

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 17 MAY 2018

PRESENT: Mayor B McCormack (Chairperson), Clr P Culhane, Clr P Kensit, Clr R Opie, Clr J Stafford, Clr R Cummins, Clr J Searl, Mr G Woodman (Acting General Manager), Mr A Croke (Director Finance and Administration), Mr M Shah (Director of Works and Operations), Mrs T Dodson (Director of Environment & Planning), Mr L Moloney (Manager 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

Apologies were received for the absence of Clr J Wheelwright and Clr D O'Brien.

122/18 **RESOLVED** by Clr Searl and Clr Kensit that the apologies be received and the leave of absence granted.

SECTION 2: CITIZENSHIP CEREMONY

Nil

SECTION 3: DECLARATIONS OF INTEREST

Clr Richard Opie – Declared a Pecuniary Interest in Item 19.4 – Streetscape Design Project as he is a part owner of a property in the main street and will make the declaration, leave the Chamber and not return until the matter is resolved.

SECTION 4: CONFIRMATION OF MINUTES

123/18 **RESOLVED** by Clr Searl and Clr Stafford

That the minutes of the Ordinary Council Meeting held on 19 April 2018 be adopted.

- CARRIED

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A motion was moved by Cllr Culhane and Cllr Cummins that a report be prepared by the Information Systems Coordinator on the feasibility of recording/webcasting of Council Meetings.

On being put to the meeting the motion was carried.

124/18 **RESOLVED** by Cllr Culhane and Cllr Cummins that a report be prepared by the Information Systems Coordinator on the feasibility of recording/webcasting of Council Meetings.

SECTION 5: MAYORAL MINUTES

ITEM 5.1 MAYORAL MINUTE - APRIL/MAY 2018

125/18 **RESOLVED** by Mayor McCormack and Cllr Searl

That Council receive and note the activities attended by the Mayor for March/April 2018.

- CARRIED

ITEM 5.2 MAYORAL MINUTE - COLLECTOR VILLAGE PUMPKIN FESTIVAL

126/18 **RESOLVED** by Mayor McCormack and Cllr Searl

That Council receive and note the Collector Village Pumpkin Festival Mayoral Minute.

- CARRIED

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ITEM 5.3 **MAYORAL MINUTE - TEAM PENNING EVENT**
127/18 **RESOLVED** by Mayor McCormack and Clr Searl

That Council receive and note the Team Penning Mayoral Minute.

- CARRIED

ITEM 5.4 **MAYORAL MINUTE – CROOKWELL POTATO FESTIVAL**
128/18 **RESOLVED** by Mayor McCormack and Clr Searl

That Council receive and note the Crookwell Potato Festival Mayoral Minute.

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

SECTION 7: CORRESPONDENCE

ITEM 7.1 **CORRESPONDENCE FOR THE MONTH OF MAY 2018**
129/18 **RESOLVED** by Clr Searl and Clr Stafford

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

1. Australian Local Government Association – Federal Budget submission summary 2018/2019.

A motion was moved by Clr Cummins and Clr Kensit that Council makes representations to our local Federal Member, the Hon. Angus Taylor MP for funding of a transport hub in the Shire.

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On being put to the meeting the motion was carried.

130/18

RESOLVED by Clr Cummins and Clr Kensit that Council makes representations to our local Federal Member, the Hon. Angus Taylor MP for funding of a transport hub in the Shire.

- CARRIED

2. Crookwell RSL Sub Branch – Letter of thanks to Council for support – ANZAC Day Services 2018.
3. Bigga Progress Association – Complaint about Greenmantle Road Grid.
4. Australian Agricultural Centre – Update on Funding for Council.

- CARRIED

SECTION 8: LATE CORRESPONDENCE

Nil

SECTION 9: INFORMATION ONLY

ITEMS 9. – 9. INFORMATION ONLY ITEMS FOR APRIL 2018

131/18

RESOLVED by Clr Searl and Clr Stafford

1. Items 9.1, 9.2, 9.3, 9.4, 9.5 and 9.6 be received and noted.

- CARRIED

The Mayor asked Councillors to identify any items of business listed that they wish to speak on – Clr Cummins indicated he wished to speak on items 9.7 and 9.8 and Clr Opie indicated he wished to speak on items 9. 9.

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ITEM 9.7 **RV FRIENDLY TOWN PROGRAM - POTENTIAL SITES IN CROOKWELL**

132/18 **RESOLVED** by Cllr Cummins and Cllr Opie

1. Council receive and note the report as information;
2. Council staff continue to investigate the potential of the site and prepare a further report to Council.

