

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 17 DECEMBER 2020**

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**PRESENT:** Mayor J Stafford (Chairperson), Cr P Culhane, Cr J Searl, Cr D O'Brien, Cr P Kensit, Cr J Wheelwright, Cr B McCormack, Ms C Worthy (General Manager), Mr A Croke (Director Finance and Administration), Mrs T Dodson (Director of Environment & Planning), Mr G Lacey (Director of Infrastructure) and Miss K Dewar (Executive Assistant) and Mr C Gordon (Media Officer)

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**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.*

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

There were no apologies.

**SECTION 3: CITIZENSHIP CEREMONY**

Nil

**SECTION 4: DECLARATIONS OF INTEREST**

Cr O'Brien declared a Non-Pecuniary interest in Item 19.2, Bridge replacement - Bigga Road / Kangaroo Creek, 19.3 Bridge Replacement – Peelwood Road / Peelwood Creek and 19.4 Wombeyan Caves Road Tender recommendation as he is an employee of Divalls Earthmoving 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**

**233/20**

**RESOLVED** by Cr Searl and Cr McCormack

That the minutes of the Ordinary Council Meeting held on 19 November 2020 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

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**SECTION 6: MAYORAL MINUTES**

**ITEM 6.1 MAYORAL MINUTE**

**234/20**

**RESOLVED** by Mayor Stafford and Cr Searl

That Council receive and note the activities attended by the Mayor for November 2020 and December 2020 and Australia Day 2021 Nominations.

**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**

Gavin Douglas – President of Gunning District Association.

**SECTION 8: CORRESPONDENCE**

**ITEM 8.1 CORRESPONDENCE ITEMS FOR THE MONTH OF DECEMBER**

**235/20**

**RESOLVED** by Cr Searl and Cr McCormack

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

1. Taralga Public School – Letter of Thanks for helping with Small Schools Sports Day – 11 November 2020
2. Office of Local Government - Circular 19-23 Constitutional Referendums and Council Polls - November 2020
3. Councillor Pam Kensit - Letter of Thanks - Storm clean up - December 2020
4. Southern NSW Local Health District – Response letter to bringing mobile breast screening van to Gunning – 1 December 2020

- 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 9: LATE CORRESPONDENCE**

Nil

**SECTION 10: INFORMATION ONLY**

**ITEM 10.1 DEVELOPMENT STATISTICS FOR THE MONTH OF NOVEMBER 2020**

**236/20** **RESOLVED** by Cr Searl and Cr Wheelwright

1. Council receives and notes the report as information.

- CARRIED

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

**Councillors who voted against:-** Nil

**ITEM 10.2-10.8 INFORMATION ONLY ITEMS**

**237/20** **RESOLVED** by Cr Searl and Cr Kensit

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

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**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 11: ENVIRONMENT AND PLANNING**

**ITEM 11.1 AMENDMENT TO UPPER LACHLAN LOCAL ENVIRONMENTAL PLAN AND DEVELOPMENT CONTROL PLAN FLOODPLAIN PLANNING**

**238/20** **RESOLVED** by Cr Searl and Cr Culhane

1. Council prepares a planning proposal to amend the Upper Lachlan Local Environmental Plan 2010 to amend Clause 6.1 to accurately define the extent of land which Clause 6.1(2)(b) applies and removal of the reference to the superseded flood mapping.
2. Council prepare an amendment to the Upper Lachlan Development Control Plan 2010 Clause 4.5.1 to address detailed flood related development controls in accordance with the Floodplain Risk Management Plan and Study for the villages of Crookwell, Gunning, Collector and Taralga.

- 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

It was noted item 11. 2 - DA 50/2020 - 22 lot subdivision with staged construction - 93 & 101 Wade Street, Crookwell was removed from the Business Paper as the Development Application was withdrawn by the applicant.

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**SECTION 12:      INFRASTRUCTURE DEPARTMENT**

**ITEM 12.1            WORKS IN PROGRESS - CONSTRUCTION & MAINTENANCE**

**239/20                RESOLVED by Cr Searl and Cr O'Brien**

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

**SECTION 13:      FINANCE AND ADMINISTRATION**

**ITEM 13.1            APPLICATION FOR WAIVER OF MULTIPLE RURAL WASTE CHARGES**

**240/20                RESOLVED by Cr Searl and Cr Culhane**

1.    Council in accordance with Section 610E, of the Local Government Act 1993, waive the multiple Rural Waste Charges totalling \$1,005.50 (GST Inclusive).

