

**MINUTES OF LACHLAN SHIRE  
ORDINARY COUNCIL MEETING  
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS  
ON WEDNESDAY, 26 OCTOBER 2016 AT 2.00PM**

**PRESENT:** Cr John Medcalf, Cr Melissa Blewitt, Cr Dave Carter, Cr Max Frankel, Cr Mark Hall, Cr Peter Harris, Cr Brian Nelson, Cr Paul Phillips, Cr Melissa Rees, Cr John Ridley

**IN ATTENDANCE:** Robert Hunt (General Manager), Alan Townsend (Acting Director Environment & Planning), Luke Taberner (Director Community Services & Governance), John Chapman (Chief Financial Officer), Tekohi Rivera (Director Infrastructure Services) & Juanita Gilpin (Executive Assistant).

**1 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS**

Acknowledgment was read by Councillor John Ridley

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2016/328**

Moved: Cr Melissa Blewitt

Seconded: Cr Paul Phillips

That the minutes of the Ordinary Meeting held on 28 September 2016 and the Extraordinary Meeting held on 28 September 2016 be confirmed.

**CARRIED**

**3 LEAVE OF ABSENCE**

Nil

**4 MAYORAL MINUTE**

**4.1 MEETINGS & FUNCTIONS ATTENDED BY THE MAYOR & DEPUTY MAYOR**

**RESOLUTION 2016/329**

Moved: Cr Dave Carter

Seconded: Cr Melissa Rees

That Council receive and note the Mayoral Report R16/118.

**CARRIED**

**5 PUBLIC FORUM**

Kathleen Brady addressed Council regarding the Condobolin Cemetery Policy amendment.

Elsie Wilson addressed Council regarding traffic issues in Officer's Parade.

William Dietrich addressed Council regarding his request for exemption of rates by the Condobolin Gospel Trust.

**6 DISCLOSURE OF INTEREST**

Nil

**7 GENERAL MANAGER**

**7.1 REQUEST FOR DONATIONS**

**RESOLUTION 2016/330**

Moved: Cr Mark Hall

Seconded: Cr Max Frankel

That:

1. Council receive General Manager Report R16/102, Donation Requests and; defer the requests to the November Council Meeting along with new guidelines for donations.

**CARRIED**

**7.2 DELEGATES REPORT - LGA CONFERENCE**

**RESOLUTION 2016/331**

Moved: Cr Peter Harris

Seconded: Cr Max Frankel

That the Delegates Report R16/121 be received and noted.

**CARRIED**

**8 COMMUNITY SERVICES & GOVERNANCE**

**8.1 DISABILITY ACTION PLAN**

**RESOLUTION 2016/332**

Moved: Cr Peter Harris

Seconded: Cr Paul Phillips

That

- 1) DCS&G Report No R16/109 be received and noted.

**CARRIED**

**8.2 CHRISTMAS FIESTA**

**RESOLUTION 2016/333**

Moved: Cr Peter Harris

Seconded: Cr Max Frankel

That Council note the report and support the Lachlan Christmas Fiesta

**CARRIED**

**9 FINANCE****9.1 RATES AND CHARGES DONATIONS - 2016/17****RESOLUTION 2016/334**

Moved: Cr Brian Nelson

Seconded: Cr Peter Harris

That

- (a) Revenue Accountant's report No. R16/100 be received.
- (b) Council approved a donation of \$671.00 to offset waste, water and sewer annual charges levied on the Country Women's Association of NSW – Tullibigeal Branch.

**CARRIED****9.2 INVESTMENTS AS AT 30 SEPTEMBER 2016****RESOLUTION 2016/335**

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That

- a) Council receive and note the Chief Financial Officer's Report No. R16/103.

**CARRIED****9.3 INVESTMENTS POLICY REVIEW****RESOLUTION 2016/336**

Moved: Cr Melissa Blewitt

Seconded: Cr Paul Phillips

That

- (a) The Chief Financial Officer's Report No R16/104 be received and
- (b) Council's Investment Policy be amended in accordance with the report and the attached revised draft policy

**CARRIED****9.4 FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016****RESOLUTION 2016/337**

Moved: Cr Mark Hall

Seconded: Cr Paul Phillips

That

1. the Chief Financial Officer's Report No R16/124 be received and noted
2. the Draft Financial Statements for the year ended 30 June 2016 be referred for Audit

