

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 19 AUGUST 2021 & RESUMED 26 AUGUST 2021**

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**PRESENT:** Ms C Worthy (General Manager) and Miss K Dewar (Executive Assistant)

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**THE GENERAL MANAGER DECLARED THE MEETING OPEN  
AT 09:00am on THURSDAY 19 AUGUST 2021**

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

*Colleen Worthy, General Manager advised that the meeting is being webcast live and audio recorded in accordance with Council Code of Meeting Practice and read Acknowledgement of Country.*

*The General Manager adjourned the meeting at 09:00am because of a lack of quorum.*

*The reason there was no quorum was because of State Government Stay at Home Public Health Orders.*

*The General Manager advised the meeting would resume at 9:00am on Thursday 26 August 2021.*

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**PRESENT:** Mayor J Stafford (Chairperson), Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Ms A Waldron (Director of Environment & Planning), Mr G Lacey (Director of Infrastructure) and Miss K Dewar (Executive Assistant)

**VIDEO:** Cr P Culhane, Cr J Searl, Cr D O'Brien, Cr J Wheelwright, Cr B McCormack and Mr C Gordon (Media Officer)

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**THE MAYOR DECLARED THE MEETING RESUMED AT 09:00AM ON THURSDAY 26 AUGUST 2021.**

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

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

*The Mayor also advised the new requirements for Council meetings, requiring all Councillors and staff to wear masks during Council meetings as required by NSW Public Health Order for COVID-19.*

*A minutes silence was observed for the passing of Mick Mayoh and Grant Kitchen.*

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

Apology was received from Cr Kensit.

**129/21** **RESOLVED** by Cr Searl and Cr McCormack that the apology be received and a leave of absence granted.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Wheelwright and J Stafford

**Councillors who voted against:-** Nil

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**SECTION 3: CITIZENSHIP CEREMONY**

Nil

**SECTION 4: DECLARATIONS OF INTEREST**

Nil

**SECTION 5: CONFIRMATION OF MINUTES**

**ITEM 5.1**                    **RESOLVED** by Cr Searl and Cr McCormack  
**130/21**

That the minutes of the Ordinary Council Meeting held on 15 July 2021 be adopted.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**            Nil

**ITEM 5.2**                    **RESOLVED** by Cr Searl and Cr O'Brien  
**131/21**

That the minutes of the Extraordinary Council Meeting held on 29 July 2021 be adopted.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**            Nil

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**SECTION 6: MAYORAL MINUTES**

**ITEM 6.1 MAYORAL MINUTE**

**132/21** **RESOLVED** by Mayor Stafford and Cr Searl

That Council receive and note the activities attended by the Mayor for July and Aug 2021.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

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

Nil

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**SECTION 8: CORRESPONDENCE**

**ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF JULY/AUG 2021**  
**133/21 RESOLVED by Cr Searl and Cr O'Brien**

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

1. Office of Local Government – Circular 21-15 – Introduction of free lifetime registration for rescued pets and increases to Companion Animal fees for 2021-22.
2. Office of Local Government – Circular 21-16 – Annual Report and Annual Performance Statement checklists.
3. Office of Local Government – Circular 21-18 – Calendar of Compliance and Reporting requirements 2021-22.
4. Office of Local Government – Circular 21-19 – Joint Organisation Calendar of Compliance and Reporting requirements 2021-22.
5. Office of Local Government – Circular 21-20 – Postponement of Local Government Elections – 26 July 2021.
6. Office of Local Government – Council elections set for 4 December 2021.
7. Malcolm Barlow – Letter of resignation from Audit, Risk and Improvement Committee.

A motion was moved By Mayor Stafford and Cr Searl That –

1. That Council accept the resignation of Malcolm Barlow as the Chairperson of the Council Audit, Risk and Improvement Committee and send a letter of thanks for his years of service.
2. That the Audit, Risk and Improvement Committee be dissolved as a Council Section 355 Committee to take immediate effect.
3. That Council send a letter of thanks to the Audit, Risk and Improvement Committee independent community representatives, Bill Martin and Denis Marshall, for their years of service.
4. That Council agree to participate in the Canberra Region Joint Organisation shared internal audit service provision proposal in partnership with Yass Valley Council, Goulburn Mulwaree Council and Snowy Monaro Council.

