

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 16 MARCH 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 A Croke (Director Finance and Administration), Mrs T Dodson (Director of Environment & Planning), Mr L Moloney (Manager of Operations), Mrs H Peterson (Executive Assistant) and 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

40/17 **RESOLVED** by Clr Searl and Clr Wheelwright

That the minutes of the Ordinary Council Meeting held on 16 February 2017 be adopted.

- CARRIED

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SECTION 5: MAYORAL MINUTES

41/17 MAYORAL MINUTE FEBRUARY - MARCH 2017

RESOLVED by Clr McCormack and Clr Searl that Council receive and note the activities attended by the Mayor in February/March 2017.

42/17 MAYORAL MINUTE – CONGRATULATION TO LIZ IKIN

RESOLVED by Clr McCormack and Clr Searl that on behalf of the Upper Lachlan Shire Council and Residents I would like to congratulate Liz Ikin on being named the “2017 Local Women of the Year” for the Goulburn electorate. Liz’s contribution to the community is exceptional and it is wonderful to see that contribution recognised by this award.

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 7: CORRESPONDENCE

ITEM 7.1 CORRESPONDENCE FOR THE MONTH OF MARCH 2017.

43/17 RESOLVED by Clr Searl and Clr Stafford

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

1. David Fahey – Crookwell Waste Facilities.
2. Taralga Public School – Letter of thanks for annual contribution.
3. Barry Murphy – Compliment and suggestions of tree types in Goulburn Street Crookwell.

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4. Gunning Golf Club – Requesting Financial Assistance.
5. John Barilaro MP – Media Release – Regional Growth Environment Tourism Fund.

- CARRIED

SECTION 8: LATE CORRESPONDENCE

Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 9: ENVIRONMENT AND PLANNING

ITEM 9.1 MONTHLY WEEDS ACTIVITIES REPORT

44/17 **RESOLVED** by Cllr O'Brien and Cllr Searl

1. Council receives and notes the report as information.

Councillors who voted for:-

Cllrs 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 9.2 DEVELOPMENT STATISTICS FOR THE MONTH OF FEBRUARY 2017

45/17 RESOLVED by Clr Searl and Clr Culhane

1. Council receives and notes the report as information.

Councillors who voted for:- Crs 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

SECTION 10: WORKS AND OPERATIONS

ITEM 10.1 WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE

46/17 RESOLVED by Clr Searl and Clr Kensit

1. Council receive the report and note the information.

- CARRIED

ITEM 10.2 WORKS IN PROGRESS - TECHNICAL & MANAGERIAL

47/17 RESOLVED by Clr Searl and Clr O'Brien

1. Council receive the report and note the information.

- CARRIED

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ITEM 10.3 WATER AND SEWER UPDATE

48/17 RESOLVED by Clr Searl and Clr O'Brien

1. Council receive the report and note the information.

- CARRIED

ITEM 10.4 ROAD CLOSURE APPLICATION - BOONGARRA ROAD

49/17 RESOLVED by Clr Searl and Clr Stafford

1. Council transfer as compensation to the adjoining land owner, and confirm an easement is to be created over, the whole of Lot 6 DP 1200964 in favour of Lot 3 DP 1163350.

- CARRIED

ITEM 10.5 COMPULSORY ROAD ACQUISITION MOUNT HENRY BINDA ROAD

50/17 RESOLVED by Clr Searl and Clr Wheelwright

1. Council acquire Lot 1 in the Plan of Acquisition comprising 1.232 ha and being part of Lot 7006 DP 1032328 under the Land Acquisition (Just Terms) Compensation Act 1991.
2. Council seeks the consent of the Governor of NSW and Minister of Local Government to the compulsory acquisition of such land for the purposes of road widening under the Roads Act 1993.
3. The acquisition of this land is required to enable MR54 Binda Road continuity of access and meet a broader public purpose and

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community need.

