

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 19 DECEMBER 2013

PRESENT: Councillor Shaw, Wheelwright, Marshall, Searl, Barlow, O'Brien, McCormack and Culhane, Messrs J Bell (General Manager), P Newham (Director of Works and Operations), A Croke (Director of Finance and Administration) and Mrs T Dodson (Director of Environment and Planning) and Messrs G Anable (Manager of Works), L Moloney (Manager of Operations), P Brown (Manager Noxious Weeds), R Wong (Manager of Environment and Planning), Mrs M Vassallo (Media Officer) and Mrs H Peterson (Executive Assistant).

THE MAYOR DECLARED THE MEETING OPEN AT 9.00am

SECTION 1: APOLOGIES & LEAVE OF ABSENCE

An apology was received for the absence of Cllr Craig.

382/13 **RESOLVED** by Councillor McCormack and Councillor Wheelwright that the apology be accepted and leave of absence granted.

SECTION 2: CITIZENSHIP CEREMONY

Nil

SECTION 3: DECLARATIONS OF INTEREST

The Director of Environment and Planning, Mrs Tina Dodson declared a Pecuniary Interest in Item 9.8 - S68 Renewal Grabine Lakeside Park as she leases a boat shed at Grabine Lakeside State Park and will make a declaration, not participate in the debate, leave the Chamber upon making the declaration and not return until the matter is resolved.

Cllr Barlow declared a Non-Significant Non-Pecuniary Interest in Item 9.8 – Collector Wind Farm and Item 10.2 – Taralga Wind Farm as he is a non-executive member of three Landscape Guardian Groups and will make a declaration, stay in the Chamber, participate in the debate and vote.

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SECTION 4: CONFIRMATION OF MINUTES

383/13 **RESOLVED** by Clr McCormack and Clr Marshall

That the minutes of the Ordinary Council Meeting held on 21 November 2013 be adopted.

- CARRIED

SECTION 5: MAYORAL MINUTES

Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 7: CORRESPONDENCE

ITEM 7.1 CORRESPONDENCE FOR THE MONTH OF DECEMBER 2013

384/13 **RESOLVED** by Clr Wheelwright and Clr O'Brien

That Item 7.1 - Correspondence/Information listed below be received:

1. Katrina Hodgkinson MP – Reimbursement of costs associated with Section 44 Declared Bush Fire Emergency.
2. Katrina Hodgkinson MP – Payments from Electricity Generation in lieu of Council rates.
3. Hon Warren Truss MP – Seeking funding for reconstruction of Grabine Road.
4. Bruce Gunter – Haulin' the Hume – Thanks to Council for assistance and support for the 2013 event.
5. Julie Perrin – Thanks Council and Staff for the restoration of driveway after Dalton pipeline was laid.
6. Crookwell and District Historical Society – Advising of Committee members names for 2013-2014.
7. Hon Andrew Stoner MP – Passing of Crown Lands Amendment (Multiple Land Use) Bill 2013.
8. South East Regional Academy of Sport – SERAS – Mayoral receptions for 2013 will now be held in the middle of 2014.

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9. Roads and Maritime Services – Acceleration of the School Zone Flashing Lights program.
10. Local Government NSW – Government is continuing to refuse to honour previous government commitment to funding under Regional Development Round 5.
11. Kiamma Creek Landcare Group – Support for sculptures located in Kiamma Creek area to come under Council's Public Arts Policy.
12. Hon Warren Truss - Confirming the Government decision to fund uncontracted projects from Rounds Two, Three & Four of former Regional Development Australia Fund (RDAF).
13. Local Government NSW - LLS Board of Chairs' Response to IPART Draft Report Review of Funding Framework for Local Land Services (LLS).
14. Local Government NSW - LLS Board of Chairs Response.