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5. That Council in partnership with Canberra Region Joint Organisation members councils consisting of Yass Valley Council, Goulburn Mulwaree Council and Snowy Monaro Council share an Audit, Risk and Improvement Committee to be reconstituted by June 2022 in accordance with the NSW Government guidelines – A New Risk Management and Internal Audit Framework for local Councils in NSW.

On being put to the meeting the motion was carried therefore becoming the recommendation.

**134/21**

**RESOLVED** by Mayor Stafford and Cr Searl that -

1. That Council accept the resignation of Malcolm Barlow as the Chairperson of the Council Audit, Risk and Improvement Committee and send a letter of thanks for his years of service.
2. That the Audit, Risk and Improvement Committee be dissolved as a Council Section 355 Committee to take immediate effect.
3. That Council send a letter of thanks to the Audit, Risk and Improvement Committee independent community representatives, Bill Martin and Denis Marshall, for their years of service.
4. That Council agree to participate in the Canberra Region Joint Organisation shared internal audit service provision proposal in partnership with Yass Valley Council, Goulburn Mulwaree Council and Snowy Monaro Council.
5. That Council in partnership with Canberra Region Joint Organisation members councils consisting of Yass Valley Council, Goulburn Mulwaree Council and Snowy Monaro Council share an Audit, Risk and Improvement Committee to be reconstituted by June 2022 in accordance with the NSW Government guidelines – A New Risk Management and Internal Audit Framework for local councils in NSW.

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- CARRIED

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 9: LATE CORRESPONDENCE**

Nil

**SECTION 10: INFORMATION ONLY**

**ITEM 10.2 DEVELOPMENT STATISTICS FOR THE MONTHS OF JULY 2021**  
**135/21 RESOLVED by Cr Searl and Cr McCormack**

1. Council receives and notes the report as information.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

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**ITEM 10.1, 10.3- INFORMATION ONLY ITEMS**  
**10.8**

**136/21**                    **RESOLVED** by Cr Searl and Cr O'Brien

1. Council receives and notes the report as information.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, D O'Brien, B  
McCormack, J Searl, J Stafford  
and J Wheelwright

**Councillors who voted against:-**    Nil

**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 11:        ENVIRONMENT AND PLANNING**

Nil

**SECTION 12:        INFRASTRUCTURE DEPARTMENT**

Nil

**SECTION 13:        FINANCE AND ADMINISTRATION**

Nil



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**SECTION 14: GENERAL MANAGER**

**ITEM 14.1                    SERVICE NSW FOR BUSINESS PARTNERSHIP AGREEMENT**  
**137/21                        RESOLVED by Cr Searl and Cr O'Brien**

1. Council receives and notes the report as information.
2. Council delegates authority to the General Manager to enter into an agreement with Service NSW.

- CARRIED

**Councillors who voted for:-**                    Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-**    Nil

**SECTION 15: LATE REPORTS**

Nil

**SECTION 16: REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES**

**ITEM 16.1                    REPORTS FROM COMMITTEES FOR THE MONTH OF JULY/JUNE**  
**138/21                        RESOLVED by Cr Searl and Cr O'Brien**

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

1. Stonequarry Cemetery s355 Committee - AGM Minutes - 10 July 2021.
2. Collector Community Fund S355 Windfarm Committee - Minutes - 06 July 2021
3. Gunning Arts Festival – Minute - 28 March 2021

A motion was moved by Mayor Stafford and Cr Searl that -

1. Audit, Risk and Improvement Committee - Minutes - Attachments - 28 July 2021 Items 4.1- 4.5 listed below be adopted and that

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items 4.6-4.7 not be adopted following the previous resolution and correspondence received in Item 8.1.

