

**MINUTES OF LACHLAN SHIRE
ORDINARY COUNCIL MEETING
HELD AT THE CONDOBOLIN COUNCIL CHAMBERS
ON WEDNESDAY, 23 AUGUST 2023 AT 2:00 PM**

- PRESENT:** Mayor John Medcalf (OAM), Cr Judith Bartholomew (Zoom), Cr Melissa Blewitt, Cr Dennis Brady, Cr Dave Carter, Cr Peter Harris, Cr Megan Mortimer, Deputy Mayor Paul Phillips, Cr Melissa Rees, Cr. Robyn Turner
- IN ATTENDANCE:** Greg Tory (General Manager), Tanya Maccallum (Manager Finance), Jon Shillito (Director - Environment, Tourism and Economic Development) - Zoom, Adrian Milne (Director - Infrastructure Services), Cherise Small (Executive Assistant).

Meeting opened at 2:07pm.

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 the Mayor.

3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil.

4 CONFIRMATION OF MINUTES

RESOLUTION 2023/179

Moved: Cr Peter Harris

Seconded: Cr Dave Carter

That the minutes of the Ordinary Meeting held on 26 July 2023 be confirmed.

CARRIED

5 MAYORAL MINUTE**5.1 MAYORAL MINUTE - MEETINGS AND FUNCTIONS AUGUST****RESOLUTION 2023/180**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Mayoral Minute No. R23/225 be received and noted.

CARRIED

5.2 MAYORAL MINUTE - NAB BRANCH CLOSURE LAKE CARGELLIGO

A motion was moved by **Cr Phillips** and seconded by **Cr Brady** that:

1. Council investigate possible alternative banking services for Lachlan Shire Council and report back to Council within three (3) month's time.

The motion was put to a **VOTE** and **CARRIED**.

RESOLUTION 2023/181

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That:

1. Mayoral Minute R23/251 be received and noted.
2. Council send a letter to the General Manager/CEO of the NAB expressing our disappointment and concern at the closure of the Lake Cargelligo NAB bank branch and other branches in rural and regional communities.

CARRIED

6 PUBLIC FORUM

The Tottenham Skatepark Development group – Sally Fitzallen and Tanya Fulton.

7 DISCLOSURE OF INTEREST

Cr. Melissa Blewitt declared a non-pecuniary less than significant interest in item no. 8.1 – Youth Services Update to Council – January to June 2023 as her Managing Director at the Condobolin Argus Anne Coffey, is Treasurer at LWRS.

Cr. Dennis Brady declared a non-pecuniary less than significant interest in item no. 8.1 – Youth Services Update to Council – January to June 2023 as he is a board member of LWRS.

8 READ AND NOTE**8.1 YOUTH SERVICES UPDATE TO COUNCIL - JANUARY TO JUNE 2023****RESOLUTION 2023/182**

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

The recommendations included in the business paper to receive and note, the following items be adopted:

- 8.1. Youth Services Update to Council – January to June 2023;
- 8.2 Investments as at 31 July 2023.
- 8.3 Development Data July 2023;
- 8.4 Delivery Program 6 Monthly Update to 30 June 2023;
- 8.5 Active Resolutions – August 2023;
- 8.6 FY23/24 Utilities Monthly Update July;
- 8.7 Building Projects Monthly Update for July/August'
- 8.8 FY23/24 Urban Works Monthly Update for July;
- 8.9 FY23/24 Roadworks Monthly Update for July.

CARRIED

9 DECISION REPORTS**9.1 GENERAL MANAGER****9.1.1 REVIEW OF WARD BOUNDARIES AND COUNCILLOR REPRESENTATIVES FOR THE SEPTEMBER 2024 ELECTION****RESOLUTION 2023/183**

Moved: Cr Dennis Brady

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager's Report No. R23/231 be received and noted.
2. The number of councillors to be elected at the September 2024 Lachlan Shire Local Government election remain at 10 including the Mayor.
3. No adjustment to Ward boundaries be made as the variance in the number of electors between the Wards is less than 10%.

4. Council note a further review of Ward boundaries may be required at the end of the first year of the following Council term to ensure the variance remains less than 10%.

CARRIED

Cr. Bartholomew entered the meeting at 2:30pm.

9.1.2 ATTRACTION AND RETENTION POLICY

RESOLUTION 2023/184

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The General Manager's Report No. R23/247 be received and noted.
2. The Draft Attraction and Retention policy be adopted.

