

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 16 APRIL 2020**

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**PRESENT:** Mayor J Stafford (Chairperson), Cr P Culhane, Cr R Cummins, Cr R Opie, Cr D O'Brien, Cr J Searl, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager) and Ms S Pearman (Administration Officer).

**VIDEOLINK:** Mr A Croke (Director Finance and Administration), Mr M Shah (Director of Infrastructure), Mrs T Dodson (Director of Environment & Planning) and Mr C Gordon (Media Officer).

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**THE MAYOR DECLARED THE MEETING OPEN AT 6.00PM**

**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.*

*A minutes silence was observed for the passing of Doreen Wheelwright and George Webb*

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

An apology was received from Cr Kensit.

**60/20** **RESOLVED** by Cr Searl and Cr McCormack that the apologies be received and a leave of absence granted.

- CARRIED

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

**Councillors who voted against:-** Nil

**SECTION 3: CITIZENSHIP CEREMONY**

Nil

**SECTION 4: DECLARATIONS OF INTEREST**

Nil

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---

**SECTION 5: CONFIRMATION OF MINUTES**

**61/20ITEM 5.1**     **RESOLVED** by Clr Searl and Clr McCormack

That the minutes of the Ordinary Council Meeting held on 19 March 2020 be adopted.

- CARRIED

**Councillors who voted for:-**                      Crs P Culhane, R Cummins, R  
Opie, 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**

**62/20**                         **RESOLVED** by Mayor Stafford and Clr Searl

1. That Council receive and note the activities attended by the Mayor for March 2020 and April 2020.

- CARRIED

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

**Councillors who voted against:-**     Nil

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

Nil

**SECTION 8: CORRESPONDENCE**

Nil

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---

**SECTION 9: LATE CORRESPONDENCE**

Nil

**SECTION 10: INFORMATION ONLY**

**ITEM 10.1 DEVELOPMENT STATISTICS FOR THE MONTH OF MARCH 2020**  
**63/20 RESOLVED by Clr Searl and Clr McCormack**

1. Council receives and notes the report as information.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEMS 10.2 – INFORMATION ONLY ITEMS**  
**10.9**

**64/20 RESOLVED by Clr Searl and Clr McCormack**

1. Council receive and notes items 10.2 – 10.9 as information.

- CARRIED

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

**Councillors who voted against:-** Nil

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---

**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 11: ENVIRONMENT AND PLANNING**

**ITEM 11.1 HOUSING STRATEGY**

**65/20** **RESOLVED** by Clr Searl and Clr McCormack

1. The Council place the draft housing strategy on public exhibition for a minimum of 28 days.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 11.2 SECTION 4.6 VARIATION CONCURRENCE 1 GEORGE STREET COLLECTOR.**

**66/20** **RESOLVED** by Clr Searl and Clr Culhane

1. Council vary the minimum lot size requirement of clause 4.1 by 11.6% to permit the development of the site for a dwelling on lot 18 DP 727525 1 George street Collector.

- CARRIED

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

**Councillors who voted against:-** Nil

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---

**ITEM 11.3                      COMMUNITY CONSULTATION LOCAL STRATEGIC PLANNING STATEMENTS**

**67/20                      RESOLVED by Clr Searl and Clr McCormack**

1. Council advertise the Local Strategic Planning Statement at the same time as the Housing Strategy and notify our strategic stakeholders for 28 days.

- CARRIED

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

**Councillors who voted against:-**                      Nil

**ITEM 11.4                      FOOD PREMISES INSPECTIONS**

**68/20                      RESOLVED by Clr Searl and Clr O'Brien**

1. Council waive the initial \$190.00 food premises inspection fee for the 2019/2020 financial year.

- CARRIED

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

**Councillors who voted against:-**                      Nil

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---

**SECTION 12: INFRASTRUCTURE DEPARTMENT**

**ITEM 12.1 OUTCOME OF THE ADDITIONAL ENVIRONMENTAL SITE ASSESSMENT OF CROOKWELL COUNCIL WORKS DEPOT**

**69/20** **RESOLVED** by Cllr Searl and Cllr McCormack

1. Council receives and notes the report as information.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 12.2 REQUEST TO APPROVE THE CO-FUNDING DEED FROM DPIE FOR THE PROPOSED DEVELOPMENT WORK OF COUNCILS INTEGRATED WATER CYCLE MANAGEMENT (IWCM)**