- CARRIED

ITEM 9.8 **STAFFING MATTERS**

133/18 **RESOLVED** by Cllr Cummins and Cllr Searl

1. Council receive and note the report as information.

- CARRIED

ITEM 9.9 **ACTION SUMMARY - COUNCIL DECISIONS**

134/18 **RESOLVED** by Cllr Opie and Cllr Stafford

1. Council receive and note the report as information.

- CARRIED

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 10: ENVIRONMENT AND PLANNING

**ITEM 10.1 PROJECT BRIEF FOR THE ECONOMIC DEVELOPMENT
REVITALISATION AND ACTION PLAN**

135/18 **RESOLVED** by Clr Searl and Clr Culhane

1. Council review the draft Economic Development Revitalisation and Action Plan Project Brief and add comments/ideas to the specified areas.

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

Councillors who voted against:- Nil

- CARRIED

SECTION 11: WORKS AND OPERATIONS

**ITEM 11.1 COMPULSORY ROAD WIDENING ACQUISITION - OBERON
ROAD CURRAWEELEA**

136/18 **RESOLVED** by Clr Searl and Clr Kensit

1. Council acquire Lot 1 in the Plan of Acquisition comprising 754 m2 DP 1232215 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 is completed in accordance with the Native Title Act 1993.

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4. 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.
5. Council authorise the Mayor and Acting General Manager to sign and seal the documents relating to the transaction, as required.

- CARRIED

**ITEM 11.2 FUNDING GUNDAROO ROAD ALLOCATION OF BLACKSPOT
FUNDING 2018/19**

137/18 RESOLVED by Cllr Searl and Cllr Kensit

1. Council reallocate \$213,330 from the Gundaroo Road (MR52) project for 2017/18 Financial Year to fund additional unsealed and sealed urban and local road maintenance;
2. Council continue to fund the entire scope of the project using a revised estimate of \$1,100,000.

- CARRIED

ITEM 11.3 EPA CORRESPONDENCE

138/18 RESOLVED by Cllr Searl and Cllr Culhane

1. Council receive the report and note the information.

- CARRIED

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**ITEM 11.4 LOCAL TRAFFIC COMMITTEE MEETING HELD 22
FEBRUARY 2018**

139/18 RESOLVED by Clr Searl and Clr Stafford

1. Council accepts the recommendations of the Local Traffic Committee minutes as attached for all items except item 4.2;
2. Council notes the expenditure of approximately \$31,000 to implement the recommendations of the Local Traffic Committee excepting item 4.2;
3. Council refers item 4.2 back to the Local Traffic Committee for further consideration;

- CARRIED

**ITEM 11.5 INSTITUTE OF PUBLIC WORKS ENGINEERS AUSTRALASIA -
NSW DIVISION - LOCAL ROADS CONGRESS**

140/18 RESOLVED by Clr Searl and Clr Stafford

1. Council appoints Mayor Brian McCormack to attend the NSW Roads Congress along with Director of Works and Operations.

- CARRIED

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SECTION 12: FINANCE AND ADMINISTRATION

ITEM 12.1 QUARTERLY BUDGET REVIEW STATEMENTS - 3RD QUARTER 2017/2018

141/18 **RESOLVED** by Clr Searl and Clr Culhane

1. Council adopts the 3rd Quarter Budget Review Statements for 2017/2018 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

SECTION 13: ACTING GENERAL MANAGER

ITEM 13.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018

MOVED by Clr Searl and Clr Kensit

1. The Mayor and Deputy Mayor will attend the Annual Conference of Local Government NSW as the Council's Delegates and the General Manager as the Council's Observer and the Council delegates and observer will be reimbursed reasonable out of pocket expenses including any costs associated with the Mayor, Deputy Mayor and General Manager and their partners attending the Annual Conference Dinner.

- CARRIED

AN AMENDMENT WAS MOVED BY CLR STAFFORD AND CLR OPIE

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That the Mayor or alternate delegate will attend the Annual Conference of Local Government NSW as the Council's Delegate and the General Manager as the Council's Observer and the Council delegate and observer will be reimbursed reasonable out of pocket expenses including any costs associated with the Mayor or alternate delegate and General Manager and their partners attending the Annual Conference Dinner.

On being put to the meeting the amendment was carried and became the motion.

On being put to the meeting the motion was carried.

