

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 21 APRIL 2022**

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**PRESENT:** Cr P Culhane, Cr P Kensit, Cr D O'Brien, Cr J Searl, Cr J Marshall, Cr M McDonald, Cr N McDonald, Cr S Reynolds, Cr L Woodbridge, Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Mr D Rowe (Acting Director of Infrastructure), Ms A Waldron (Director of Environment & Planning, Ms K McCarthy (Executive Assistant) and Mr C Gordon (Media Officer)

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**THE MAYOR DECLARED THE MEETING OPEN AT 13:31pm**

**SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING**

*Mayor Kensit advised that the meeting is being webcast live and audio recorded in accordance with Council Code of Meeting Practice.*

**SECTION 2: APOLOGIES & LEAVE OF ABSENCE**

There were no apologies.

**SECTION 3: CITIZENSHIP CEREMONY**

Nil

**SECTION 4: DECLARATIONS OF INTEREST**

Cr J Searl declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for him personally, and will make the declaration, leave the Chamber upon making the declaration, and not return until the matter is resolved.

Cr N McDonald declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for him personally, and will make the declaration, leave the Chamber upon making the declaration, and not return until the matter is resolved.

Cr P Kensit declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for her personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

Cr S Reynolds declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for her personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

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Cr M McDonald declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for him personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

Cr P Culhane declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for him personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

Cr D O'Brien declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for him personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

Cr J Marshall declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for her personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote

Cr L Woodbridge declared a Pecuniary Interest in Item 13.3 Payment of Superannuation of Councillors as it relates to superannuation for her personally, and will make the declaration, stay in the Chamber upon making the declaration, and participate in the debate and vote.

**SECTION 5: CONFIRMATION OF MINUTES**

**ITEM 5.1**  
**71/22**

**RESOLVED** by Cr Searl and Cr M McDonald

That the minutes of the Ordinary Council Meeting held on 17 March 2022 be adopted.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

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**SECTION 6: MAYORAL MINUTES**

**ITEM 6.1 MAYORAL MINUTE**

**72/22** **RESOLVED** by Mayor Kensit and Cr Searl

That Council receive and note the activities attended by the Mayor for March and April 2022.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

**SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC**

Gary Kadwell, regarding the future of Crookwell Taralga Aged Care facilities.

**SECTION 8: CORRESPONDENCE**

**ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF APRIL 2022**

**73/22** **RESOLVED** by Cr Searl and Cr Woodbridge

That Item 8.1 - [Correspondence/Information] listed below be received:

1. Office of Local Government – Circular 22-03 – Guidelines for Additional Special Variation (ASV) Process for 2022-23 – 7 March 2022
2. Office of Local Government – Circular 22-08 – Social Media and Councillor/staff interaction policies – April 2022
3. Minister for Local Government, Hon. Wendy Tuckerman MP – Rate Pegging Determination – 1 April 2022

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N

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McDonald, D O'Brien, S  
Reynolds, J Searl and L  
Woodbridge

**Councillors who voted against:-** Nil

**SECTION 9: LATE CORRESPONDENCE**

Nil

**SECTION 10: INFORMATION ONLY**

**ITEM 10.1 DEVELOPMENT STATISTICS REPORT**

**74/22** **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receive and note the report as information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J  
Marshall, M McDonald, N  
McDonald, D O'Brien, S  
Reynolds, J Searl and L  
Woodbridge

**Councillors who voted against:-** Nil

**ITEM 10.2-10.7 INFORMATION ONLY ITEMS 10.2-10.7**

**75/22** **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receive and note Items 10.2-10.7 of the report as information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J  
Marshall, M McDonald, N  
McDonald, D O'Brien, S  
Reynolds, J Searl and L  
Woodbridge

**Councillors who voted against:-** Nil

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**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 11: ENVIRONMENT AND PLANNING**

**ITEM 11.1 DOG BREEDING CLAUSE TO DCP**

**76/22**

**RESOLVED** by Cr Searl and Cr N McDonald

1. The report for review of the draft DCP chapter on animal breeding and boarding be received.
2. Council place the draft DCP chapter on public exhibition for a minimum of 28 days in line with the Community Participation Plan to seek community input.