4. The acquisition is completed in accordance with the Native title Act 1993.
5. The consent of both NSW Department of Industry – Lands and Local Land Services to the acquisition be sought and that any compensation payable be in accordance with Section 55 of the Land Acquisition (Just Terms) Compensation Act.
6. Council authorise the Mayor and General Manager to sign and seal the documents relating to the transaction, as required.

- CARRIED

ITEM 10.6 FUNDING REQUEST FROM KIAMMA CREEK LANDCARE GROUP.

51/17 RESOLVED by Clr Wheelwright and Clr Searl

1. Council receive and note the report as information.

- CARRIED

ITEM 10.7 HEAVY VEHICLE INSPECTION STATION IN CROOKWELL.

52/17 RESOLVED by Clr Opie and Clr Stafford

1. That Council form a sub-committee to overview the opportunities of relocating the existing Works Depot with the possible inclusion of the Works Department on that site and establishing a possible Heavy Vehicle Inspection Station.

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ITEM 10.8 **FENCING OPTIONS FOR CLIFTON PARK.**
53/17 **RESOLVED** by Clr Searl and Clr Cummins

1. That Council request advice regarding the fencing of Clifton Park from its Traffic Committee with a preference for Option A, subject to the fence being extended past any future toilet block.

- CARRIED

ITEM 10.9 **MAINTENANCE ON GULLEN FLATS ROAD**
54/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council pay the full cost of the repairs to Gullen Flats Road (\$25,000.00) and that the work be funded from Council's Section 94 Contributions reserve.

- CARRIED

SECTION 11: FINANCE AND ADMINISTRATION

ITEM 11.1 **INVESTMENTS FOR THE MONTH OF FEBRUARY 2017**
55/17 **RESOLVED** by Clr Wheelwright and Clr Kensit

1. Council receive and note the report as information.

- CARRIED

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ITEM 11.2 **BANK BALANCE AND RECONCILIATION - 28 FEBRUARY 2017**
56/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council receive and note the report as information.

- CARRIED

ITEM 11.3 **RATES AND CHARGES OUTSTANDING FOR THE MONTH OF**
57/17 **FEBRUARY 2017**
RESOLVED by Clr Wheelwright and Clr Searl

1. Council receive and note the report as information.

- CARRIED

ITEM 11.4 **COMMUNITY OUTREACH MEETINGS**
58/17 **RESOLVED** by Clr Searl and Clr Cummins

1. Council receives the report as information and endorses Community Outreach Meeting locations and dates as listed:
Taralga – Wednesday, 3 May 2017 at 6.30pm at Taralga Masonic Hall;
Bigga – Wednesday, 17 May 2017, 6.30pm at Bigga Golf Club;
Gunning – Wednesday, 10 May 2017, 6.30pm at Gunning Council Chambers; and
Crookwell on a date to be advised and advertised.

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ITEM 11.5 **SECTION 356 FINANCIAL ASSISTANCE POLICY**
59/17 **RESOLVED** by Clr Searl and Clr O'Brien

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

- CARRIED

ITEM 11.6 **MOBILE TELEPHONE POLICY**
60/17 **RESOLVED** by Clr Searl and Clr O'Brien

1. Council adopts the reviewed Mobile Telephone Policy.

- CARRIED

ITEM 11.7 **SALARY SACRIFICE POLICY**
61/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council adopts the reviewed Salary Sacrifice Policy.

- CARRIED

SECTION 12: GENERAL MANAGER

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ITEM 12.1
62/17

STAFFING MATTERS

RESOLVED by Clr Searl and Clr Stafford

1. Council receive and note the report as information.

- CARRIED

ITEM 12.2
63/17

PLANNED MEDIA ENGAGEMENT

RESOLVED by Clr Searl and Clr Stafford

1. Council receive and note the report as information.

- CARRIED

ITEM 12.3
64/17

SOUTHERN PHONE

RESOLVED by Clr Searl and Clr O'Brien

1. Council receive and note the report as information.

- CARRIED

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ITEM 12.4 **CROOKWELL AIRSTRIP UPDATE**
65/17 **RESOLVED** by Clr Searl and Clr Stafford

1. Council seek a current market valuation from an appropriate qualified property valuer for the 0.8 of a hectare of the available land that abuts the Crookwell Airstrip (being part lot 421, DP 275571); and
2. Council contracts an appropriate legal firm to draw up the lease agreement 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.

