

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 26 APRIL 2023 AT 2:00 PM**

PRESENT: Mayor John Medcalf (OAM), Deputy Mayor Paul Phillips, Cr. Megan Mortimer, Cr. Melissa Blewitt, Cr. Melissa Rees, Cr. Peter Harris, Cr. Dave Carter, Cr. Judith Bartholomew.

IN ATTENDANCE: Karen Pegler (Acting General Manager), Jon Shillito (Director - Environment, Tourism and Economic Development), Adrian Milne (Director - Infrastructure Services), Cherise Small (Executive Assistant)

1 WEBCASTING

Statement regarding webcasting was read by the Mayor.

2 ACKNOWLEDGEMENT OF COUNTRY AND ELDERS

The acknowledgement of Country and Elders was made by Cr Blewitt

Cr. Megan Mortimer joined the meeting at 2:04pm.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

RESOLUTION 2023/65

Moved: Cr Dave Carter

Seconded: Cr Melissa Blewitt

That the apology received from Cr Brady be accepted.

CARRIED

4 CONFIRMATION OF MINUTES

RESOLUTION 2023/66

Moved: Cr Melissa Rees

Seconded: Cr Dave Carter

That the minutes of the Ordinary Meeting held on 22 March 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MAYORAL CHARITY BALL, PENRITH CITY COUNCIL****RESOLUTION 2023/67**

Moved: Cr Melissa Rees

Seconded: Cr Dave Carter

That:

1. Mayoral Minute Report No. R23/79 be received and noted.
2. The Mayor, on behalf of Lachlan Shire Council, donate an amount of \$800 towards The Haven – Nepean Women’s Shelter.
3. The donation be charge to Council’s General donations – Elected Members which has a balance of \$13,503.00.

CARRIED

5.2 MAYORAL MINUTE - MEETINGS AND FUNCTIONS - APRIL**RESOLUTION 2023/68**

Moved: Cr Melissa Blewitt

Seconded: Cr Megan Mortimer

That:

1. Mayoral Minute Report No. R23/80 be received and noted.

CARRIED

6 PUBLIC FORUM

Nil.

7 DISCLOSURE OF INTEREST

Cr. Blewitt declared a Non-Pecuniary Less Than Significant interest in item 8.3 Youth Services Update (page 39) as LWRS Treasurer Anne Coffey is her Managing Director at the Condobolin Argus.

8 READ AND NOTE

RESOLUTION 2023/69

Moved: Cr Peter Harris
 Seconded: Cr 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 March/April;
- 8.2 Investments as at 31 March 2023;
- 8.3 Youth Services Update to Council – July to December 2022 Youth Services Report and Financials to 31 December 2022;
- 8.4 FY22/2023 Utilities Monthly Update March;
- 8.5 Customer Requests – Month Ended 31 March 2023;
- 8.6 Development Data March 2023;
- 8.7 FY22/23 Urban Works Monthly Update for March.

CARRIED

8.8 FY22/23 ROADWORKS MONTHLY UPDATE FOR MARCH

RESOLUTION 2023/70

Moved: Cr Dave Carter
 Seconded: Cr Melissa Blewitt

That:

- 1. The Director Infrastructure Services Report No D23/89 be received and noted.

CARRIED

8.9 ACTIVE RESOLUTIONS - APRIL

RESOLUTION 2023/71

Moved: Cr Melissa Rees
 Seconded: Cr Megan Mortimer

That:

- 1. The General Manager’s Report No. R23/99 be received and noted.

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER**

Nil

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 LACHLAN SHIRE COUNCIL LIBRARIES EXCLUSION AND DIRECTION TO LEAVE POLICY****RESOLUTION 2023/72**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director Corporate and Community Services Report No. R23/42 be received and noted.
2. Lachlan Shire Council Libraries Exclusion and Direction to Leave Policy be adopted.

CARRIED**9.2.2 DRAFT COMMUNITY DONATION AND EVENT SUPPORT POLICY, PROPOSED TO COMMENCE 1 JULY 2023, FOR PUBLIC CONSULATION****RESOLUTION 2023/73**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. The Director of Corporate & Community Services Report R22/403 be received and noted.
2. Subject to any changes requested by Council, the draft Community Donation and Event Support Policy be placed on public exhibition for 28 days, from 27 April 2023.
3. Following the completion of the public exhibition period the Director of Corporate and Community Services present a further report to the June 2023 ordinary Council meeting, summarising any submissions received during the public exhibition period, for the consideration of Council prior to final adoption of the Community Donation and Event Support Policy.

CARRIED

9.2.3 HOME DIALYSIS WATER CONSUMPTION REBATE POLICY**RESOLUTION 2023/74**

Moved: Cr Melissa Blewitt

Seconded: Cr Peter Harris

That:

1. The Director of Corporate & Community Services Report R23/44 be received and noted.
2. Subject to any changes suggested by Council the Home Dialysis Water Consumption Rebate Policy be adopted.

