

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 16 FEBRUARY 2017

PRESENT: Mayor B McCormack (Chairperson), Clr P Culhane, Clr R Cummins, Clr P Kensit, Clr R Opie, Clr D O'Brien, Clr J Searl, Clr J Stafford, Clr J Wheelwright, Mr J Bell (General Manager), Mr P Newham (Director of Works and Operations), Mr L Moloney (Manager of Operations), Mr A Croke (Director Finance and Administration), Mrs T Dodson (Director of Environment & Planning), Ms S Pearman (Administration Officer), Ms D Crosbie (Media Officer)

THE MAYOR DECLARED THE MEETING OPEN AT 6.00pm

SECTION 1: APOLOGIES & LEAVE OF ABSENCE

There were no apologies.

SECTION 2: CITIZENSHIP CEREMONY

Nil

SECTION 3: DECLARATIONS OF INTEREST

Nil

SECTION 4: CONFIRMATION OF MINUTES

04/17ITEM 4.1 **RESOLVED** by Clr Searl and Clr Wheelwright

That the minutes of the Ordinary Council Meeting held on 15 December 2016 be adopted.

- CARRIED

SECTION 5: MAYORAL MINUTES

Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Mr Steven Horn – Stonequarry Cemetery
Mr Julian Thompson – EPA: Crookwell Landfill

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SECTION 7: CORRESPONDENCE

ITEM 7.1 CORRESPONDENCE ITEMS FOR THE MONTH OF FEBRUARY 2017

05/17 **RESOLVED** by Cllr Searl and Cllr Wheelwright

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

1. Crookwell and District Amateur Picnic Race Club – Letter of thanks and appreciation.
2. Audit Office of NSW – Contract Audit Agent Advice – Intentus Chartered Accountants.
3. CENTROC – Rural Fire Service Funding Review.
4. OLG – Circular 17-01 – Exhibition Draft of Bill to Amend the Environmental Planning & Assessment Act 1979.
5. Taralga Progress Association – Thanks to Council for improvements at Goodhew Park.
6. Southern Phone Company – Grant Scheme – Letter of thanks for support of program.
7. Australian Local Government Association (ALGA) – New President Introduction.
8. Local Government NSW – Welcomes new Minister for Local Government.
9. Gary Poile – Letter of Thanks and appreciation for commitment and service from Council Directors.
10. Local Government – Media Release – Good News for Council – Cease forced amalgamations.
11. Goulburn & District Education Foundation – Letter of Thanks for Donation.
12. Office of Local Government – Circular 16-49 – Fit for the Future Improvement Plans and Integrated Planning and Reporting.

- CARRIED

SECTION 8: LATE CORRESPONDENCE

Nil

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 9: ENVIRONMENT AND PLANNING

ITEM 9.1 MONTHLY WEEDS ACTIVITIES REPORT

06/17 **RESOLVED** by Clr Searl and Clr Wheelwright

1. Council receives and notes the report as information.

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

Councillors who voted against:- Nil

- CARRIED

ITEM 9.2 DEVELOPMENT STATISTICS FOR THE MONTHS OF DECEMBER 2016 AND JANUARY 2017

07/17 **RESOLVED** by Clr Searl and Clr Wheelwright

1. Council receives and notes the report as information.

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

Councillors who voted against:- Nil

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ITEM 9.3 NEW RESIDENTS INCENTIVES POLICY

08/17 RESOLVED by Clr Wheelwright and Clr Searl

1. Council adopts the reviewed New Residents Incentive Policy.

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

Councillors who voted against:- Nil

- CARRIED

**ITEM 9.4 TRANSPORTABLE / RELOCATABLE BUILDINGS - NEW AND
PREVIOUSLY CONSTRUCTED POLICY**

09/17 RESOLVED by Clr Searl and Clr O'Brien

1. Council adopts the reviewed Transportable / Relocatable
Buildings – New and Previously Constructed Policy.

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

Councillors who voted against:- Nil

- CARRIED

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SECTION 10: WORKS AND OPERATIONS

ITEM 10.1 WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE
10/17 RESOLVED by Clr Searl and Clr Stafford

1. Council receive the report and note the information.

- CARRIED

ITEM 10.2 WORKS IN PROGRESS - TECHNICAL & MANAGERIAL
11/17 RESOLVED by Clr Searl and Clr Culhane

1. Council receive the report and note the information.

- CARRIED

ITEM 10.3 ROAD MAINTENANCE COUNCIL CONTRACT
12/17 RESOLVED by Clr Wheelwright and Clr Searl

1. Council receive and note the report as information.

- CARRIED

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ITEM 10.4 **UPDATE OF COUNCIL ROAD MAINTENANCE SCHEDULE**
13/17 **RESOLVED** by Clr Stafford and Clr O'Brien

1. Council amends the Road Maintenance Schedule to show the length of Yarraman Road that is to be maintained by Council will be a total of 4.95 kilometres.