- CARRIED

ITEM 12.5 **PROPOSED COMMUNITY AND CIVIC CENTRE**
66/17 **RESOLVED** by Clr Searl and Clr Culhane

1. Council receive and note the report as information.

- CARRIED

A motion was moved by Clr Cummins and Clr Kensit that the Mayor investigates and determines if the General Manager at the Council Meeting on Thursday, 16 February 2017 acted in a manner that is considered to be contrary to Council's Charter and the Local Government Act 1993, Chapter 3 Section 8a, when he omitted to advise all the Councillors and the residents of the Shire of the information that was available to him prior to that meeting in regards to the new Civic Centre Project.

On being put to the meeting the motion was lost.

A division was called.

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

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

Clr Opie foreshadowed a motion to withdraw the application from the Building Better Regions Fund.

A motion was moved by Clr Opie and Clr Stafford that Council withdraw the application from the Building Better Regions Fund in Round 1 and further, Council review the application in conjunction with community consultation and due diligence, and Council make a further application in Round 2 of the Building Better Regions Fund.

On being put to the meeting the motion was carried.

67/17

RESOLVED by Clr Opie and Clr Stafford

1. That Council withdraw the application from the Building Better Regions Fund in Round 1 and further, Council review the application in conjunction with community consultation and due diligence, and Council make a further application in Round 2 of the Building Better Regions Fund.

- CARRIED

A division was called.

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

Councillors who voted against:- Clrs B McCormack, J Searl and
J Wheelwright

ITEM 12.6

ACTION SUMMARY - COUNCIL DECISIONS

68/17

RESOLVED by Clr Searl and Clr Stafford

1. Council receive and note the report as information.

- CARRIED

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SECTION 13: LATE REPORTS

Nil

SECTION 14: REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES

ITEM 14.1 REPORTS FOR THE MONTH OF MARCH 2017

69/17 **RESOLVED** by Cllr Searl and Cllr Stafford

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

1. Kiamma Creek Landcare Group – Minutes from meeting held 16 November 2016.
2. Australia Day Committee – Minutes from meeting held 28 November 2016.
3. Tony Foley Memorial Community Centre s355 Committee – Minutes from meeting held 6 December 2016.
4. Taralga historical Society Inc – Newsletter 01 – 2017.
5. Economic Development Task Force – Minutes from meeting held 7 February 2017.
6. Pye Cottage Precinct Committee – Minutes from meeting held 10 February 2017.
7. CENTROC – Mayoral Board Report – 23 February 2017.
8. Upper Lachlan Tourist Association – Minutes from meeting held 21 February 2017.

- CARRIED

SECTION 15: BUSINESS WITHOUT NOTICE

Nil

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SECTION 16: NOTICES OF MOTION

ITEM 16.1 NOTICE OF RESCISSION MOTION

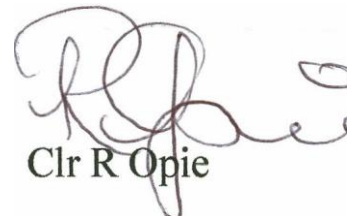
We, Clr Cummins, Clr Opie and Clr Kensit move that part of Resolution 251/16, Performance Review Committee – General Manager is rescinded”.

