R.O Management Pty Ltd (and affix the Council seal if required) for the operation and management of the Riverview and Lakeview Caravan Parks from 1 September 2020 to 28 February 2021.

CARRIED

18.6 OFFER TO PURCHASE LAND LOUGHNAN STREET LAKE CARGELLIGO

RESOLUTION 2020/227

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Mark Hall

That:

1. The General Manager's Report No. R20/228 be received and noted.
2. Council adopt option 2 as detailed in the body of the report for the sale of Lot 14 Section 58 DP 758595 Loughnan Street, Lake Cargelligo.
3. The General Manager engage Council's legal representative to prepare the contract documents and transact the sale.
4. The Mayor and General Manager be delegated authority to sign the contract documents and affix the Council Seal.

CARRIED

18.7 OFFER TO PURCHASE LAND HAY STREET CONDOBOLIN

RESOLUTION 2020/228

Moved: Deputy Mayor Paul Phillips
 Seconded: Cr Mark Hall

That:

1. The General Manager's Report No. R20/229 be received and noted.
2. Further details on the option to purchase a property in Hay Street Condobolin be obtained before a final decision is made on this matter.

CARRIED**18.8 PROPOSAL - OUTSTANDING DEBTS****RESOLUTION 2020/229**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Corporate & Community Services Report No. R20/230 be received and noted.
2. Correspondence from RSM Partners dated 19 August 2020 be noted.
3. As per section 131 clause 3 *Local Government (General) Regulation 2005* the interest referred to in item 4 below relates to all properties identified as being associated with NAR number 20147 in Council's rates and water registers.
4. As per section 131 clause 4 (d) of the *Local Government (General) Regulation 2005*, to write off interest to 30 June 2020 totalling \$48,437.48

On the condition that

- (a) Payment of all outstanding rates and charges including water consumption charges accrued as at 30 June 2020 amounting \$393,118.68 is received in full on or before 16 October 2020,
AND
 - (b) Instalment one of the 2020/2021 rates and charges for all assessment and totalling \$17,875.05, is paid in full on or before the due date of 31 August 2020.
5. That if all conditions in item 4 are not met on or before the due dates, then this agreement immediately becomes null and void.

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

CARRIED

At 5:25pm The Directors and the General Manager left the meeting.

18.9 MAYORAL MINUTE - GENERAL MANAGER ANNUAL PERFORMANCE REVIEW FOR PERIOD ENDING 30 JUNE 2020.**RESOLUTION 2020/230**

Moved: Cr Melissa Blewitt

Seconded: Deputy Mayor Paul Phillips

That Council:

1. Note the report of the General Manager's Performance Review Panel.
2. Note the finding of the Panel on the General Manager's Annual Performance Review for the period ending 30 June 2020, in particular the Panel's summary assessment:

"The Panel has concluded that the General Manager's performance has been of a very high standard. The Panel is particularly pleased with the achievements as

outlined in the review and, in addition, the personal development of the General Manager.

The Panel looks forward to working with him in what will be an exciting future for the Shire. The Panel has consistently rated the General Manager above his own self-assessment. This should be read overall, as meaning the Panel is extremely pleased with the General Manager's Performance. Individual comments in each section have not been made, but it should be taken that in accordance with the Rating Scale, as contained within the Agreement, provides that a rating of 8 or above, reflects a high performance. In terms of assessment under the Standard Contract this performance should be regarded as Better Than Satisfactory. His overall rating is 8.5.

3. The above projects will be included in the 2020/21 Agreement.
4. The Panel considered the results of this Review and has noted the overall performance. The Panel also reviewed the GM's current TRP and comparisons with similar councils. The Panel is recommending to Council that the General Manager be offered a new 5-year Contract, commencing 7 September 2020 at a TRP of \$274,443.75. It is noted that this TRP will represent an increase of 5% on the previous amount. In deciding to grant this adjustment the Panel noted the above matters as well as the requirements under Clause 8.3 of the existing Contract.

CARRIED

At 5:43pm The Directors and the General Manager returned to the meeting.

At 5:55pm The General Manager declared an interest in Item 4.1 and left the room.

4.1 MAYORAL MINUTE - GENERAL MANAGER'S PERFORMANCE REVIEW & CONTRACT

RESOLUTION 2020/231

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That

- (i) That the General Manager be offered a new 5-year Contract, commencing 7 September 2020 at a TRP of \$274,443.75 with terms and conditions to be in accordance with the Standard Contract of Employment for General Managers in NSW Councils.

CARRIED

At 5:56pm The General Manager returned to the room.

RESOLUTION 2020/232

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

That Council:

Provide a letter of support to the Lee Enfield Rifle Association for their intention to re-open the Condobolin rifle range sporting facility.

The Meeting closed at 5:59pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 September 2020.


.....
CHAIRPERSON