- CARRIED

ITEM 10.5 **WATER AND SEWER UPDATE**
14/17 **RESOLVED** by Clr Searl and Clr O'Brien

1. Council receive the report and note the information.

- CARRIED

ITEM 10.6 **CROOKWELL LANDFILL UPGRADE**
15/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council receive the report and note as information.

- CARRIED

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SECTION 11: FINANCE AND ADMINISTRATION

ITEM 11.1 INVESTMENTS FOR THE MONTHS OF DECEMBER 2016 AND JANUARY 2017

16/17 **RESOLVED** by Clr Searl and Clr Culhane

1. Council receive and note the report as information.

- CARRIED

ITEM 11.2 BANK BALANCE AND RECONCILIATION - 31 DECEMBER 2016 AND 31 JANUARY 2017

17/17 **RESOLVED** by Clr Wheelwright and Clr Stafford

1. Council receive and note the report as information.

- CARRIED

ITEM 11.3 RATES AND CHARGES OUTSTANDING FOR THE MONTHS OF DECEMBER 2016 AND JANUARY 2017

18/17 **RESOLVED** by Clr Searl and Clr Culhane

1. Council receive and note the report as information.

- CARRIED

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**ITEM 11.4 INTEGRATED PLANNING AND REPORTING - ADOPTION OF
THE TABLELANDS REGIONAL COMMUNITY STRATEGIC PLAN
2016 - 2036**

19/17 RESOLVED by Cllr Stafford and Cllr O'Brien

1. Council, in accordance with the Integrated Planning and Reporting Guidelines and requirements of Section 402 and Sections 8A-8C, of the Local Government Act 1993, and requirements of the Local Government Amendment (Governance and Planning) Act 2016, adopt the Tablelands Community Strategic Plan 2016-2036.
2. All public submissions to the Tablelands Community Strategic Plan 2016-2036 are considered and a response to the submissions be provided by Council.
3. Council, in accordance with the Integrated Planning and Reporting Guidelines, and requirements of Section 402, of the Local Government Act 1993 and requirements of the Local Government Amendment (Governance and Planning) Act 2016, adopt the Community Engagement Strategy and Communications Plan.

- CARRIED

ITEM 11.5 QUARTERLY BUDGET REVIEW STATEMENTS 2016/2017

20/17 RESOLVED by Cllr O'Brien and Cllr Cummins

1. Council adopts the 2nd Quarter Budget Review Statements for 2016/2017 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

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ITEM 11.6 **LIBRARY QUARTERLY REPORT**
21/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council receives and notes the Library Services 2016/2017 - 2nd Quarter Report as information.

- CARRIED

ITEM 11.7 **DESTINATION MARKETING OFFICER POSITION**
22/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council endorses the Destination Marketing Officer position for inclusion in Council's Organisation Structure.
2. The Destination Marketing Officer Position Description is reported to the Council's Consultative Committee and the position is advertised for job applications.

- CARRIED

SECTION 12: GENERAL MANAGER

ITEM 12.1 **STAFFING MATTERS**
23/17 **RESOLVED** by Clr Searl and Clr O'Brien

1. Council receive and note the report as information.

- CARRIED

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ITEM 12.2 **CONSULTATIVE COMMITTEE MEETING MINUTES**
24/17 **RESOLVED** by Clr Searl and Clr Stafford

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

- CARRIED

ITEM 12.3 **WHS COMMITTEE MINUTES**
25/17 **RESOLVED** by Clr Searl and Clr Stafford

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

- CARRIED

ITEM 12.4 **ALCOHOL FREE ZONE**
26/17 **RESOLVED** by Clr O'Brien and Clr Searl

1. Council re-establishes the alcohol free zone for a period of 4 years for the period 24 February 2017 to the 25 February 2021 over the following areas:
 - Goulburn Street between Laggan Road and East Street;
 - Denison Street between Roberts Street and Colyer Street;
 - Spring Street between Cowper Street and Marsden Street;
 - Roberts Street between Denison and Robertson Street;

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- Goulburn Lane between Roberts Street and Colyer Street;
- Robertson Street between Laggan Road and Park Street; and
- Public car parks in Spring and Roberts Street.

- CARRIED

ITEM 12.5 **ACTION SUMMARY - COUNCIL DECISIONS**
27/17 **RESOLVED** by Clr Searl and Clr Stafford

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 **REPORTS FOR THE MONTH OF FEBRUARY 2017**
28/17 **RESOLVED** by Clr Searl and Clr Stafford

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

1. STARTS – Half Yearly Report.
2. Audit and Investment Committee – Minutes from meeting held 14 December 2016.

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ITEM 4.1 APPOINTMENT OF COMMITTEE MEMBERS

RECOMMENDED

1. Upper Lachlan Shire Council ratifies the appointment of community representatives to the Section 355 Audit, Risk and Improvement Committee of Council including Mr William Martin, Mr Malcolm Barlow and Mr Denis Marshall.
2. It was determined to hold an election to appoint an independent community member as Chairperson of the Audit, Risk and Improvement Committee. The Committee nominated and elected Mr Malcolm Barlow as Chairperson of the Audit, Risk and Improvement Committee.