- CARRIED

SECTION 8: LATE CORRESPONDENCE

**ITEM 8.1
385/13**

LATE CORRESPONDENCE

RESOLVED by Clr Searl and Clr Barlow

That Item 8.1 – Late Correspondence listed below be received:

1. Katrina Hodgkinson MP – Public Reserves Management Fund Program – Crookwell Caravan Park all weather cooking facility.

386/13

RESOLVED by Clr Wheelwright and Clr Searl

1. That Council accepts the \$70,706.00 grant from the Public Reserves Management Fund Program for the Crookwell Caravan Park all weather cooking facility.
2. Department of Broadband and Communications – Switchover Reception – Reply to 25 November 2013 correspondence.

- CARRIED

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 9: ENVIRONMENT AND PLANNING

ITEM 9.1 MONTHLY WEED ACTIVITIES REPORT
387/13 RESOLVED by Clr Barlow and Clr Culhane

1. Council receive and note the report as information.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

ITEM 9.2 DEVELOPMENT STATISTICS FOR THE MONTH OF NOVEMBER
2013

387/13 RESOLVED by Clr O'Brien and Clr Barlow

1. Council receive and note the report as information.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

CARRIED

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ITEM 9.3 **LOCAL COMPANION ANIMALS MANAGEMENT PLAN**
388/13 **RESOLVED** by Clr Marshall and Clr O'Brien

1. Council adopts the Local Companion Animals Management Plan.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

ITEM 9.4 **FLOOD STUDIES - CROOKWELL, GUNNING, TARALGA AND**
COLLECTOR
389/13 **RESOLVED** by Clr Searl and Clr Barlow

1. Council adopts the following Flood Studies:

- . Crookwell Flood Study;
- . Gunning Flood Study;
- . Taralga Flood Study;
- . Collector Flood Study.

Councillors who voted for:- Councillors McCormack,
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Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

ITEM 9.5
390/13

ASBESTOS POLICY

RESOLVED by Clr Wheelwright and Clr Culhane

1. Council adopts the Asbestos Policy.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

ITEM 9.6
391/13

NON-OPERATIONAL BUILDINGS WORKSHOP

RESOLVED by Clr Wheelwright and Clr Barlow

1. A workshop be held at the conclusion of the 20 February 2014 Council Meeting to discuss Council's list of non-operational buildings.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,

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Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

The Director of Environment and Planning left the meeting in accordance with the Pecuniary Interest declaration, the time being 9.37am.

**ITEM 9.7 RENEWAL OF A SECTION 68 APPROVAL TO OPERATE A
CARAVAN AND CAMPING GROUND FOR THE GRABINE
LAKESIDE STATE PARK**

392/13 RESOLVED by Clr Wheelwright and Clr Marshall

1. Council grants, under Section 68 Part F2 of the *Local Government Act, 1993* approval to operate a Caravan Park and Camping Ground on property known as Grabine Lakeside Park located on Lot 2 DP 185766, Lots 2 and 7 DP 235956, Lots 3, 4 and 5 DP 235959, Lots 2 and 4 DP 259354, Lot 31 DP 554621, Lot 1 DP 562846, Lot DP 563949, Lot 14 DP 665198, Lot 123 DP 753067, Lots 15, 18, 76, 77, 104, 112, 113 and 114 DP 753031 on Grabine Road, Bigga.

This approval to operate and remain in force from **31 December 2013 to 31 December 2014** or until such time as it is amended, modified or revoked under the relevant provisions of the *Local Government Act, 1993*.

This approval relates to a total of 430 sites.

Short Term Sites – 238 – Identified on the Grabine Lakeside Community Map – undated and unreferenced.

Camp Sites – 180 – Identified on the Grabine Lakeside Community Map – undated and unreferenced.

Moveable Dwellings – 12 – Identified on the Grabine Lakeside Community Map – undated and unreferenced.

Primitive Camping Ground – Identified on the Grabine Lakeside Community Map – undated and unreferenced.