3. Council confirm that the Draft Financial Statements for the year ended 30 June 2016 have been prepared in accordance with:
  - (a) the Local Government Act 1993 and Regulations
  - (b) the Australian Accounting Standards and professional pronouncements
  - (c) the Local Government Code of Accounting Practice and Financial Reporting
  - (d) The NSW Government Policy Statement “Application of National Competition Policy to Local Government
  - (e) The Division of Local Government Guidelines “Pricing & Costing for Council Businesses – A Guide to Competitive Neutrality”
  - (f) The NSW Office of Water (Department of Environment, Climate Change and Water) Guidelines – “Best Practice Management of Water and Sewerage”
4. Council confirm that:
  - (a) The statements present fairly the Operating Result and Financial Position for the year
  - (b) The statements accord with Council’s accounting and other records
  - (c) Council is not aware of any matter that would render the statements false or misleading in any way.
5. The General Manager be authorised to finalise the date on which the auditor’s report and financial statements are to be presented to the public

**CARRIED**

## **10 ENVIRONMENT & PLANNING**

### **10.1 DEVELOPMENT ACTIVITY SEPTEMBER 2016**

#### **RESOLUTION 2016/338**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That Council:

1. Receive and note Environment & Planning Report R16/106, Development Activity Report for September 2016.

**CARRIED**

### **10.2 CONDOBOLIN LAWN CEMETERY POLICY**

#### **RESOLUTION 2016/339**

Moved: Cr Melissa Blewitt

Seconded: Cr Melissa Rees

That Council:

1. Amend the Condobolin Lawn Cemetery Policy to allow a maximum of 2 solar powered lights to a maximum height of 300mm per plinth plot, in the Condobolin Lawn Cemetery.

**CARRIED**

**10.3 SRA HALL PROJECT**

**RESOLUTION 2016/340**

Moved: Cr Mark Hall  
 Seconded: Cr Paul Phillips

That Council:

1. Approves the SRA Hall Design as attached to Acting DEP Report No R16/111.

**CARRIED**

**10.4 OPTUS TOWER UPGRADE LAKE CARGELLIGO**

**RESOLUTION 2016/341**

Moved: Cr Peter Harris  
 Seconded: Cr Dave Carter

That Council:

1. Give consent to Optus in support of the Crown Licencing Documentation.

**CARRIED**

**11 INFRASTRUCTURE SERVICES**

**11.1 EXTENSION OF WATER RETICULATION - HENRY PARKES WAY**

**RESOLUTION 2016/342**

Moved: Cr Melissa Blewitt  
 Seconded: Cr Paul Phillips

That

1. Council receive and note Utilities Manager Report R16/78.
2. Council officers prepare a detailed cost estimate for the works, after consultation with property owners.
3. Subject to adequate water pressure, the residents contribute 75% towards the upfront cost of extending the reticulation pipeline, excluding fire hydrants.

**CARRIED**

**11.2 TOTTENHAM POOL**

**RESOLUTION 2016/343**

Moved: Cr Mark Hall  
 Seconded: Cr Melissa Blewitt

That

1. Council receive and note Manager Recreation and Assets Report R16/107.

**CARRIED**

**11.3 WATER AND SEWER UPDATE - SEPTEMBER****RESOLUTION 2016/344**

Moved: Cr Peter Harris

Seconded: Cr Mark Hall

That:

1. Council receive and note Infrastructure Services Report R16/113.

**CARRIED**

**11.4 WIRADJURI PARK UPGRADE****RESOLUTION 2016/345**

Moved: Cr Mark Hall

Seconded: Cr Dave Carter

That

1. Council receive and note Manager Recreation and Assets Report R16/114.

**CARRIED**

**11.5 FY1617 ROADS PROGRAM - QUARTERLY UPDATE - FLOOD DAMAGE & NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS****RESOLUTION 2016/346**

Moved: Cr Mark Hall

Seconded: Cr Paul Phillips

That Council:

1. Note the Director Infrastructure Services Report R16/117.
2. Acknowledge the severe impact of the storms and floods and implement changes to the current FY1617 Roads Program, requiring a different approach to procurement and resourcing:
  - (a) Expend normal grant programs more quickly through selection of high cost projects and deferring other lower cost projects;
  - (b) Plan for additional works required for flood damage repairs;
  - (c) Consider council contributions to upgrade roads in conjunction with flood damage repairs;
  - (d) Undertake sufficient repairs to support the upcoming harvest season, before the flood damage assessment is finalised, and accept a commensurate reduction in the approved flood damage grant;
  - (e) Commence some projects early through the quarterly budget review in November; and
  - (f) Explore options for deferring grant funding
  - (g) Give vote of thanks to Council Staff working during the floods.