CARRIED

Greg Tory (General Manager) vacated his chair.

9.1.3 GENERAL MANAGER PERFORMANCE REVIEW AND CONTRACT ADJUSTMENT

RESOLUTION 2023/185

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Mayoral Report No R23/248 be received and noted.
2. Council determine the appropriate adjustment, if any, to the General Manager's employment contract, noting an adjustment of 5% would maintain parity between the General Manager, Directors and other Council staff. Council deemed an adjustment of 5% to be appropriate.
3. Any change in the General Manager's TRP is to take effect from the contract anniversary date of 1 September 2023.

CARRIED

Cr. Blewitt requested that her name be recorded as voting against the motion.

Greg Tory (General Manager) resumed his chair.

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 COMMUNITY DONATION AND EVENT SUPPORT PROGRAM - REPORT TO COUNCIL**

The General Manager made an amendment to item no. 3 of the Community Donation and Event Support Program – Report to Council recommendation to read as follows:

3. Council approve the in kind support request, estimated to be worth \$3000.00, for the Yellow Mountain event. This contribution is to be funded from the In Kind Contributions budget.

Cr Brady and **Cr. Mortimer** made no objection to the amendment.

RESOLUTION 2023/186

Moved: Cr Dennis Brady

Seconded: Cr Megan Mortimer

That:

1. The Director of Corporate and Community Services Report No. R23/209 be received and noted.
2. Council approve a concession of \$337.50 on SRA Hall hire for the Central West Farming System's Rural and Regional Women and Youth Conference. This concession is to be funded from the Elected Members budget. The concession is conditional on the event proceeding.
3. Council approve the in kind support request, estimated to be worth \$3000.00, for the Yellow Mountain event. This contribution is to be funded from the In Kind Contributions budget.
4. Council approve the in kind support request, estimated to be worth \$15,250.00, for the Condobolin Show. This contribution is to be funded from the In Kind Contributions budget. This is conditional on the event proceeding.
5. Council approve the in kind support request, estimated to be worth \$5,980.00, for the Lake Cargelligo Show. This contribution is to be funded from the In Kind Contributions budget. This is conditional on the event proceeding.
6. Council approve the in kind support request, estimated to be worth \$2,924.00, for the Poppers in the Pines event. This contribution is to be funded from the In Kind Contributions budget. This contribution is conditional on the event proceeding.

CARRIED

9.2.2 UPDATES TO BUDGET 2023-2024: REVOTES AND ADDITIONAL GRANT FUNDED PROJECTS

RESOLUTION 2023/187

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Corporate & Community Services Report No. R23/240 be received and noted.
2. The transfers from Reserves as noted in the “Revotes” be adopted, as presented.
3. The 2023-2024 Amended Budget be adopted to include revotes, carry forwards and additional grant funded projects not included in the original Annual 2023-2024 Budget.

CARRIED

9.3 ENVIRONMENT, TOURISM AND ECONOMIC DEVELOPMENT

Nil

9.4 INFRASTRUCTURE SERVICES

9.4.1 MANAGEMENT OF CEMETERIES POLICY

RESOLUTION 2023/188

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report R23/228 be received and noted.
2. The Management of Cemeteries Policy be adopted.

CARRIED

9.4.2 WATER MAIN EXTENSION AND CONNECTION POLICY

RESOLUTION 2023/189

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report R23/230 be received and noted.
2. The Water Main Extension and Connection Policy be adopted.

CARRIED

9.4.3 ESTATE AND STREET NAMING - EXPRESSION OF INTEREST**RESOLUTION 2023/190**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Director Infrastructure Services Report R23/243 be received and noted.
2. Council call for Expressions of Interest from the public for name suggestions for the new housing estate in Condobolin.
3. Council call for Expressions of Interest from the public for new street names within the new estate.

CARRIED

9.4.4 LACHLAN SHIRE TRAFFIC COMMITTEE MEETING AUGUST 2023**RESOLUTION 2023/191**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. Director Infrastructure Services Report No D23/246 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 provide in principal support for Option 1b to be developed further.
 - (b) Endorse the installation of a disabled parking space at the Mayfield Hotel Tullibigeal on the condition that the Hotel install a footpath at the same time as the disabled parking to ensure building accessibility is achieved.

CARRIED

9.4.5 WATER ALLOCATIONS - JULY 2022 TO JUNE 2023**RESOLUTION 2023/192**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Dennis Brady

That:

1. The Director Infrastructure Services Report No 23/250 be received and noted.

CARRIED

10 DEPUTATIONS

Nil.