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SCHEDULE OF CONDITIONS

1. Compliance with the provisions of Division 3 Caravan Parks and Camping Grounds – Subdivisions 1 – 8 of the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 except where altered by the following conditions.
2. Upgrade/Replacement of the water supply treatment system before the 31 December 2014 in order to provide for the longer term potable water supply consistent water in accordance with the Australian Drinking Water Guidelines (2004).
3. Ongoing commitment to the water operation and monitoring plan.
4. Maintaining signage at the Park entrance and at each entrance to amenity blocks and at each outdoor tap, warning that the water is not suitable for drinking.
5. Maintaining substantial stocks of bottled water for sale.
6. A “BOIL WATER NOTICE” and a copy of the NSW Health – Drinking Water and Public Health brochure are sent to all registered users of the facility. A copy shall also be provided to all unregistered entrants to the park.
7. The provision of a standby generator(s) for the sewerage system(s) in the event of power failure and the Park, pending repairs.
8. Condition No 7 is to apply until the Park increases capacity of the sewerage holding tank.

Councillors who voted for:- Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:- Nil

Absent:- Councillor Craig.

- CARRIED

The time being 9.45am the Director of Environment and Planning returned to the meeting.

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ITEM 9.8
393/13

COLLECTOR WIND FARM

RESOLVED by Clr Barlow and Clr Marshall

1. Council receive and note the report as information.

Councillors who voted for:-

Councillors McCormack,
Wheelwright, Culhane, Barlow,
Marshall, Searl, Shaw and
O'Brien.

Councillors who voted against:-

Nil

Absent:-

Councillor Craig.

- CARRIED

SECTION 10: WORKS AND OPERATIONS

ITEM 10.1
394/13

WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE

RESOLVED by Clr O'Brien and Clr Marshall

1. Council receives the report and notes the information.

- CARRIED

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ITEM 10.2 **WORKS IN PROGRESS - TECHNICAL & MANAGERIAL**
395/13 **RESOLVED** by Clr Wheelwright and Clr Marshall

1. Council receive and note the report as information.

- CARRIED

ITEM 10.3 **BRIDGE NAMING, JULONG ROAD, BINDA**
396/13 **RESOLVED** by Clr Wheelwright and Clr McCormack

1. Council name the larger bridge over the Crookwell River on Julong Road the C.R. (Ronnie) Evans Bridge.

- CARRIED

ITEM 10.4 **GARDEN BEDS -YASS STREET ,GUNNING**
397/13 **RESOLVED** by Clr Searl and Clr Barlow

1. Council replace the eleven old garden beds in Yass Street, Gunning.
2. The garden beds replacement be funded from the existing Yass Street beautification reserve (\$17,100) and Section 94 community facilities reserve (\$10,900).

- CARRIED

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ITEM 10.5 **WATER AND SEWER UPDATE**
398/13 **RESOLVED** by Clr O'Brien and Clr Marshall

1. Council receive the report and note the information.

- CARRIED

ITEM 10.6 **REVIEW OF CEMETERY PLAN OF MANAGEMENT**
399/13 **RESOLVED** by Clr Wheelwright and Clr McCormack

1. Council invite public submissions regarding the Cemeteries Plan of Management for a period of twenty eight days.

- CARRIED

SECTION 11: FINANCE AND ADMINISTRATION

ITEM 11.1 **INVESTMENTS TO 30 NOVEMBER 2013**
400/13 **RESOLVED** by Clr Barlow and Clr Searl

1. Council receive and note the report as information.

- CARRIED

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**ITEM 11.2 BANK BALANCES AND RECONCILIATION TO 30 NOVEMBER
2013**

401/13 RESOLVED by Clr Barlow and Clr Culhane

1. Council receive and note the report as information.

- CARRIED

**ITEM 11.3 RATES AND CHARGES OUTSTANDING AS AT 30 NOVEMBER
2013**

402/13 RESOLVED by Clr Wheelwright and Clr McCormack

1. Council receive and note the report as information.

- CARRIED

**ITEM 11.4 BUSHFIRE BRIGADES ALLOCATION OF SECTION 94
DEVELOPMENT CONTRIBUTION FUNDS - 2ND QUARTER
2013/2014**

403/13 RESOLVED by Clr McCormack and Clr Searl

1. Council adopts the revotes of capital expenditure to the Operational Plan from the Section 94 Development Contribution Plan Register – Bushfire Brigade reserve fund, totalling \$9,300.