**CARRIED**

**11.6 MAJOR PROJECT - TOTTENHAM WATER SUPPLY & RESTART NSW GRANT RNSW841****RESOLUTION 2016/347**

Moved: Cr Paul Phillips

Seconded: Cr Max Frankel

That

1. Director Infrastructure Services Report No: R16/119 be received.
2. Council undertake consultation with the Tottenham community to their address concerns about the Restart NSW grant for Option 2 "Caloola Dam" and receive feedback on additional options for Council consideration.
3. Council engage a suitably qualified consultant to review and update the year 2000 secure yield study and catchment study to:
  - (a) reflect the current water demand estimates and forecast water demand estimates;
  - (b) comply with current DPI Water regulatory requirements;
  - (c) review and update the feasibility of earlier options;
  - (d) assess the feasibility of any additional new options, and;
  - (e) recommend the most feasible option to improve water supply to Tottenham and Albert.

**CARRIED****11.7 MAJOR PROJECT - CONDOBOLIN BORE FIELDS II PROJECT (STAGE 1) & RESTART NSW GRANT RNSW755****RESOLUTION 2016/348**

Moved: Cr Peter Harris

Seconded: Cr Paul Phillips

That

1. Director Infrastructure Services Report No: R16/122 be received.
2. Council engage a fixed-term part-time project manager for three to six months, after which time engage a fixed-term full-time project manager for six to twelve months to co-ordinate the Bore Field II Project.
3. Council continue to exploit grant program opportunities as they emerge to secure the additional \$8.4m funding that is required to complete the Bore Field II (Stage 2) project.

**CARRIED****12 DEPUTATIONS**

Nil

**13 MEETINGS AND FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR**

Recorded in Mayoral Minute

**14 NOTICES OF MOTION****14.1 NOTICE OF MOTION - COMMUNICATION AT COUNCIL MEETINGS****RESOLUTION 2016/349**

Moved: Cr Paul Phillips

Seconded: Cr Dave Carter

That;

1. All Councillors follow the adopted Lachlan Shire Council Code of Meeting Practice.

**CARRIED****14.2 NOTICE OF MOTION - EXPRESSION OF INTEREST TO HIRE PLANT EQUIPMENT****RESOLUTION 2016/350**

Moved: Cr Paul Phillips

Seconded: Cr Peter Harris

That Council call for expressions of interest for the hire of wet and dry plant such as bulldozers, graders and trucks etc.

**CARRIED****15 NOTICES OF RESCISSION**

Nil

**16 DELEGATES REPORT**

Councillor Harris gave Councillors his report on the NSW Local Government Annual Conference recently held in Wollongong.

Councillor Nelson spoke about Lachlan Road Safety Meeting he attended in Parkes recently with Director Infrastructure Services, Tekohi Rivera.

Councillor Carter advised he will provide a delegates report on the Aboriginal Reconciliation Session he attended at the Local Government Annual Conference.

**17 CORRESPONDENCE****17.1 CORRESPONDENCE****RESOLUTION 2016/351**

Moved: Cr Max Frankel

Seconded: Cr Paul Phillips

That Council

1. Receive and note the attachments A & B in Correspondence report R16/116
2. Resolved the following responses to attachments C, D, E & F.
  - (i) C: Council would visit before a Council Meeting and Western Plains Regional



Development be advised of this.

- (ii) D: No decision – further information required on cost estimate and report back to Council by the Director Infrastructure Services.
- (iii) E: House cannot be sold as classified as community land and Tottenham Welfare Council be advised of this.
- (iv) F: Council in support of measuring gauge and letter of support be sent to Mr John Ridley.

**CARRIED**

**18 COMMON SEAL**

Nil

**19 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**20 PETITIONS**

Nil

**21 COUNCIL MOVE INTO CLOSED SESSION**

**RESOLUTION 2016/352**

Moved: Cr Peter Harris

Seconded: Cr Max Frankel

Council move into closed session.

**CARRIED**

## 22 CLOSED SESSION

### RECOMMENDATION

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:

#### 22.1 Water Bill adjustment - Lot 4 DP 752093 (Assessment # 1029282)

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.