***NOTE: Attachment has been included on Council's Website.***

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

**SECTION 12: INFRASTRUCTURE DEPARTMENT**

**ITEM 12.1 ROAD OPENING AND CLOSING WILCOX ROAD**

**77/22**

**RESOLVED** by Cr Searl and Cr Woodbridge

1. Council endorse the Road opening (Lots 1 and 3) DP 1281807 as Public Road and Road Closing (Lots 2 & 4) DP 1281807 sections of Wilcox Road as shown on the attached plan.
2. Council approve the land swap with no compensation required to be paid to the current owner.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

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**SECTION 13: FINANCE AND ADMINISTRATION**

**ITEM 13.1 INTEGRATED PLANNING AND REPORTING - ADOPTION OF DRAFT PLANS FOR PUBLIC EXHIBITION**

**78/22** **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, place on public exhibition the following suite of draft plans:-
  - Operational Plan 2022/2023;
  - Delivery Program 2022/2023 – 2025/2026;
  - Resource Strategy documents including:-
    - Long Term Financial Plan 2022 – 2031;
    - Infrastructure Plan 2022 – 2031;
    - Workforce Plan 2022/2023 – 2025/2026.

The public exhibition period commences Friday, 22 April 2022 to Friday, 27 May 2022 inclusive, with copies of each plan available for viewing at Council administration offices and libraries, on Council's website and a link is provided to Council's Facebook Page.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

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**ITEM 13.2                    PARTICIPATION IN A REGIONAL CONTRACT FOR THE SUPPLY AND DELIVERY OF BULK FUEL**

**79/22                         RESOLVED by Cr Searl and Cr Woodbridge**

1. The Council agree to participate in the aggregated procurement process, by way of a Request for Tender, facilitated by Central NSW Joint Organisation, for the supply and delivery of a regional Bulk Fuel panel contract.
2. The Council delegates the General Manager authority to execute the Bulk Fuel contract with the successful supplier/s.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-**            Nil

not take part in the debate or vote of Item 13.3.

**ITEM 13.3                    PAYMENT OF SUPERANNUATION TO COUNCILLORS**

**80/22                         RESOLVED by Cr O'Brien and Cr Reynolds**

1. Council resolve to make superannuation contribution payments to elected councillors commencing 1 July 2022.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J Marshall, M McDonald, D O'Brien, S Reynolds and L Woodbridge

**Councillors who voted against:-**            Nil

**In accordance with their declaration Councillors who abstained:-**  
Crs N McDonald and J Searl

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Cr John Searl and Nathan McDonald returned to the meeting, the time being 02:07pm

**SECTION 14: GENERAL MANAGER**

Nil

**SECTION 15: LATE REPORTS**

Nil

**COMMITTEES AND DELEGATES**

**ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF APRIL 2022**

**81/22** **RESOLVED** by Cr Searl and Cr Woodbridge

That Item 16.1 - Minutes of Committee/Information listed below be received:

1. Crookwell Memorial Hall Management Committee – Minutes from meeting held 24 February 2022.
2. Tuena Hall Committee – Minutes from meeting held 2 March 2022.
3. Breadalbane Hall Committee – Minutes from meeting held 20 March 2022.
4. Collector Oval Committee – Minutes from Annual General Meeting held 24 February 2022.

**82/22** **RESOLVED** by Cr Searl and Cr Woodbridge that –

1. Council write to Collector Oval S355 Committee accepting the newly appointed committee members Andrew Chiswell, Emma De Bruin, Murray Rainey, Andrew Harris, Julianne Dowling, Serenity Warby, Michael Duck, Graham Petiech, Gary Poile and Sam De Bruin.

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil



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5. Tuena Hall Committee – Minutes from Annual General Meeting held 2 March 2022.

83/22

**RESOLVED** by Cr Woodbridge and Cr Reynolds that –

1. Council write to Tuena Hall S355 Committee accepting the newly appointed committee members Jill Cowey, Robyn Hall, Gabrielle Saville, Jenelle Parsons, Joy Collins, Vince Lonergan, June Lonergan, Lesley Hall, Craig Clulow, Dave McTaggart, Barb Blankenzee, Bev Hall, Robyn Cartwright and Rae Ford.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

**SECTION 17: NOTICES OF MOTION**

**ITEM 17.1 NOTICE OF MOTION - YOUTH COMMITTEE**

84/22

**RESOLVED** by Cr Woodbridge and Cr M McDonald

“That the Upper Lachlan Shire Council move to reinstitute a Youth Council committee.”

