

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 16 SEPTEMBER 2021

PRESENT: Mayor J Stafford (Chairperson), Cr P Culhane, Cr J Searl, Cr D O'Brien, Cr J Wheelwright, Cr B McCormack, Ms P Kensit, 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: Mr C Gordon (Media Officer)

THE MAYOR DECLARED THE MEETING OPEN AT 09:01am

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 in-person Council meetings had resumed still 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 John Coombs, David Mullen and Laurie Sadlier.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

Apology was received from Colleen Worthy, General Manager

143/21 **RESOLVED** by Cr Searl and Cr Kensit that the apology be received and a leave of absence granted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 3: CITIZENSHIP CEREMONY

Nil

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SECTION 4: DECLARATIONS OF INTEREST

Cr Culhane declared a Pecuniary interest in Item 19.2 Hardship request rebate for water use for undetected water leak – Crookwell AP & H Society as he is treasurer of the committee and will make the declaration, leave the Chamber upon making the declaration, and not return until the matter is resolved.

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 RESOLVED by Cr Searl and Cr McCormack
144/21

That the minutes of the Ordinary Council Meeting held on 19 and resumed on 26 August 2021 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 6: MAYORAL MINUTES

ITEM 6.1 MAYORAL MINUTE
145/21 RESOLVED by Mayor Stafford and Cr Searl

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

- CARRIED

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

Councillors who voted against:- Nil

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A motion was moved by Mayor Stafford requesting Item 14.2 Election of Deputy Mayor be moved forward be moved forward.

146/21 **RESOLVED** by Cr Searl and Cr Kensit that -

1. Item 14.2 Election of Deputy Mayor be moved forward in the meeting agenda order of business and voted on.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.2 **ELECTION OF DEPUTY MAYOR (SECTION 231, LOCAL GOVERNMENT ACT, 1993)**

147/21 **RESOLVED** by Cr McCormack and Cr O'Brien

1. The Mayor declared Councillor John Searl elected as Deputy Mayor for the remainder of this Council term, unopposed.

- CARRIED

Councillors who voted for:- Crs P Culhane, P Kensit, 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 SEPTEMBER 2021

148/21 **RESOLVED** by Cr Searl and Cr O'Brien

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

1. Office of Local Government – Circular 21-24 – September Mayoral Elections – 13 August 2021
2. Office of Local Government – Circular 21-26 – New Risk Management and Internal Audit Framework for Councils and Joint Organisations – 24 August 2021
3. Office of Local Government – Circular 21-27 – Review of the tendering provisions of the Local Government (General) Regulation 2005 – 2 September 2021

- CARRIED

Councillors who voted for:- Crs P Culhane, P Kensit, 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 10.1 DEVELOPMENT STATISTICS FOR THE MONTH OF AUGUST 2021

149/21 **RESOLVED** by Cr Searl and Cr McCormack

1. Council receive and note the report as information.

- CARRIED

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

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Councillors who voted against:- Nil

ITEM 10.2-10.7 INFORMATION ONLY ITEMS

150/21

RESOLVED by Cr Searl and Cr McCormack

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, P Kensit, 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

ITEM 12.1 WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE

151/21

RESOLVED by Cr Searl and Cr McCormack

1. Council receive the report and note the information.

- CARRIED

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

Councillors who voted against:- Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 2020/2021 BUDGET REVOTES TO CARRY FORWARD TO INTERNAL RESTRICTED RESERVE

152/21 **RESOLVED** by Cr Searl and Cr O'Brien

1. Council approves the 2020/2021 transfers to the Council internal restricted reserve fund totalling \$5,187,172 including revote of uncompleted capital works expenditure projects and internal reserve funds movements.
2. Council approves the short-term removal of internal restricted reserve funds at 30 June 2021 including; the Plant and Equipment Replacement Reserve, Building and Infrastructure Improvements Reserve and Gravel Pit Restoration Reserve totalling \$2,611,193. The internal restricted reserve funds will be replenished in reporting period ending 30 June 2022.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 14: GENERAL MANAGER