- 142/18** That the Mayor or alternate delegate will attend the Annual Conference of Local Government NSW as the Council's Delegate and the General Manager as the Council's Observer and the Council delegate and observer will be reimbursed reasonable out of pocket expenses including any costs associated with the Mayor or alternate delegate and General Manager and their partners attending the Annual Conference Dinner.

SECTION 14: LATE REPORTS

ITEM 14.1 LATE REPORT FOR THE MONTH OF MAY 2018

143/18 **RESOLVED** by Clr Searl and Clr Opie

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

1. Economic Development Task Force Committee – Minutes from meeting held 1 May 2018.

ITEM – CORRESPONDENCE – CLR CULHANE RESIGNATION RECOMMENDATION:

That a letter be sent to Clr Paul Culhane thanking him for his time and commitment to the EDTF Committee.

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**ITEM 4.1 VALUATION OF LAND LOT 3 DP1112816 SALEYARDS
AND LAGGAN ROADS**

RECOMMENDATION:

That Council deliberate whether it is appropriate to consider the opportunity of a joint venture between Council and CTAC concerning the use of the adjacent land.

144/18

RESOLVED by Clr Searl and Clr Opie that Item Correspondence and Item 4.1 from the Economic Development Committee be adopted.

- CARRIED

**NEW REPRESENTATIVE ON THE ECONOMIC DEVELOPMENT
TASK FORCE.**

145/18

RESOLVED by Clr Opie and Clr Kensit that Council nominates Clr Searl to be on the Economic Development Task Force Committee.

**SECTION 15: REPORTS FROM OTHER COMMITTEES, SECTION 355
COMMITTEES AND DELEGATES**

ITEM 15.1

REPORTS FOR THE MONTH OF MAY 2018

146/18

RESOLVED by Clr Searl and Clr Kensit

That Item 15.1 - [Minutes of Committee/Information] listed below be received:

1. Pye Cottage Precinct Committee s355 – Minutes from meeting held 28 March 2018.
2. Traffic Committee – Minutes from meeting held 22 February 2018.

SEE ITEM 11.4 FOR ADOPTION OF RECOMMENDATIONS

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SECTION 16: BUSINESS WITHOUT NOTICE

SECTION 17: NOTICES OF MOTION

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) (a), 10A (2) (c) and 10A (2) (d(ii)) 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:*

147/18

RESOLVED by Clr Opie and Clr 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 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) (a), 10A (2) (c) and 10A (2) (d(ii)) 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.

Council closed its meeting at 8.03pm and the public, staff and press left the chambers.

The time being 8.04pm the meeting adjourned.

The time being 8.15pm the meeting resumed.

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148/18 **RESOLVED** by Cllr Searl and Cllr Stafford

That Council move out of Closed Council and into Open Council.

- CARRIED

Open Council resumed at 9.31pm.

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 STAFFING MATTER – QUESTION WITH NOTICE

Refer to the Business Paper for Council Meeting held 17 May 2018 for the response.

ITEM 19.2 REALIGNMENT OF WORKS AND OPERATIONS

149/18 **RESOLVED** by Cllr Searl and Cllr Stafford

1. Council allocate \$70,000 to fund the proposed realignment of Works and Operations using unrestricted cash reserves;
2. Council approves the proposed realignment and restructure of Works and Operations and the engagement of a suitable consultant to undertake the proposed works;
3. Council authorise the Director of Works and Operations to implement the Council resolution.

- CARRIED

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ITEM 19.3 REPLACEMENT OF TRAILER

150/18 RESOLVED by Clr Searl and Clr Kensit

1. Council purchase one Super Dog Trailer from M & S Trailers for the sum of \$77,000 (Ex GST) using funds from the restricted Plant Reserve.

- CARRIED

CLR OPIE LEFT THE MEETING IN ACCORDANCE WITH HIS DECLARATION THE TIME BEING 9.25PM.

ITEM 19.4 REPORT ON THE STREETSCAPE PROJECT

151/18 RESOLVED by Clr Searl and Clr Kensit

1. Council accepts the alternative proposal submitted by Fresh Landscape Design for a total sum of \$88,690 ex GST.
2. The streetscape working party is renamed as Streetscape Project Control Group (PCG) with the addition of Project Manager as an additional member of the group.

- CARRIED

CLR OPIE RETURNED TO THE MEETING THE TIME BEING 9.29PM

THE MEETING CLOSED AT 9.30pm

Minutes confirmed 21 JUNE 2018

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Mayor