

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

PRESENT: Mayor J Stafford (Chairperson), Cr R Cummins, Cr P Culhane, Cr P Kensit, Cr R Opie, Cr D O'Brien, Cr J Searl, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager), Miss K Dewar (Executive Assistant) and Ms S Pearman (Administration officer)

VIDEOLINK : Mr A Croke (Director Finance and Administration), Mrs T Dodson (Director of Environment & Planning), Mr G Lacey (Acting Director of Infrastructure) and Mr C Gordon (Media Officer)

THE MAYOR DECLARED THE MEETING OPEN AT 9:01AM

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.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

NIL

SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Clr O'Brien declared a significant Non-Pecuniary interest in Item 19.1. Bridge replacement – Kangaloolah Road/Diamond Creek as he is works as a sub company of Divalls and will make the declaration, leave the Chamber upon making the declaration, and not return until the matter is resolved.

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SECTION 5: CONFIRMATION OF MINUTES

Moved by Cr Searl and Cr Wheelwright.

That the minutes of the Ordinary Council Meeting held on 18 June 2020 be adopted.

Confirmation of the minutes were held in abeyance until Councillors had clarification from the General Manager in relation to the inclusion of the whole of Councils DRAFT Housing Strategy in the minutes.

Clarification was provided by the General Manager that Pages 18 – 134 should be excluded from the minutes.

109/20 **RESOLVED** by Cr Cummins and Cr Searl

That the minutes of the Ordinary Council Meeting held on 18 June 2020 be adopted with the exclusion of pages 18 – 134.

- CARRIED

Councillors who voted for:-	Crs P Culhane, R, Cummins, P Kensit, R Opie, D O'Brien, B McCormack, J Searl, J Stafford and J Wheelwright
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Councillors who voted against:-	Nil
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SECTION 6: MAYORAL MINUTES

ITEM 6.1 MAYORAL MINUTE

110/20 **RESOLVED** by Mayor Stafford and Cr Searl

1. That Council receive and note the activities attended by the Mayor for June and July 2020.

- CARRIED

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Councillors who voted for:-

Crs P Culhane, R, Cummins, P
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Councillors who voted against:- Nil

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SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 8: CORRESPONDENCE

Nil

SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS FOR THE MONTH OF JUNE 2020

111/20 **RESOLVED** by Cr Searl and Cr Wheelwright

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 10.2-10.7 INFORMATION ONLY ITEMS

112/20 **RESOLVED** by Cr Searl and Cr McCormack

1. Council receives and notes items 10.2-10.7 as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R, Cummins, P
Kensit, R Opie, D O'Brien, B
McCormack, J Searl, J Stafford
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Councillors who voted against:- Nil

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ITEM 10.8

ACTION SUMMARY - COUNCIL DECISIONS

A motion was moved by Cr Cummins and Cr Opie

1. At the September Council meeting the Mayor presents to Council the current negotiated contract for the General Manager and a performance agreement setting out agreed performance criteria for Council consideration.
2. At the October Council meeting the General Manager prepare and submit to Council an action plan of key priorities for the forth coming year.

On being put to the meeting the motion was Carried and became the resolution.

113/20

RESOLVED by Cr Cummins and Cr Opie

1. At the September Council meeting the Mayor presents to Council the current negotiated contract for the General Manager and a performance agreement setting out agreed performance criteria for Council consideration.
2. At the October Council meeting the General Manager prepare and submit to Council an action plan of key priorities for the forth coming year.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:-

Crs P Kensit, B McCormack and J Wheelwright

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 DRAFT COMPANION ANIMALS MANAGEMENT PLAN
114/20 RESOLVED by Cr Searl and Cr McCormack

1. Council adopts the Companion Animals Management Plan 2020.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

A motion was moved by Cr Opie and Cr Cummins

1. To provide at August Council meeting an update on outstanding issues with the EPA and Council's plan to resolve these.

On being put to the meeting the motion was lost.

- LOST

Councillors who voted for:- Crs R Cummins, P Kensit, R Opie and D O'Brien

Councillors who voted against:- Crs P Culhane, B McCormack, J Searl, J Stafford and J Wheelwright

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 DELIVERY PROGRAM BI-ANNUAL REVIEW 2019/2020

115/20 **RESOLVED** by Cr Searl and Cr Culhane

1. Council adopt the Delivery Program Review and the Fit for the Future Action Plan Review Reports for the six month period ended 30 June 2020.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.2 MAYORAL AND COUNCILLORS' REMUNERATION - LOCAL GOVERNMENT REMUNERATION TRIBUNAL

116/20 **RESOLVED** by Cr Searl and Cr McCormack

1. Council notes the determination of annual fees by the Local Government Remuneration Tribunal for Councillors and Mayors and resolves to set a fee structure for the period 2020/2021 being, Councillors Annual Fee of \$12,160.00 and a Mayoral Fee of \$26,530.00.