**ITEM 4.2 LOCAL GOVERNMENT AMENDMENT
(GOVERNANCE AND PLANNING) ACT 2016**

RECOMMENDED

1. The report be received and noted as information.
2. The existing Upper Lachlan Shire Audit and Investment Committee is reconstituted and the Audit Risk and Improvement Committee is appointed in accordance with Section 428A, of the Local Government Amendment (Governance and Planning) Act, 2016.

**ITEM 4.3 REVIEW OF AUDIT, RISK AND IMPROVEMENT
COMMITTEE CHARTER**

RECOMMENDED

1. Council adopt the reviewed Audit, Risk and Improvement Committee Charter.

ITEM 4.4 2015/2016 FINANCIAL STATEMENTS

RECOMMENDED

1. The 2015/2016 Council Financial Statements are received and endorsed by the Audit, Risk and Improvement Committee.

**ITEM 4.5 INTENTUS CHARTERED ACCOUNTANTS –
2015/2016 FINANCIAL STATEMENTS
MANAGEMENT LETTER**

RECOMMENDED

1. The 2015/2016 external audit management letter by Intentus Chartered Accountants is received and senior management response and action plan addressing audit observations is endorsed.

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ITEM 4.6 2015/2016 CAPITAL BUDGET PROGRAM REPORT

RECOMMENDED

1. The 2015/2016 capital budget financial management reports are received and information noted.

**ITEM 4.7 COUNCIL INVESTMENT PORTFOLIO TO 30
NOVEMBER 2016**

RECOMMENDED

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

ITEM 5.1 LATE CORRESPONDENCE

RECOMMENDED

1. The Committee notes that Intentus Chartered Accountants will continue as Upper Lachlan Shire Council's contract auditor as appointed by the Audit Office of NSW.

ITEM 6.1 ITEM FOR DISCUSSION

RECOMMENDED

1. That in acknowledgement of the repeated concern expressed by our Auditors of both level and substantiation of stock, the Audit, Risk and Improvement Committee wishes to reiterate its concern and request that Manex give consideration to obtaining an annual independent review of gravel stock levels.

29/17

RESOLVED by Cllr Searl and Cllr Kensit

1. That recommendations Items 4.1 - 4.7, 5.1 and 6.1 of the Audit and Invest Committee Minutes of 14 December 2016 be adopted.
3. Upper Lachlan Tourist Association – Minutes from meeting held 16 December 2016.

ITEM 9 OTHER BUSINESS

RECOMMENDED

1. The Crookwell Potato Festival Committee recommends to the Upper Lachlan Shire Council that Marcus Kollakides be accepted as a member of the Committee.

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30/17 **RESOLVED** by Clr Culhane and Clr Kensit

1. That item 9 of the Crookwell Potato Festival Committee minutes of 19 January 2017 be adopted.
6. Pye Cottage Precinct – Minutes from meeting held 4 February 2017.

31/17 **RESOLVED** by Clr Searl and Clr Culhane

1. That Council accept the Office Bearers as listed below for the Pye Cottage Precinct Committee.

President	Mr Graham Dyer
Secretary	Mrs Margaret McPherson
Minutes Secretary	Rosemary Spiller
Treasurer	Michael de Percy
Committee Members	Keith Brown, Lawrence Pye, Rosemary Spiller

- CARRIED

SECTION 15: BUSINESS WITHOUT NOTICE

Nil

SECTION 16: NOTICES OF MOTION

Nil

SECTION 17: QUESTIONS WITH NOTICE

ITEM 17.1 CHRISTMAS DECORATIONS ON THE MAIN STREET OF CROOKWELL

A motion was moved by Clr Kensit and Clr O'Brien

1. That Council brings back Christmas to the main streets of the Shire by:

Consideration be made in the 2017/2018 budget to:

- a) Purchase suitable outdoor decorations for use in the Shire towns and villages.
- b) Investigate storage options and if necessary purchase a shipping container to store the decorations between

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Christmas periods.

2. Consideration be made in the 2017/2018 budget (and subsequent budgets) to fund the erection and removal and eventual replacement of decorations.

On being put to the meeting the motion was carried.