11 NOTICES OF MOTION**11.1 NOTICE OF MOTION - PROMOTING INCLUSIVITY AND STRENGTHENING GRASSROOTS ENGAGEMENT TO BETTER REFLECT THE DIVERSE VOICES AND PERSPECTIVES OF OUR COMMUNITY****RESOLUTION 2023/193**

Moved: Cr Dave Carter

Seconded: Cr Dennis Brady

That:

1. Notice of Motion Report No. R23/249 be received and noted.
2. Council investigate and explore the following options to foster an environment that encourages open dialogue in collaboration with all council members through the inclusion of grassroots thinkers, councillor's and broader community which is essential for effective governance:
 - a) Establish a platform or forum where community members can engage in meaningful dialogue and share their perspectives on various issues affecting the community.
 - b) Encourage council members to actively seek input from grassroots thinkers and councillor's, ensuring their voices are heard and valued in decision-making processes.
 - c) Implement a rotating list of topics to be discussed at each council meeting, with a specific focus on issues relevant to the diverse needs and concerns of the community.
 - d) Provide training or workshops for council members on effective communication and collaboration to create a more inclusive environment.
 - e) Periodically review and assess the progress made in promoting inclusivity and grassroots engagement, seeking feedback from community members.

CARRIED**12 NOTICES OF RESCISSION**

Nil

13 DELEGATES REPORT

13.1 DELEGATES REPORT

RESOLUTION 2023/194

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. Deputy Mayor Paul Phillip’s Delegates Report No. R23/232 be received and noted.

CARRIED

Meeting paused at 3:32pm

Meeting resumed at 3:42pm

13.2 DELEGATES REPORT

RESOLUTION 2023/195

Moved: Cr Dennis Brady

Seconded: Cr Peter Harris

That:

1. Councillor Dennis Brady’s Delegates Report No. R23/242 be received and noted.

CARRIED

14 CORRESPONDENCE**14.1 CORRESPONDENCE**

A motion was moved by **Cr Brady** and seconded by **Cr Phillips** that:

1. **Cr. Carter** be the nominated delegate to attend the ALGA 2023 National Local Roads, Transport and Infrastructure Congress.

The motion was put to a **VOTE** and **CARRIED**.

Cr. Bartholomew declared a pecuniary interest in item no. 14 Correspondence – Support for Murrin Bridge Preschool as she is the President of the Murrin Bridge Preschool.

Cr. Bartholomew vacated her chair.

A motion was moved by **Cr Rees** and seconded by **Cr Blewitt** that:

1. Council arrange a meeting with the Murrin Bridge Preschool staff to confirm how Council can provide support to Murrin Bridge Preschool.
2. Council advocate to Roy Butler MP and Mark Coulton MP on behalf of the Preschool.

The motion was put to a **VOTE** and **CARRIED**.

RESOLUTION 2023/196

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Correspondence Report No. R23/223 be received and noted.

CARRIED

Cr. Bartholomew resumed her chair.

15 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

16 PETITIONS

Nil

17 CLOSED SESSION

RESOLUTION 2023/197

Moved: Cr Dennis Brady

Seconded: Cr Melissa Rees

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 Lease - 6 Townsend St Lake Cargelligo

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 for water account adjustment - 1041624

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).

17.3 Tender 2022/8 - Management Contract for Lakeview Caravan park - Revised Submissions

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.

17.4 General Manager Annual Performance Review - period ending 30 June 2023

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).

17.5 Tender Assessment - Tourism Precinct Parking areas

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.

17.6 Expression of Interest 6 Reef Street Lake Cargelligo

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.

17.7 Use of Community Radio Infrastructure

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.

CARRIED**RESOLUTION 2023/198**

Moved: Cr Peter Harris

Seconded: Cr Melissa Blewitt

That Council moves out of Closed Council into Open Council.

CARRIED**17.1 LEASE - 6 TOWNSEND ST LAKE CARGELLIGO****RESOLUTION 2023/199**

Moved: Cr Peter Harris

Seconded: Cr Melissa Rees

That:

1. The Director Corporate & Community Services Report No. R23/206 be received and noted.
2. The current tenant be offered a periodic residential lease for 6 Townsend Street, Lake Cargelligo.
3. The rent for the property be set at \$300 per week, with 60 days' notice to be provided as required under residential tenancy legislation.
4. The tenant will continue to be responsible for all grounds maintenance.
5. The property to be made water efficient.
6. The tenant will be responsible for outgoing costs for electricity and water consumption.
7. A further report be presented to Council should the tenant decline to sign a new lease for 6 Townsend Street.