**70/20** **RESOLVED** by Cllr Searl and Cllr Culhane

1. Council accept the co-funding Deed from NSW Department of Planning, Industry and Environment (DPIE) for the development of Council's Integrated Water Cycle Management (IWCM) report under Stream 2 of the Safe and Secure Water Program (SSWP) DPIE;
2. Council allocate \$95,841 (GST exclusive) half each within financial year 2019/20 and financial year 2020/21 from the Externally Restricted Water Fund Reserve to fund the proposed ICWM.

- CARRIED

**Councillors who voted for:-** Cllrs P Culhane, R Cummins, R Opie, 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 INTEGRATED PLANNING AND REPORTING - ADOPTION OF DRAFT PLANS FOR PUBLIC EXHIBITION**

**Moved by Searl and McCormack**

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, and requirements of the Local Government Amendment (Governance and Planning) Act 2016, place on public exhibition the following suite of draft plans:-

- Delivery Program 2020/2021 – 2023/2024;
- Operational Plan 2020/2021;
- Resource Strategy documents including:-
  - Long Term Financial Plan 2020 – 2029;
  - Infrastructure Plan 2020 – 2029;
  - Workforce Plan 2020/2021 – 2023/2024.

The public exhibition period commences Monday, 27 April 2020 to Thursday, 28 May 2020 inclusive, with copies of each plan available for viewing on Council's website and a link is provided to Council's Facebook Page.

An amendment to the motion was moved by Cllr Cummins and Cllr Opie that;

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, and requirements of the Local Government Amendment (Governance and Planning) Act 2016, place on public exhibition the following suite of draft plans:-

- Delivery Program 2020/2021 – 2023/2024;
- Operational Plan 2020/2021;
- Resource Strategy documents including:-
  - Long Term Financial Plan 2020 – 2029;
  - Infrastructure Plan 2020 – 2029;
  - Workforce Plan 2020/2021 – 2023/2024.

The public exhibition period commences Monday, 27 April 2020 to Thursday, 28 May 2020 inclusive, with copies of each plan available for viewing on Council's website and a link is provided to Council's Facebook Page.

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**ON 16 APRIL 2020**

---

2. That while the Operational Plan 2020/21 is on public exhibition that the 2020/21 Budget is further reviewed by the General Manager to ascertain if a more balanced budget can be achieved to obtain a more equitable outcome for all residents of the Shire and a report is submitted to the next Council meeting.
3. That all Business Rates are deferred immediately for a period of 6 months.

**Councillors who voted for:-** Crs R Cummins and R Opie

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

On being put to the meeting the amendment was lost and the original recommendation became the motion.

**71/20**

**RESOLVED** by Clr Searl and Clr McCormack

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, and requirements of the Local Government Amendment (Governance and Planning) Act 2016, place on public exhibition the following suite of draft plans:-

- Delivery Program 2020/2021 – 2023/2024;
- Operational Plan 2020/2021;
- Resource Strategy documents including:-
  - Long Term Financial Plan 2020 – 2029;
  - Infrastructure Plan 2020 – 2029;
  - Workforce Plan 2020/2021 – 2023/2024.

The public exhibition period commences Monday, 27 April 2020 to Thursday, 28 May 2020 inclusive, with copies of each plan available for viewing on Council's website and a link is provided to Council's Facebook Page.

- CARRIED

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

**Councillors who voted against:-** R Opie.



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---

**SECTION 14: GENERAL MANAGER**

Nil

**SECTION 15: LATE REPORTS**

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

**ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF APRIL**  
**72/20 RESOLVED by Clr Searl and Clr McCormack**

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

1. Audit, Risk and Improvement Committee – Minutes from meeting held 18 March 2020.

**Item 3.1 Confirmation of Minutes**

1. That the minutes of the Audit, Risk and Improvement Committee Meeting held on 18 December 2019 be adopted with the amendment to item 4.6 noting Chairperson casting vote for that item of business.

**Item 4.1 Council Investments Portfolio to 31 January 2020**

1. The report on Council investment portfolio is received and noted as information.
2. Given the low interest climate on investments the Committee advises Council to maintain its long established and prudent policy and reject any temptation to try more risky products that offer higher rates of return.