If that part of Resolution 251/16, Performance Review Committee – General Manager is rescinded, then it is proposed that:-

- (a) The Performance Review Committee – General Manager, shall comprise of the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager to the best practice requirements of the Division of Local Government, Department of Premier and Cabinet, Guidelines for the appointment and oversight of General Managers, July 2011, issued pursuant to S23A of the Local Government Act 1993.
- (b) That Councillor's nominate a Councillor to be a representative on the Performance Review committee – General Manager.
- (c) That the General Manager nominates a Councillor to be a representative on the Performance Review Committee – General Manager.



Clr R Cummins


Clr R Opie

Clr P Kensit

Date: 23/02/2017

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On being put to the meeting the rescission motion was carried.

70/17

RESOLVED by Clr Cummins and Clr Kensit

- (a) That the Performance Review Committee – General Manager, shall comprise of the Mayor, the Deputy Mayor, another Councillor nominated by Council and a Councillor nominated by the General Manager to the best practice requirements of the Division of Local Government, Department of Premier and Cabinet, Guidelines for the appointment and oversight of General Managers, July 2011, issued pursuant to S23A of the Local Government Act 1993.
- (b) That Councillor's nominate a Councillor to be a representative on the Performance Review committee – General Manager.
- (c) That the General Manager nominates a Councillor to be a representative on the Performance Review Committee – General Manager.

- CARRIED

A division was called.

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

Councillors who voted against:- Clrs P Culhane, B McCormack and J Searl

SECTION 17: QUESTIONS WITH NOTICE

ITEM 17.1 PROPOSED CIVIC CENTRE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

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ITEM 17.2 COUNCIL CHAMBERS/CIVIC CENTRE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.3 CROOKWELL TOWNSHIP MAINTENANCE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

Moved by Clr Cummins and Clr Opie that the General Manager introduces a proactive maintenance and works programme for councils buildings, towns, villages, parks and roads to take the place of the current reactive approach.

On being put to the meeting the motion was carried.

71/17 RESOLVED by Clr Cummins and Clr Opie

1. That the General Manager introduces a proactive maintenance and works programme for councils buildings, towns, villages, parks and roads to take the place of the current reactive approach.

- CARRIED

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ITEM 17.4 FIT FOR THE FUTURE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.5 OUTSIDE BUSINESS OPPORTUNITIES

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.6 WORKPLACE HEALTH AND SAFETY ASSESSMENTS OF UPPER LACHLAN SHIRE COUNCILS ADMINISTRATION OFFICES / COUNCIL CHAMBERS IN CROOKWELL

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.7 MEDIA RELEASE - ACTION TEAMS TO TACKLE ICE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.8 TRAFFIC COMMITTEE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

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ITEM 17.9 ACCESS COMMITTEE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.10 BUDGET WORKSHOP - LIST OF GRANTS

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

ITEM 17.11 NEW CIVIC CENTRE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

A motion was moved by Clr Opie and Clr Kensit that Council investigates alternate locations for Council Meetings.

On being put to the meeting the motion was carried.

72/17 RESOLVED by Clr Opie and Clr Stafford

1. That Council investigates alternate locations for Council Meetings.

- CARRIED

ITEM 17.12 FERAL CAT ERADICATION PROGRAMME

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

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ITEM 17.13 CRICKET NETS AT CLIFTON PARK

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

Moved Clr Stafford seconded Clr O'Brien that the Clifton Park cricket nets be rehabilitated at an estimated cost of \$4,700.00 using sec 94 contributions, if required.

On being put to the meeting the motion was carried.

73/17 RESOLVED by Clr Stafford and Clr O'Brien

1. That the Clifton Park cricket nets be rehabilitated at an estimated cost of \$4,700.00 using sec 94 contributions, if required.

- CARRIED

ITEM 17.14 NEW CIVIC CENTRE

Refer to the Business Paper for 16 March 2017 Council Meeting for the General Managers comments.

CLOSED COUNCIL ITEMS

Nil

THE MEETING CLOSED AT 9.00PM

Minutes confirmed 20 APRIL 2017

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Mayor