- CARRIED

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ITEM 11.5 **DELIVERY PROGRAM BI-ANNUAL REVIEW 2013/2014**
404/13 **RESOLVED** by Clr O'Brien and Clr McCormack

1. Council adopt the Delivery Program Review for the first six month period of 2013/2014.

- CARRIED

ITEM 11.6 **IT STRATEGIC PLAN 2013**
405/13 **RESOLVED** by Clr Searl and Clr Culhane

1. Council adopt the Information Technology (IT) Strategic Plan 2013-2016.

- CARRIED

The time being 10.25am the meeting adjourned for morning tea.

The time being 10.50am the meeting resumed.

SECTION 12: GENERAL MANAGER

ITEM 12.1 **STAFFING MATTERS**
406/13 **RESOLVED** by Clr Searl and Clr Wheelwright

1. Council receive and note the report as information.

- CARRIED

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ITEM 12.2 **SEROC ANNUAL REPORT 2013**
407/13 **RESOLVED** by Clr McCormack and Clr Barlow

1. Council receive and note the report as information.

- CARRIED

ITEM 12.3 **CENTROC ANNUAL REPORT 2013**
408/13 **RESOLVED** by Clr McCormack and Clr Marshall

1. That Council receive and note the report as information.

- CARRIED

ITEM 12.4 **COUNCIL ELECTIONS - ENGAGEMENT OF NSW ELECTORAL**
409/13 **COMMISSION**
RESOLVED by Clr Searl and Clr Barlow

1. Pursuant to s. 296(2) and (3) of the *Local Government Act 1993* (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Upper Lachlan Shire Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to

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administer all constitutional referenda of the Council.

- CARRIED

ITEM 12.5 **CONSULTATIVE COMMITTEE MEETING MINUTES**
410/13 **RESOLVED** by Clr Searl and Clr Marshall

1. That Council receives and notes the Consultative Committee Meeting Minutes as information and adopts the following recommendations contained within the Consultative Committee Meeting Minutes:
 - Ø The reviewed Employee Annual Performance Review Policy and Procedure be adopted by Council;
 - Ø The reviewed Private Use of Council Motor Vehicle Policy be adopted by Council.

- CARRIED

ITEM 12.6 **WHS COMMITTEE MINUTES**
411/13 **RESOLVED** by Clr Searl and Clr Marshall

1. That Council receives and notes the WHS Committee Meeting Minutes as information.

- CARRIED

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ITEM 12.7 ACTION SUMMARY - COUNCIL DECISIONS
412/13 RESOLVED by Clr Marshall and Clr Barlow

1. Council receive and note the report as information.

- CARRIED

SECTION 13: LATE REPORTS

NIL

SECTION 14: REPORTS FROM OTHER COMMITTEES, SECTION 355
COMMITTEES AND DELEGATES

ITEM 14.1 MINUTES/INFORMATION FOR THE MONTH OF NOVEMBER 2013
413/13 RESOLVED by Clr O'Brien and Clr Searl

That Item 14.1 - [Minutes of Committee/Information] listed below be received:

1. Tourist Association – Minutes from meeting held 9 December 2013.
2. Audit and Investment Committee – Minutes from meeting held 10 December 2013.