- CARRIED

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

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**ITEM 13.2                      DELIVERY PROGRAM BI-ANNUAL REVIEW 2020/2021**

**241/20                      RESOLVED by Cr Searl and Cr O'Brien**

1. Council adopt the Delivery Program Report and the Fit for the Future Action Plan Review Report for the six month period ended 31 December 2020.

- 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                      COVID-19 REPORT**

**242/20                      RESOLVED by Cr Searl and Cr McCormack**

1. Council receives and notes the report as information.

- CARRIED

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

**Councillors who voted against:-**                      Nil

**ITEM 14.2                      CROOKWELL POOL - UPDATE**

**243/20                      RESOLVED by Cr Searl and Cr O'Brien**

1. Council receives and notes this report as information

- 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

**SECTION 15: LATE REPORTS**

**244/20** ***RESOLVED*** by Clr Searl and Clr McCormack

1. That Late Items 15.1 be received.

**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 15.1 TARALGA WATER FILTRATION PLANT REPLACEMENT**

**245/20** ***RESOLVED*** by Cr Searl and Cr McCormack

1. Council receive and notes the report as information.
2. Council delegate authority to the General Manager to approve the purchase of a replacement Water Filtration Plant confirmed by DPIE for Taralga water supply without a tender in accordance with *Section 55 (3) (k), of the Local Government Act 1993 - Exemption from Tendering.*

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

**ITEM 16.1              REPORTS FROM COMMITTEES FOR THE MONTH OF DECEMBER  
246/20              RESOLVED by Cr Searl and Cr Kensit**

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

1. Collector Oval Committee – Minutes from Annual General meeting held 29 October 2020.
2. Collector Oval Committee – Minutes from meeting held 29 October 2020.

- 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

**247/20              RESOLVED by Cr Searl and Cr McCormack that –**

1. Council write to Collector Oval Committee approving and congratulating members on their re-election as listed – Andrew Chiswell, Gary Poile, Bob Carter and Andrew Harris, Terry Lovelock, Julianne Dowling, Serenity Warby, Michael Duck and Graham Petiech.

- 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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3. Crookwell Potato Festival Committee – Minutes from meeting held 23 July 2020.
4. Crookwell Potato Festival Committee – Minutes from meeting held 23 November 2020.
5. Crookwell Memorial Hall Committee – Minutes from meeting held 27 November 2020.

**248/20**

**RESOLVED** by Cr Culhane and Cr O'Brien that –

1. Council write to Crookwell Potato Festival Committee accepting the resignation of Jan Pont and Sandy Martin.
2. Council write to Crookwell Potato Festival Committee accepting Kathy Potts as the new secretary.

- 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

6. Traffic Committee – Minutes from meeting held 10 December 2020.

**249/20**

**RESOLVED** by Cr Searl and Cr McCormack that –

That items 4.1 – 4.5 of Local Traffic Committee minutes from meeting held 10 December 2020 be adopted

**ITEM 4.1 SITE ASSESSMENT OF GRANGE ROAD AND  
CULLEN STREET, CROOKWELL  
INTERSECTION**

1. Council to install a "Give Way" sign (R1-2 A) at the intersection of Grange Road and Cullen Street as shown in figures 8 and 9;
2. Council to implement line marking as part of delineation improvement including an adjustment of broken centre line to be curved from Grange Road into Cullen Street.

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**ITEM 4.2 INSTALL ADVISORY SIGNAGE FOR  
CARAVAN PARKING ON ROBERTS AND  
GOULBURN STREET, CROOKWELL**

1. Council to install a double-sided (left and right arrow ) Caravan Parking sign G7-278-1) at the intersection of Roberts and Goulburn Streets, Crookwell.
2. Council to install a long vehicle parking area ahead sign (GE 7 – 217) at Goulburn and Colyer Street intersection. Consideration to modify sign GE 7-217.

**ITEM 4.3 REQUEST TO INSTALL MAIL ZONE SIGNAGE  
IN WARRATAW STREET, GUNNING.**

1. Council erect two Loading Zone signs (R 5- 23) starting from the existing “Give Way” sign towards the boundary edge of the Australia Post Office in Gunning.