32/17

RESOLVED by Clr Kensit and Clr O'Brien

1. That Council brings back Christmas to the main streets of the Shire by:

Consideration be made in the 2017/2018 budget to:

- a) Purchase suitable outdoor decorations for use in the Shire towns and villages.
 - b) Investigate storage options and if necessary purchase a shipping container to store the decorations between Christmas periods.
2. Consideration be made in the 2017/2018 budget (and subsequent budgets) to fund the erection and removal and eventual replacement of decorations.

- CARRIED

ITEM 17.2 ROADWORKS ON THE GOULBURN CROOKWELL ROAD

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.3 MAYOR TALKBACK SESSIONS WITH 2GN

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

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ITEM 17.4 KIAMMA PARK FUNDING WORKS

A motion was moved by Cllr Wheelwright and Cllr Searl

1. That Council revoke an amount of \$4340.00 towards the Kiamma Park improvements from Section 94 contributions.

On being put to the meeting the motion was carried.

33/17 RESOLVED by Cllr Wheelwright and Cllr Searl

1. That Council revoke an amount of \$4340.00 towards the Kiamma Park improvements from Section 94.

- CARRIED

ITEM 17.5 RE: THE \$27M

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.6 NEW COUNCIL CHAMBERS AND/OR CIVIC CENTRE

A motion was moved by Cllr Cummins and Cllr Opie

1. That the General Manager be directed NOT to make an application to the Building Better Regions fund for the construction of a new civic centre in this first round and that the whole concept of building a new civic centre is to be put back on the table and the ratepayer is to be included in any future decision made by Council in relation to this project.

On being put to the meeting the motion was lost 5 votes to 4.

Councillors who voted for:- Cllrs R Opie, R Cummins, J Stafford and P Kensit.

Councillors who voted against:- Cllrs P Culhane, D O'Brien, J Searl, J Wheelwright and B McCormack.

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ITEM 17.7 CHRISTMAS DECORATIONS IN THE MAIN STREETS

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.8 FLOOD MAP IMPLICATIONS

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.9 COUNCIL DEPOT

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.10 ROADS

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.11 RUBBISH TIP

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

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ITEM 17.12 DISABLED TOILETS

A motion was moved by Clr Opie and Clr Kensit

1. That the Access Committee address the issue of access to disabled toilets in the main street of Crookwell at the next Access Committee meeting.

On being put to the meeting the motion was carried.

34/17 RESOLVED by Clr Opie and Clr Kensit

1. That the Access Committee address the issue of access to disabled toilets in the main street of Crookwell at the next Access Committee meeting.

- CARRIED

ITEM 17.13 BACKYARD SWIMMING POOLS

Refer to the business paper for 16 February 2017 Council Meeting for the General Managers comments.

ITEM 17.14 STREETSCAPES ARE AT THEIR OPTIMUM LOOK PRIOR TO ALL PUBLIC HOLIDAYS

A motion was moved by Clr Stafford and Clr Opie

1. That Council establish a set of protocols to ensure that the shires village street scapes (inclusive of parks, gardens and rubbish) are at their optimum for weekends and holiday periods.

On being put to the meeting the motion was carried.

35/17 RESOLVED by Clr Stafford and Clr Opie

1. That Council establish a set of protocols to ensure that the shires village street scapes (inclusive of parks, gardens and rubbish) are at their optimum for weekends and holiday periods.

- CARRIED

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*The meeting adjourned for a short break the time being 9.20pm
The meeting resumed the time being 9.35pm*

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:

- 18.1 – Rate Arrears Legal Status
- 18.2 – Crookwell Airstrip

A verbal representation was made by Mr Marcus Kollakides that item 18.2 should not be in Closed Council in accordance with Section 10B of the Local Government (General) Regulation 2005.

A decision was made to discuss part of the report in open Council and the remainder (financial information) in Closed Council.

The General Manager gave a verbal report of the information allowable in Open Council.

36/17 **RESOLVED** by Cllr Wheelwright and Cllr Searl

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) 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

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Council closed its meeting at 9.40pm and the public, staff and press left the chambers.

37/17 **RESOLVED** by Clr Searl and Clr Kensit

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

- CARRIED

Open Council resumed at 10.10pm.

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 RATE ARREARS LEGAL STATUS

38/17 **RESOLVED** by Clr Searl and Clr O'Brien

1. Council receives the report and continue debt recovery for outstanding rates and charges in accordance with Council's Debt Recovery Policy.

- CARRIED

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ITEM 18.2 CROOKWELL AIRSTRIP

39/17 RESOLVED by Clr Stafford and Clr Kensit

1. Council offer a lease for the use of the Crookwell Airstrip (being Lot 417 DP 754115 and part Lot 421 DP 257517), noting that exclusive possession is not included, and further, offer for sale approximately 0.8 of a hectare of the available land that abuts the Crookwell Airstrip (being part Lot 421 DP 257517) to Icarus Air International.

- CARRIED

THE MEETING CLOSED AT 10.10pm

Minutes confirmed 16 MARCH 2017

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Mayor