414/13 RESOLVED by Clr McCormack and Clr Searl that
Recommendations 1-6 of the Audit and Investment Committee
be adopted:

RECOMMENDATION 1 That

1. The minutes of the Audit and Investment Committee Meeting held on 17 September 2013 be adopted

RECOMMENDATION 2 That

1. Council adopt the reviewed Investment Policy.

RECOMMENDATION 3 That -

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1. The report is received and the revised Council Investment Strategy is adopted as follows:-
 - No change to the prudent administration of funds currently held in term deposits and call accounts. Investment terms will continue to be subject to Council's cash flow requirements; and comply with Council's Investment Policy.

RECOMMENDATION 4 That -

1. The 2012/2013 Auditor's Report by Intentus Chartered Accountants is received and information noted.
2. The 2012/2013 external audit Management Letter by Intentus Chartered Accountants is received and senior management review of audit observations is endorsed.

RECOMMENDATION 5 That -

1. The IAB Services internal audit review report for Council on Business Continuity and Disaster Recovery be received and the Action Plan endorsed and implemented by senior management.

RECOMMENDATION 6 That -

1. The Committee receive and note the report as information.
2. The Commonwealth Bank of Australia and the Greater Building Society are included as approved financial institutions for Council investments.
3. Upper Lachlan Traffic Committee – Minutes from meeting held 19 November 2013.
4. Collector Oval Committee – Minutes of Annual General Meeting held 21 October 2013.
5. Collector Oval Committee – Minutes of Meeting held 21 October 2013.
6. Breadalbane Hall Committee – Minutes of meeting held 24 November 2013.
7. Breadalbane Hall Committee – Newsletter November 2013.
8. Cullerin Range Wind Farm Community Reference Group – Minutes from meeting held in September 2013.
9. Taralga Historical Society – Newsletter No: 4 2013.
10. Crookwell Potato Festival Committee – Minutes from Annual General Meeting held 21 November 2013.
11. Crookwell Potato Festival Committee – Minutes from meeting held 21 November 2013.

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12. South East Australian Transport Strategy (SEATS) – December 2013 Newsletter.
13. CENTROC – Report from the Mayoral Board from meeting held 28 November 2013.

- CARRIED

SECTION 15: BUSINESS WITHOUT NOTICE

Nil

SECTION 16: NOTICES OF MOTION

ITEM 16.1 WASTE MANAGEMENT REPORTING TO COUNCIL

The motion was moved by Cllr Searl

"That a report on Council's waste management services, especially on refuse and recycling collections be provided to Council as a standing operational report at monthly Ordinary Meetings of Council".

The motion lapsed for want of a seconder.

SECTION 17: QUESTIONS WITH NOTICE

Nil

CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) (d (ii)) of the Act and should be dealt with in a part of the meeting closed to the public and the media.

Note: Pursuant to Clause 25(1) of the Local Government (Meetings) Regulation, Council invites verbal representation by members of the public about whether the items listed below should not be considered by Council in a Closed Meeting. The items are:

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415/13

RESOLVED Clr Searl and Clr Barlow

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to of the Local Government Act 1993: the press and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A (2) (d(ii))as outlined above.
3. That the report relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

Council closed its meeting at 11.30am and the public, staff and press left the chambers.

416/13

RESOLVED by Clr McCormack and Clr Searl

That Council move out of closed Council and into open Council.

Open Council resumed at 11.45am.

Resolutions from the Closed Council Meeting

The following resolutions of Council, while the meeting was closed to the public, were read to the meeting by the Mayor.

SECTION 18: CONFIDENTIAL SESSION

ITEM 18.1 REQUEST FOR DUST SEAL RYE PARK RD

417/13

RESOLVED by Clr Wheelwright and Clr Searl

1. Council concurs with the request to provide a “dust seal” adjacent to No. 3620 Rye Park Road.
2. Council enters into a cost sharing arrangement whereby Council contributes \$19,107 (50%) of the costs whilst the landowner will contribute \$19,107 (50%).

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SECTION 19: TENDER PANEL

Nil

THE MEETING CLOSED AT 11.45am

Minutes confirmed 20 FEBRUARY 2014

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Mayor