ITEM 14.1 DISCLOSURES OF INTEREST BY COUNCILLORS AND DESIGNATED PERSONS UNDER CLAUSE 4.21 OF THE COUNCIL CODE OF CONDUCT

153/21 **RESOLVED** by Cr Searl and Cr McCormack

1. Council notes the tabling of the Disclosures of Pecuniary Interest Returns by Councillors and Designated Persons for reporting period 1 July 2020 to 30 June 2021.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.2 **ELECTION OF DEPUTY MAYOR (SECTION 231, LOCAL GOVERNMENT ACT, 1993)**
Item dealt with at the commencement of the meeting.

ITEM 14.3 **COUNCIL MEETINGS - TIMES AND FREQUENCY**
154/21 **RESOLVED** by Cr Searl and Cr Kensit

1. Ordinary Council Meetings are to be held on the third Thursday of the month (with the exception of January 2022 meeting) at Crookwell Council Chambers and/or remotely by webcast (no meeting is held in December 2021 due to local government elections held 4 December 2021) with all council meetings to commence at 9:00am, as per the following schedule of meeting times and dates:-
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 October 2021 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 November 2021 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 13 January 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 17 February 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 17 March 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 April 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 May 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 June 2022 commencing at 9:00am.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 July 2022 commencing at 9:00am.

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- Ordinary Council Meeting to be held at Crookwell on Thursday, 18 August 2022 commencing at 9:00am.
- Ordinary Council Meeting to be held at Crookwell on Thursday, 15 September 2022 commencing at 9:00am.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.4 **LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2021**
155/21 **RESOLVED** by Cr Searl and Cr Kensit

1. The Mayor, Deputy Mayor and General Manager will attend the online Annual Conference of Local Government NSW on 29 November 2021.
2. The Mayor is nominated as the Council's voting delegate.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.5 **NSW PLANNING PORTAL COMMITTEE NOMINATION**
156/21 **RESOLVED** by Cr Searl and Cr Kensit

1. Council agrees to delegate Councillor Paul Culhane, Mayor John Stafford and the Upper Lachlan Shire Council's Director of Environment and Planning as the Southern Regional Planning Panel committee representatives and delegates up until the 4 December 2021 local government elections.

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

Councillors who voted against:- Nil

SECTION 15: LATE REPORTS

Nil

COMMITTEES AND DELEGATES

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF AUGUST/SEPTEMBER 2021

157/21 **RESOLVED** by Cr Searl and Cr McCormack

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

1. Cullerin Range Community Fund Section 355 Windfarm Committee - Minutes - 16 August 2021
2. Kiamma Creek (Pat Cullen Reserve) Landcare Group 2020/2021 Correspondence in lieu of Annual General Meeting – August 2021

- CARRIED

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

Councillors who voted against:- Nil

3. Local Traffic Committee – Minutes – 2 September 2021

158/21 **RESOLVED** by Cr Searl and Cr McCormack that –

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That items 4.1 – 4.3 & 4.5 of Local Traffic Committee minutes from meeting held 2 September 2021 be adopted

ITEM 4.1 TRAFFIC SAFETY CONCERN AT THE INTERSECTION OF GUNNING STREET AND CHAPEL STREET, DALTON 2581

1. Council to retain a 'Give Way' signage at the intersection of Gunning Street and Chapel Street.
2. Council to re-spray line marking at the intersection as part of delineation improvement work.
3. Council to replace the faded signs at the intersection: 'Give Way (R1-2A)' sign, 'No-Parking (R5-40)' sign, and '45° Angle parking front to kerb(R5-501)'
4. Council to report illegal parking of motorists in the 'No Parking' zone near the intersection, for NSW Police representative to note the subject and provide enforcement.
5. Council to monitor the intersection traffic performance after the new signs and line marking are implemented.