**ITEM 4.1 INVESTMENTS FOR THE MONTH OF JUNE 2021**

1. The report on Council investment portfolio is received and noted as information.

**ITEM 4.2 AUDIT OFFICE OF NSW - PRESENTATION OF ANNUAL ENGAGEMENT PLAN FOR UPPER LACHLAN SHIRE COUNCIL**

1. The Audit Office of NSW Annual Engagement Plan, including the Agreement of Terms and Audit Timetable, for the external audit of Upper Lachlan Shire Council for the year ending 30 June 2021, is endorsed.

**ITEM 4.3 NSW AUDIT OFFICE - REPORT ON LOCAL GOVERNMENT FINANCIAL AUDIT 2020**

1. The NSW Audit Office Report on Local Government 2020 is received and information noted.
2. The Committee express the view that of local Councils hold only a minority interest and do not control Rural Fire Service assets (specifically plant and equipment) and accordingly do not consider Council should recognise these assets, this is consistent with Council's Accounting Policy. A submission be forwarded to the Office of Local Government and Auditor General.

**ITEM 4.4 NSW AUDIT OFFICE - 2020/2021 INTERIM AUDIT**

1. The report is received and noted as information.

**ITEM 4.5 INTERNAL AUDIT AS A SERVICE - REPORT TO CANBERRA REGION JOINT ORGANISATION**

1. The report is received and noted as information.

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On being put to the meeting the motion was carried therefore becoming the recommendation.

**139/21**

**RESOLVED** by Mayor Stafford and Cr Searl that –

1. Audit, Risk and Improvement Committee - Minutes - Attachments - 28 July 2021 Items 4.1- 4.5 listed below be adopted and that items 4.6-4.7 not be adopted following the previous resolution and correspondence received in Item 8.1.

**ITEM 4.1 INVESTMENTS FOR THE MONTH OF JUNE 2021**

1. The report on Council investment portfolio is received and noted as information.

**ITEM 4.2 AUDIT OFFICE OF NSW - PRESENTATION OF ANNUAL ENGAGEMENT PLAN FOR UPPER LACHLAN SHIRE COUNCIL**

1. The Audit Office of NSW Annual Engagement Plan, including the Agreement of Terms and Audit Timetable, for the external audit of Upper Lachlan Shire Council for the year ending 30 June 2021, is endorsed.

**ITEM 4.3 NSW AUDIT OFFICE - REPORT ON LOCAL GOVERNMENT FINANCIAL AUDIT 2020**

1. The NSW Audit Office Report on Local Government 2020 is received and information noted.
2. The Committee express the view that of local Councils hold only a minority interest and do not control Rural Fire Service assets (specifically plant and equipment) and accordingly do not consider Council should recognise these assets, this is consistent with Council's Accounting Policy. A submission be forwarded to the Office of Local Government and Auditor General.

**ITEM 4.4 NSW AUDIT OFFICE - 2020/2021 INTERIM AUDIT**

1. The report is received and noted as information.

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**ITEM 4.5 INTERNAL AUDIT AS A SERVICE - REPORT TO  
CANBERRA REGION JOINT ORGANISATION**

1. The report is received and noted as information.

- CARRIED

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**SECTION 17: NOTICES OF MOTION**

Nil

**SECTION 18: 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) 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:*

**140/21**                    **RESOLVED** by Cr Searl and Cr McCormack

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(c) 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.

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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, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

Council closed its meeting at 09:27am and the public, staff and press left the meeting.

**141/21**                    **RESOLVED** by Cr Searl and Cr McCormack

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

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

Open Council resumed at 9:31am

**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 PURCHASE OF LAND AT 3848 GRABBen GULLEN ROAD CROOKWELL**

**142/21** **RESOLVED** by Cr Searl and Cr McCormack

1. Council transfer the value of \$48,300 from the waste reserves for the purchase of 3ha of land at 3848 Grabben Gullen Road, Crookwell.

- CARRIED

**Councillors who voted for:-** Crs P Culhane, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

**THE MEETING CLOSED AT 9:31am**

Minutes confirmed 16 SEPTEMBER 2021

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Mayor