- CARRIED

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

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Councillors who voted against:- Nil

ITEM 13.3 **REVIEW OF COUNCIL MOBILE TELEPHONE POLICY**
117/20 **RESOLVED** by Cr Searl and Cr Wheelwright

1. Council adopts the reviewed Mobile Telephone Policy.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 13.4 **REVIEW OF COUNCIL SECTION 356 FINANCIAL ASSISTANCE**
118/20 **POLICY**
RESOLVED by Cr Searl and Cr McCormack

1. Council adopts the reviewed Section 356 Financial Assistance Policy.

CARRIED

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

Councillors who voted against:- Nil

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**ITEM 13.5 REVIEW OF COUNCIL SPORTING REPRESENTATION
DONATIONS POLICY**

119/20 RESOLVED by Cr Searl and Cr McCormack

1. Council adopts the reviewed Sporting Representation Donations Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cummins, P
Kensit, R Opie, D O'Brien, B
McCormack, J Searl, J Stafford
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Councillors who voted against:- Nil

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SECTION 14: GENERAL MANAGER

ITEM 14.1 COVID-19 REPORT

120/20 RESOLVED by Cr Searl and Cr McCormack

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.2 WYANGALA DAM WALL RAISING PROJECT UPDATE

121/20 RESOLVED by Cr Searl and Cr McCormack

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cummins, P
Kensit, R Opie, D O'Brien, B
McCormack, J Searl, J Stafford
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Councillors who voted against:- Nil

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ITEM 14.3 **CROOKWELL DISTRICT HOSPITAL - UPGRADE UPDATE**
122/20 **RESOLVED** by Cr Searl and Cr Wheelwright

1. Council receives and notes the report as information.

- CARRIED

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

Councillors who voted against:- Nil

ITEM 14.4 **CROOKWELL POOL - UPDATE**

An amendment was moved by Cr Searl and Cr McCormack

1. Resolves to in principle support of option two (2) - build a new pool complex at Crookwell.
2. Allocate \$1.203.048 grant from federal government for community resilience and recovery towards option two (2) - build a new pool complex at Crookwell.
3. Reallocate the \$40k previously allocated to designing a heated pool towards option two (2) - build a new pool complex at Crookwell with possible staging
4. Seek funding from the state and federal government to realise this project.

On being put to the meeting the amendment was withdrawn.

A further amendment was moved by Cr Cummins and Cr Opie

1. Resolves to in principle support of option two (2) - build a new pool complex at Crookwell.
2. Allocate \$1.203.048 grant from federal government for community resilience and recovery towards option two (2) - build a new pool complex at Crookwell.
3. Reallocate the \$40k previously allocated to designing a heated pool towards option two (2) - build a new pool complex at Crookwell with possible staging

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4. Seek funding from the state and federal government to realise this project.
5. Reallocate the \$30K previously allocated to developing and installing a storage tank and irrigation system to meet the requirements of the EPA to retain all backwash on site towards option two (2) - to build a new pool complex at Crookwell.
6. Re-allocate the proceeds of \$785,714 from the sale of Southern Phone company from Councils un-restricted fund towards option two (2) – build a new pool complex at Crookwell.

On being put to the meeting the amendment was lost.

- LOST

123/20

Councillors who voted for:- Crs R Cummins, P Kensit, R Opie and D O'Brien

Councillors who voted against:- Crs P Culhane, B McCormack, J Searl, J Stafford
and J Wheelwright

RESOLVED by Cr Wheelwright and Cr Searl

1. Resolves to support option two (2) - build a new pool complex at Crookwell
2. Allocate \$1.203.048 grant from federal government for community resilience and recovery towards option two (2) - build a new pool complex at Crookwell.
3. Reallocate the \$40k previously allocated to designing a heated pool towards option two (2) - build a new pool complex at Crookwell.
4. Seek funding from the state and federal government to realise this project.

- CARRIED

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

Nil

SECTION 17: NOTICES OF MOTION

Nil

SECTION 18: QUESTIONS WITH NOTICE

Nil

Clr O'Brien left the meeting in accordance with his declaration and did not return to the meeting, the time being 10.15am.

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:

124/20 **RESOLVED** by Cr Searl and Cr Wheelwright

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.

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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

Councillors who voted for:- Crs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

Council closed its meeting at 10:16am and the public, staff and press left the chambers.

125/20 **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, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

Open Council resumed at 10:22am

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 BRIDGE REPLACEMENT - KANGALLOOLAH ROAD/DIAMOND CREEK

126/20 RESOLVED by Cr Searl and Cr McCormack

Council accepts the tender submission of Kenpass Pty Ltd to replace the Timber Bridge at Diamond Creek, Kangaloolah Road with alternative proposal of Concrete Bridge Structure for \$835,625.00 (Inc. GST).

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cummins, P Kensit, R Opie, B McCormack, J Searl, J Stafford and J Wheelwright

Councillors who voted against:- Nil

THE MEETING CLOSED AT 10:22am

Minutes confirmed 20 AUGUST 2020

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Mayor