**ITEM 4.4 REQUEST TO INSTALL ADDITIONAL BUS  
STOP SIGNAGE ON BOOROWA ROAD.**

1. Council do not install additional bus stop advisory signage on Boorowa Road considering the current condition is at an acceptable safety level where sufficient safety signs are already available. As the road is classified as local the current advisory signage is sufficient.

**ITEM 4.5 UPDATE ON CHILDREN CROSSING AT ST  
MARY'S SCHOOL,CROOKWELL**

1. Council to install children's crossing that is able to provide safe crossing to 100 + students;
2. Council to install Blisters on both side of Wade Street.
3. Council to relocate and replace 'No Stopping' Signage near the Children crossing and church side to prevent people parking in this

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locations during school peak hours, (8.30 - 9.30am and 2:30-4:00pm).

4. Council to install crosswalk lines along children crossing path.
5. Council to install stop lines in both directions 6m from crossings.
6. Council will modify the length of Refuge Island to further widening the crossing width up to 3.6m in according with Austroads guidelines of traffic management part 10.

Further recommendations from Mr M White (TFNSW)

- Chevron approach
- Add storage width in refuge and ensure it meets standards
- 24 metres 'No Stopping' on approach to children's crossing and 15 metres on departure
- 20 metres 'No Stopping' on approach to refuge in Colyer street and 10 metres on departure
- Consideration given to raising/ramp approach
- Action for council revised drawing to be added to traffic committee records

- 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**

**ITEM 17.1            NOTICE OF MOTION - ACKNOWLEDGING DR RAMASWAMY THANGAVELU**

**250/20                RESOLVED by Cr McCormack and Cr Culhane**

“That Council recognises and congratulates Dr Ramaswamy Thangavelu on the wonderful achievement of being awarded the ‘Bill Hunter Award’ for 2020 at the Rural Doctors Association awards on Saturday 14 November 2020’.

**- 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 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:

**251/20                RESOLVED by Cr Searl and Cr Culhane**

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

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to be considered is classified confidential under the provisions of sections 10A(2) , 10A (2c), 10A(2d(i), 10A(2d(ii) and 10A(2d(iii)) 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

Council closed its meeting at 10:38am and the public, staff and press left the meeting.

**256/20**      **RESOLVED** by Cr Searl and Cr Kensit

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

- CARRIED

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

**Councillors who voted against:-** Nil

Open Council resumed at 11:47am and moved into the Australia Day Awards workshop.

**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 PROPOSED CROWN ROAD (KOKOMO ROAD) TRANSFER TO A COUNCIL PUBLIC ROAD**

**252/20** **RESOLVED** by Cr Searl and Cr McCormack

1. Council notes the correspondence to date from the applicant and parties involved.
2. Council resolve to close unnamed Crown Road (Kokomo Road).

- 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 O'Brien left the chamber in accordance with his declaration the time being 11:00am and did not return to the meeting.

**ITEM 19.2 BRIDGE REPLACEMENT - BIGGA ROAD / KANGAROO CREEK**

**253/20** **RESOLVED** by Cr McCormack and Mayor Stafford

1. Council accepts the tender submission of Kenpass Pty Ltd to replace the Timber Bridge at Kangaroo Creek, Bigga Road with a total cost of \$1,294,800.00 (Inc. GST).

- CARRIED

**Councillors who voted for:-** Crs P Culhane, P Kensit, J Searl and J Stafford

**Councillors who voted against:-** Crs B McCormack and J Wheelwright

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**ITEM 19.3                      BRIDGE REPLACEMENT - PEELWOOD ROAD / PEELWOOD CREEK**

**254/20                      RESOLVED by Cr Culhane and Cr Searl**

1. Council accepts the tender submission from Bridge and Marine Engineering Pty Ltd to replace the Timber Bridge at Peelwood Creek, Peelwood Road, for a total cost of \$1,874,152.50 (Inc. GST).

- CARRIED

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

**Councillors who voted against:-**                      Nil

**ITEM 19.4                      WOMBEYAN CAVES ROAD TENDER RECOMMENDATION**

**255/20                      RESOLVED by Cr Kensit and Cr Searl**

1. Council accepts the tender from Denrith Pty Ltd with a tendered price of \$3,496,653.60 (Inc. GST) to undertake the construction of Wombeyan Caves Road.

- CARRIED

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

**Councillors who voted against:-**                      Nil

**THE MEETING CLOSED AT 11:47am**

Minutes confirmed 18 FEBRUARY 2021

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Mayor