CARRIED

17.2 REQUEST FOR WATER ACCOUNT ADJUSTMENT - 1041624**RESOLUTION 2023/200**

Moved: Cr Peter Harris

Seconded: Cr Dennis Brady

That:

1. The Director of Corporate and Community Services Report R23/216 be received and noted.
2. Council approve a reduction of the water account for Assessment No. 1041624, for period 2 of the 2023 FY, amounting to \$2,678.36 as calculated under Council's adopted Undetected Water Leak and Faulty Water Meter Policy.
3. The ratepayer be advised this is the first and only application allowable under the Undetected Water Leak and Faulty Water Meter Policy.

CARRIED

17.3 TENDER 2022/8 - MANAGEMENT CONTRACT FOR LAKEVIEW CARAVAN PARK - REVISED SUBMISSIONS**RESOLUTION 2023/201**

Moved: Cr Peter Harris

Seconded: Cr Megan Mortimer

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/233 be received and noted.
2. Council resolve to proceed with the offer from Parks Management Group, as per Option 1 within this report.

CARRIED

Greg Tory (General Manager) vacated his chair.

Tanya Maccallum (Manager Finance) vacated her chair.

Jon Shillito (Director - Environment, Tourism and Economic Development) vacated his chair.

Adrian Milne (Director - Infrastructure Services) vacated his chair.

Cherise Small (Executive Assistant) vacated her chair.

17.4 GENERAL MANAGER ANNUAL PERFORMANCE REVIEW - PERIOD ENDING 30 JUNE 2023**RESOLUTION 2023/202**

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Peter Harris

That:

1. The Performance Review Panel Report No. R23/239 be received and noted.
2. Council extend congratulations to Mr Tory and his staff for the excellent achievements of Council.

CARRIED

Greg Tory (General Manager) resumed his chair.

Tanya Maccallum (Manager Finance) resumed her chair.

Jon Shillito (Director - Environment, Tourism and Economic Development) resumed his chair.

Adrian Milne (Director - Infrastructure Services) resumed his chair.

Cherise Small (Executive Assistant) resumed her chair.

17.5 TENDER ASSESSMENT - TOURISM PRECINCT PARKING AREAS

An amendment to item no. 2 of the Tender Assessment – Tourism Precinct Parking Areas recommendation to read as follows:

2. Council consider the responses to the T2023/17 - Visitor Information Centre Carpark Asphalt and appoint a preferred Contractor being Civil independent industries.

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

RESOLUTION 2023/203

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Infrastructure Services Report No. R23/241 be received and noted
2. Council consider the responses to the T2023/17 - Visitor Information Centre Carpark Asphalt and appoint a preferred Contractor being Civil independent industries.
3. The Mayor and General Manager be authorised to execute the contract documents and affix the Council seal

CARRIED

17.6 EXPRESSION OF INTEREST 6 REEF STREET LAKE CARGELLIGO

RESOLUTION 2023/204

Moved: Deputy Mayor Paul Phillips

Seconded: Cr Megan Mortimer

That:

1. The General Manager’s Report No. R23/244 be received and noted.
2. A reply be sent to the Aboriginal Housing Office confirming Council’s interest to sell 6 Reef Street Lake Cargelligo.
3. Market appraisals be obtained from local real estate agents to determine the current market value of the land.
4. The General Manager be authorised to negotiate a sale price with the Aboriginal Housing Office.
5. A further report be submitted to Council for final approval to sell the land once negotiations have been concluded.

CARRIED

17.7 USE OF COMMUNITY RADIO INFRASTRUCTURE

RESOLUTION 2023/205

Moved: Cr Peter Harris

Seconded: Deputy Mayor Paul Phillips

That:

1. The Director Environment, Tourism and Economic Development Report No. R23/227 be received and noted.
2. Council decline the request from Vision Christian Media to use 1 Foster Street, Lake Cargelligo as a host for their radio broadcast.
3. Vision Christian Media be contacted and advised of Council’s decision.

CARRIED

Cr Blewitt and Cr Brady requested that their names be recorded as voting against the motion.

The Meeting closed at 4:49pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 September 2023.

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CHAIRPERSON