ITEM 4.2 REQUEST TO INSTALL 'GIVE-WAY' SIGN AT THE INTERSECTION OF WOODHOUSELEE ROAD AND ROSLYN ROAD, ROSLYN, 2580

1. Council to install "Give Way" sign (R1-2A) on Roslyn Road approach of Woodhouselee Road and Roslyn Road intersection.
2. Council to implement line marking along the intersection as part of delineation improvement work.

ITEM 4.3 NEW PARKING BAYS AND LINE MARKING ARRANGEMENT ON ROBERTSON STREET, CROOKWELL

1. Council provides chevron paint in front of four driveways, namely 25, 27, 29 and 39 in Robertson Street, Crookwell.
2. Council provide two additional line-marked parking spaces (bays) for NSW Service customers adjacent to the existing one parking space.
3. Relocate the 'Bus Zone' parking signage to the eastern side by 25m (close to Colyer Street) to allow extra parking spaces in Robertson Street, Crookwell.

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ITEM 4.5 CONCEPT PLAN OF PROPOSED PEDESTRIAN CROSSING WORK AT ST MARY'S CATHOLIC PRIMARY SCHOOL, CROOKWELL 2583

1. Council to replace the existing refuge island crossing with a new raised pedestrian crossing (wombat crossing) and provide safe crossing to students and public pedestrians in accordance with relevant Australian Standards.

- CARRIED

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

Councillors who voted against:- Nil

A foreshadowed motion was moved by Cr Searl that Item 4.4 within the minutes of Local Traffic Committee be amended. Item 4.4 be amended that Council approve the installation of Gunning Bicentennial Signage on Gundaroo Road and Yass Street Gunning.

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

RESOLVED Cr Searl and Cr Kensit that –

159/21

ITEM 4.4 REQUEST TO INSTALL GUNNING BICENTENNIAL VILLAGE SIGNAGE ON GUNDAROO ROAD AND YASS STREET, GUNNING 2581

1. Council approve the installation of Gunning Bicentennial Signage on Gundaroo Road and Yass Street Gunning.

- CARRIED

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

Councillors who voted against:- Nil

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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:

160/21 **RESOLVED** by Cr Searl and Cr Kensit

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(2b) 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, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

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Council closed its meeting at 10:05am and the public, staff and press left the meeting.

161/21 **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, D
O'Brien, B McCormack, J Searl,
J Stafford and J Wheelwright

Councillors who voted against:- Nil

Open Council resumed at 10:20am

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 HARSHIP REQUEST FOR REBATE OF WATER USE - TARALGA AND DISTRICT SHOWGROUND AND RECREATIONAL CO-OPERATIVE LTD

162/21 RESOLVED by Cr Searl and Cr Culhane

1. Council approve a write-off of \$5,244 being 50% of the balance owing for water use charges on Assessment Number 4305, at 1A Walsh Street Taralga, for the Taralga and District Showground and Co-Operative Ltd.

2. The Taralga and District Showground and Co-Operative Ltd if unable to pay the water use outstanding balance in full is to enter into a payment arrangement with Council.

- CARRIED

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

Councillors who voted against:- Nil

Councillor Culhane left the Chamber at 10:10am following his declaration, did not take part in the discussion and returned at 10:19am once the recommendation was resolved.

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ITEM 19.2 HARSHIP REQUEST FOR REBATE OF WATER USE FOR UNDETECTED WATER LEAK - CROOKWELL AP & H SOCIETY

163/21 RESOLVED by Cr McCormack and Cr O'Brien

1. Council approve a write-off of \$2,151 being 50% of the balance owing for water use charges on Assessment Number 589, at 30 East Street Crookwell, for the Crookwell AP&H Society.
2. The Crookwell AP&H Society if unable to pay the water use outstanding balance in full is to enter into a payment arrangement with Council.

- CARRIED

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

Councillors who voted against:- Cr P Kensit

THE MEETING CLOSED AT 10:28am

Minutes confirmed 21 OCTOBER 2021

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Mayor