#### 22.2 Audit and Risk Committee Membership

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.

#### 22.3 Waste, Recycling and Organics Collection Service

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.

#### 22.4 Sale of Property

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.

#### 22.5 Sale of Land - Randall Place 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.

### 22.1 WATER BILL ADJUSTEMENT - LOT 4 DP 752093 (ASSESSMENT # 1029282)

#### RESOLUTION 2016/353

Moved: Cr Brian Nelson

Seconded: Cr Dave Carter

That

- (a) Revenue Accountant Report No. 16/99 be received.
- (b) Council approved the water bill adjustment of \$10,611.70 for Mr P J Mooney based on the condition that he re-lays a new pipeline to replace the existing one before the bill adjustment is made.
- (c) Council review the Undetected Water Leak Policy and advertise for 28 days.

**CARRIED**

**22.2 AUDIT AND RISK COMMITTEE MEMBERSHIP****RESOLUTION 2016/354**

Moved: Cr Mark Hall  
Seconded: Cr Max Frankel

That

- (a) The Chief Financial Officer's report be received and noted
- (b) Fees payable to independent members of the Audit & Risk Committee for attendance at meetings of the committee be:
  - (i) \$150 per hour or part thereof while in attendance at the meeting, and
  - (ii) Payment per kilometre for travelling in accordance with the Local Government Award
- (c) Mr Graeme Fleming be appointed as an independent member of the committee
- (d) Mr Mick Symons be advised of Council's determination

**CARRIED**

**22.3 WASTE, RECYCLING AND ORGANICS COLLECTION SERVICE****RESOLUTION 2016/355**

Moved: Cr Max Frankel  
Seconded: Cr Mark Hall

That Council:

1. Receive the Waste, Recycling and Organics Collection Report R16/120 from the Environment and Waste Officer.
2. Award the contract to JR Richards and Sons for the term of the contract 6 years and 7 months with options of up to 3 years of extensions.
3. Adopt recycling collection throughout Lachlan Shire Council.
4. Continue organics collection for Condobolin only.
5. Convey waste collected from Condobolin, Tottenham, Fifield, Albert and Derriwong to the Condobolin Waste Facility. Waste collected from Lake Cargelligo and Tullibigeal to be taken to the Lake Cargelligo Waste Facility.
6. Implement the roll out of new Waste and Recycling MGB Bins throughout Lachlan Shire.
7. Adjust the income and expenditure budget to introduce a recycling service for half the year.
8. The Mayor and General Manager be delegated authority to sign and affix the Council Seal to the contract documents.

**ALL IN FAVOUR**

**CARRIED**

**22.4 SALE OF PROPERTY****RESOLUTION 2016/356**

Moved: Cr Paul Phillips

Seconded: Cr Max Frankel

That

1. General Manager Report No R16/123 be received.
2. Council sell the premises to the purchaser at the price as detailed in the valuation report. A clause be inserted in the contract that Lachlan Shire Council be offered first option to purchase the premises should they be offered for sale in the future.
3. The net proceeds from the sale be allocated to the construction of a house at the Council's residential estate in Lake Cargelligo. Once constructed Council sell the Townsend Street property with proceeds going towards infrastructure renewal in Lake Cargelligo.
4. The Mayor and General Manager be delegated authority to sign and affix the Council

**CARRIED**

**22.5 SALE OF LAND - RANDALL PLACE CONDOBOLIN****RESOLUTION 2016/357**

Moved: Cr Dave Carter

Seconded: Cr Melissa Rees

That

- a) The Mayor and General Manager be delegated authority to sign and affix the Council Seal to the Contracts of Sale for lots 7, 8, and 9 Randall Place and Lot 2 Randall Place Condobolin.

**CARRIED**

**23 COUNCIL MOVE OUT OF CLOSED SESSION****RESOLUTION 2016/358**

Moved: Cr Mark Hall

Seconded: Cr Peter Harris

Council move out of closed session.

**CARRIED**

**24 NOVEMBER COUNCIL MEETING CHANGES****RESOLUTION 2016/359**

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

The November Council Meeting be moved to Condobolin at 10am to enable the Mayor and General Manager travel to Canberra.

**CARRIED**

**The Meeting closed at 5:45pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 November 2016.**

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**MAYOR**

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**GENERAL MANAGER**