**Item 4.2 NSW Audit Office – Report on Internal Controls and Governance 2019**

1. The NSW Audit Office Report on Internal Controls and Governance 2019 is received and information noted.

**Item 4.3 Grant Thornton Australia – Internal Audit of Council Business Continuity Management System**

1. The Grant Thornton Australia internal audit review report for Council on Business Continuity Management System be received, the Action Plan endorsed and implemented by senior management.

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---

**Item 4.4 Local Government Accounting Code Update 2019/2020**

1. The report on the Local Government Code of Accounting Practice and Financial Reporting Code Update for 2019/2020 be received and the information noted.

**Item 4.5 2018/2019 NSW Audit Office Final Audit Management Letter**

1. The NSW Audit Office Final Management Letter on the external audit for the year ended 30 June 2019 be received and the management responses addressing the audit issues is endorsed.

**Item 4.6 Chairpersons Report on 2018/2019 Audit Issues**

1. The Committee receive and note the Chairperson Report on the 2018/2019 audit issues as information.

**Item 4.7 Chairperson Presentation to Council in February 2020**

1. The Committee Chairperson report be received and the information noted.

**73/20**

**RESOLVED** by Cr Searl and Wheelwright

1. That the recommendations 3.1, 4.1 to 4.7 listed above from the Minutes from the Audit, Risk and Improvement Committee from 18 March 2020 be adopted.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, R Cummins, R Opie, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:- Nil**

2. Grabben Gullen Community Association – Minutes from meeting held 6 May 2019.
3. Collector Pumpkin Festival – Minutes from meeting held 18 March 2020.

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**ORDINARY MEETING OF COUNCIL**  
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**ON 16 APRIL 2020**

---

A motion was moved by Cr Cummins and Cr Opie

1. That Clr Searl organise a report for the next Council Meeting on the intentions of the Pumpkin Festival Committee to present to Council proper audit report for the committees financial position.

On being put to the meeting the motion was carried.

**74/20**

**RESOLVED** by Cr Cummins and Cr Opie

1. That Clr Searl organise a report for the next Council Meeting on the intentions of the Pumpkin Festival Committee to present to Council proper audit report for the committees financial position.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, R Cummins, R Opie, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright

**Councillors who voted against:-** Nil

- CARRIED

**SECTION 17: NOTICES OF MOTION**

**ITEM 17.1**

**NOTICE OF MOTION - COUNCIL MEETING TIMES**

**75/20**

**RESOLVED** by Clr Searl and Clr McCormack

1. That Council, effective at and from the May 2020 meeting, commence Ordinary Meetings of Council at 9.00am and that Council amend the Upper Lachlan Shire Code of Meeting Practice, section 3.1 to provide for a 9.00am commencement of meetings and section 18.1 to 18.3 to provide for a time of conclusion of meetings at 12.00pm.

- CARRIED

**Councillors who voted for:-**

Crs P Culhane, B McCormack, J Searl, J Stafford and J Wheelwright

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
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**ON 16 APRIL 2020**

---

**Councillors who voted against:-** Crs R Cummins, R Opie and D O'Brien"

**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:*

**76/20**                      **RESOLVED** by Clr Searl and Clr 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 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 (2c) and (2d(i)) 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

Council closed its meeting at 7.34pm and the public, staff and press left the chambers.

**77/20**                      **RESOLVED** by Clr McCormack and Clr Searl

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

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**ON 16 APRIL 2020**

---

- CARRIED

Open Council resumed at 7.42PM.

**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 19: CONFIDENTIAL SESSION**

**ITEM 19.1 RECOMMENDATION TO APPROVE THE TENDER EVALUTATION FOR THE GENERAL WASTE TRANSFER AND DISPOSAL SERVICE PROVIDER**

**78/20** **RESOLVED** by Clr Searl and Clr McCormack

1. Council approve schedule of price tender from "Veolia Environmental Services (Australia) Pty Ltd" for a two year estimated price of \$710,000 excluding GST subject to the conditions of contract are agreed.

- CARRIED

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

**Councillors who voted against:-** Nil

**THE MEETING CLOSED AT 7.45PM.**

Minutes confirmed 21 MAY 2020

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Mayor