CARRIED

9.2.4 DONATIONS

It was moved by **Clrs Harris** and seconded by **Cllr Bartholomew** that:

1. The Director of Corporate and Community Services Report No. R23/87 be received and noted.
2. Council decline the \$20,300 donation requested by the Anglican Parish of Lake Cargelligo as the Church is able to apply for funding from the Diocese.

An amendment was moved by **Cllr Blewitt** and second by **Clrs. Bartholomew** that:

1. Council decline a donation in the amount of \$20,300 and donate an amount of \$1000 to the Anglican Parish of Lake Cargelligo.

The amendment was put to a vote and the vote was **LOST**.

The original recommendation became the motion and was **CARRIED**.

RESOLUTION 2023/75

Moved: Cr Peter Harris

Seconded: Cr Judith Bartholomew

That:

1. The Director of Corporate and Community Services Report No. R23/87 be received and noted.
2. Council decline the \$20,300 donation requested by the Anglican Parish of Lake Cargelligo as the Church is able to apply for funding from the Diocese.

Cllr. Blewitt requested that her name be noted as voted against the motion.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT**9.3.1 TULLIBIGEAL MEMORIAL HALL - PROVISION OF AIR CONDITIONING - COMMUNITY BUILDING PARTNERSHIP PROGRAM 2022 - GRANT FUNDING****RESOLUTION 2023/76**

Moved: Cr Megan Mortimer

Seconded: Cr Peter Harris

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/77 be received and noted.
2. Council agree to accept the grant from the NSW Government to provide air conditioning to the Tullibigeal Memorial Hall.
3. Council allocate \$16,392.00 from the Tullibigeal allocation of the Condobolin District Retirement Village (CDRV) Reserve towards the project.

CARRIED

9.3.2 GOANNA MANOR – LIONEL HUNT PARK, 125 BATHURST STREET, CONDOBOLIN**RESOLUTION 2023/77**

Moved: Cr Melissa Rees

Seconded: Cr Melissa Blewitt

That Council move discussion of this item into closed session:

9.3.2 GOANNA MANOR – LIONEL HUNT PARK, 125 BATHURST 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.

CARRIED

9.3.3 LOCAL HERITAGE GRANT PROGRAM 2022/2023 - REALLOCATION OF FUNDS**RESOLUTION 2023/78**

Moved: Cr Megan Mortimer

Seconded: Cr Peter Harris

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/100 be received and noted.
2. Council re-allocate the funding that was to be provided to the Tottenham and Albert Cemeteries as follows:
 - (a) \$500.00 for a total of \$7,500.00 for the works to All Saints Anglican Church, Condobolin;
 - (b) \$500.00 for a total of \$4,500.00 for the works to the Presbyterian Manse Building, Condobolin;
 - (c) \$250.00 for a total of \$1,750.00 the works to the Royal Hotel, Condobolin; and
 - (d) \$250.00 for a total of \$1,510.00 the works to the Weatherboard Cottage at 84 Orange Street, Condobolin.

CARRIED

9.4 INFRASTRUCTURE SERVICES**9.4.1 LACHLAN SHIRE TRAFFIC COMMITTEE MEETING APRIL 2023****RESOLUTION 2023/79**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director Infrastructure Services Report No D23/102 be received and noted.
2. The status of outstanding and completed matters from previous Traffic Committee Meetings be noted.
3. Council support the following recommendations from Traffic Committee:
 - (a) The options for Jones Lane, Henry Parkes Way Intersections be noted and further comments will be made once the revised designs are provided.
 - (b) Retaining the existing bus zone. Consider a Kiss and Drop area with NO PARKING (symbolic) (Specified time) (Morning Only) same time as the morning time on the Bus Zone signs on the northern side of Conapaira Street, from the eastern side of side of the driveway to St Francis Xavier Primary school to 20m east of the driveway to St Francis Xavier Primary school.
 - (c) The traffic guidance scheme for the Condo 750 event be noted.
 - (d) The traffic guidance scheme for various ANZAC Day event be noted.

.CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION**RESOLUTION 2023/80**

Moved: Cr Melissa Blewitt

Seconded: Cr Melissa Rees

That:

Council agree that the following Notice of Motions be deferred until the next meeting of the Council scheduled to be held on 23 May 2023;

1. Item nr. 11.1 Notice of Motion – Memorial to David Doyle and Neil Dunne.
2. Item nr. 11.2 Notice of Motion – Minister for Service N.S.W Media Blitz.
3. Item nr. 11.3 Notice of Motion – Rate Relief Request for All LGAS Affected by Flooding.

CARRIED

ClIr Phillips joined the meeting at 02:30pm.