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Marshall, M McDonald, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Nil

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**ITEM 17.2**                    **NOTICE OF MOTION - 2022 FEDERAL ELECTION CAMPAIGN**  
**85/22**                         **RESOLVED** by Cr N McDonald and Cr O'Brien

“That the Upper Lachlan Shire Council move to support the national funding priorities of the Australian Local Government Association (ALGA); and

Council agrees to support and participate in the Australian Local Government Association’s advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:

1. Express support for ALGA’s funding priorities;
2. Identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
3. Seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J Marshall, N McDonald, M McDonald, D O'Brien, S Reynolds and L Woodbridge

**Councillors who voted against:-**        Cr J Searl

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**ITEM 17.3                    NOTICE OF MOTION - TARALGA DAM**

**86/22                         RESOLVED by Cr Culhane and Cr Woodbridge**

“That the Upper Lachlan Shire Council reaffirm their absolute priority to obtain sufficient grant funding to build a new storage dam for the Taralga district”

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J  
   Marshall, N McDonald, M  
   McDonald, D O'Brien, S  
   Reynolds, J Searl and L  
   Woodbridge

**Councillors who voted against:-**            Nil

**ITEM 17.4                    NOTICE OF MOTION - GUNNING COMMUNITY HUB (COMMUNITY AND HEALTH SERVICES)**

**87/22                         RESOLVED by Cr Kensit and Cr Woodbridge**

“That the Upper Lachlan Shire Council continue to seek state and federal funding for the build of the Gunning Community Hub (Community and Health Services)”

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J  
   Marshall, N McDonald, M  
   McDonald, D O'Brien, S  
   Reynolds, J Searl and L  
   Woodbridge

**Councillors who voted against:-**            Nil

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**SECTION 18: QUESTIONS WITH NOTICE**

**ITEM 18.1 ECONOMIC DEVELOPMENT AND TOURISM UPDATES**

Refer to the business paper for 21 April 2022 Council Meeting for the General Manager’s comments.

A motion was moved by Cllr S Reynolds and Cr N McDonald that -  
“The General Manager provides a report to Council at the June 2022 meeting detailing a path forward for Council to explore the economic development opportunities to create independent income streams.”

On being put to Council the motion was carried.

**88/22**

**RESOLVED** Cllr S Reynolds and Cr N McDonald that -  
“The General Manager provides a report to Council at the June 2022 meeting detailing a path forward for council to explore the economic development opportunities to create independent income streams.”

- CARRIED

**Councillors who voted for:-** Cllrs P Culhane, P Kensit, N McDonald, M McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-** Cr J Marshall

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**ITEM 18.2          TOURISM PLAN**

Refer to the business paper for 21 April 2022 Council Meeting for the General Manager's comments.

**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) 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:*

**89/22                  RESOLVED by Cr Searl and Cr Woodbridge**

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to 10A (2) 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) 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.

- CARRIED

**Councillors who voted for:-**                  Crs P Culhane, P Kensit, J Marshall, N McDonald, M McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

**Councillors who voted against:-**          Nil

Council closed its meeting at 14:31pm and the public, staff and press left the chambers and live streaming ceased.

Councillors took a short meeting break and resumed the Closed Council at 14:39pm

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**90/22**                    **RESOLVED** by Cr Searl and Cr O'Brien

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

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, P Kensit, J  
   Marshall, M McDonald, N  
   McDonald, D O'Brien, S  
   Reynolds, J Searl and L  
   Woodbridge

**Councillors who voted against:-**    Nil

Open Council resumed at 14:41pm.

**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.

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**SECTION 19: CONFIDENTIAL SESSION**

**ITEM 19.1            TENDER FOR THE REPLACEMENT OF THREE TIMBER BRIDGES  
91/22                RESOLVED by Cr Searl and Cr Woodbridge**

1. Council accepts the Tender for Construction of Separable Portion 3, from Bridge and Civil Pty Ltd at a lump sum price of \$1,971,820 (inclusive of GST) for the following three bridges in Upper Lachlan Shire Council.

- Bridge over Peelwood Creek, Cooksvale Road, Peelwood
- Bridge over Burra Burra Creek, Blue Hill Road, Golspie
- Bridge over Crookwell River, Julong Road, Binda.

- CARRIED

**Councillors who voted for:-**                Crs P Culhane, P Kensit, J  
    Marshall, M McDonald, N  
    McDonald, D O'Brien, S  
    Reynolds, J Searl and L  
    Woodbridge

**Councillors who voted against:-**    Nil

**THE MEETING CLOSED AT 14:41pm**

Minutes confirmed 19 MAY 2022

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Mayor