11.4 NOTICE OF MOTION - DAYLIGHT SAVING**RESOLUTION 2023/81**

Moved: Cr Melissa Rees

Seconded: Cr Megan Mortimer

That:

1. Notice of Motion Report No. R23/108 be received and noted.
2. Make a recommendation to the next Country Mayors Association meeting on the 26th of May 2023 that Day Light Saving be reduced to four months of the year. Starting on the first weekend in November and finishing in the last weekend in February. To be implemented no later than November 2023.

CARRIED

12 NOTICES OF RESCISSION

Nil

13 DELEGATES REPORT

Nil

14 CORRESPONDENCE

14.1 CORRESPONDENCE REPORT

RESOLUTION 2023/82

Moved: Cr Megan Mortimer

Seconded: Cr Peter Harris

That:

1. The Correspondence Report No.23/81 be received and noted.

CARRIED

The Mayor declared an urgent Mayoral Minute in response to the request from Central West Family Support Group Inc for permission to hold a flag raising ceremony for the independence day for the Phillipnes at the Council Chambers.

MOTION

RESOLUTION 2023/83

Moved: Mayor John Medcalf

Seconded: Cr Megan Mortimer

That:

1. Council supports the installation of two flag poles at Renown Park and that the money be taken from the donations budget.

CARRIED

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION**RESOLUTION 2023/84**

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

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 Site Management Services for Council's Waste Facilities

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.

17.2 Tottenham Tennis Club Loan

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.

17.3 Tender Assessment - Demolition of Old Water Treatment Plant Lake Cargelligo

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.

17.4 Consideration of additional Rating Sub-Category

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.

17.5 Whitegates Road - SR 351

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.

CARRIED

RESOLUTION 2023/85

Moved: Cr Megan Mortimer

Seconded: Cr Peter Harris

That Council moves out of Closed Council into Open Council.

CARRIED

17.1 SITE MANAGEMENT SERVICES FOR COUNCIL'S WASTE FACILITIES**RESOLUTION 2023/86**

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That:

1. The Director Environment Tourism and Economic Development Report No. R23/40 be received and noted.
2. Council exercise the option to extend the Contract with TG FB Ross dated 29 May 2018 for five (5) years and Zero (0) months, ending 2 July 2028.
3. The Mayor and General Manager be authorised to sign the Contract documents and affix the Council seal.

CARRIED

17.2 TOTTENHAM TENNIS CLUB LOAN**RESOLUTION 2023/87**

Moved: Cr Melissa Rees

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director – Corporate and Community Services Report No R23/75 be received and noted.
2. Council approve the write-off of a loan balance to the Tottenham Tennis Club totalling \$4,007.50.

CARRIED

17.3 TENDER ASSESSMENT - DEMOLITION OF OLD WATER TREATMENT PLANT LAKE CARGELLIGO**RESOLUTION 2023/88**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Director Infrastructure Services Report No. R23/85 be received and noted.
2. Council resolve to accept the tender submitted by Byrne Demolition in response to T2023/04 – Old WTP demolition in Lake Cargelligo.
3. The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal.
4. Council resolve to allocate an additional \$60,000 from the Water Reserve to complete this project.

CARRIED

17.4 CONSIDERATION OF ADDITIONAL RATING SUB-CATEGORY**RESOLUTION 2023/89**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Director of Corporate and Community Services Report No. R23/91 be received and noted.
2. Council decline to introduce a rating sub-category for specific residential properties as requested by the ratepayer, and encourage the ratepayer to dispute their valuation with the NSW Valuer General.

CARRIED

17.5 WHITEGATES ROAD - SR 351**RESOLUTION 2023/90**

Moved: Cr Dave Carter

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report No. R23/98 be received and noted.
2. Council resolve to transfer the land identified as Lot 1 DP1287750 to Global Ag Properties II Australia PTY LTD for the value nominated in the report.
3. Council authorise the Mayor and the General Manager to execute the transfer of land documents and affix the Council seal.

CARRIED

9.3.2 GOANNA MANOR - LIONEL HUNT PARK, 125 BATHURST ST, CONDOBOLIN**RESOLUTION 2023/91**

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That:

1. The Director of Environment, Tourism and Economic Development Report No. R23/78 be received and noted.
2. Council direct that staff investigate possible options for subdividing and transferring ownership of the building to a third party and lodge an expression of interest for the site.
3. A further report outlining the options for transfer of ownership to third party be presented to Council for consideration.
4. Due to the current condition of the building it remain vacant until repairs are completed or the building is sold or gifted to a third party.

CARRIED

The Mayor declared an urgent Mayoral Minute to move the council meeting scheduled for the 24th of May 2023 to the 23rd of May 2023 at 02:00pm.

10. COUNCIL MEETING – MAY 2023

RESOLUTION 2023/92

Moved: Cr Megan Mortimer

Seconded: Cr Dave Carter

That:

1. The May Council Meeting be moved to the 23rd of May 2023 at 14:00pm.

CARRIED

The Meeting closed at 3.26pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 May 2023.

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CHAIRPERSON