

**UPPER LACHLAN SHIRE COUNCIL**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS**  
**ON 18 APRIL 2019**

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**PRESENT:** Mayor J Stafford (Chairperson), Clr P Culhane, Clr P Kensit, Clr B McCormack, Clr R Opie, Clr D O'Brien, Clr R Cummins, Clr J Searl, Clr J Wheelwright, Mr J Bell (General Manager), Mr A Croke (Director Finance and Administration), Mr M Shah (Director of Infrastructure), Mr V Straw (Acting Director of Environment & Planning), Ms D Crosbie (Media Officer) and Ms Susanne Pearman (Executive Assistant).

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**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**

Clr Opie declared a Pecuniary Interest in item 15 Reports from other Committees item 5 – Streetscape Committee Minutes as he is an owner of property in Goulburn Street, Crookwell and will make the declaration, leave the Chamber and not return until the matter is resolved.

**SECTION 4: CONFIRMATION OF MINUTES**

**65/19**                      **RESOLVED** by Clr Searl and Clr McCormack

That the minutes of the Ordinary Council Meeting held on 21 March 2019 be adopted.

- CARRIED

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**SECTION 5: MAYORAL MINUTES**

**ITEM 5.1 MAYORAL MINUTE**

**66/19** **RESOLVED** by Mayor Stafford and Clr Searl

That Council receive and note the activities attended by the Mayor for March and April 2019.

- CARRIED

**ITEM 5.2 MAYORAL MINUTE**

**67/19** **RESOLVED** by Mayor Stafford and Clr Searl

That Council revoke \$5000 in Section 94 funds from the 2018/19 Operational Plan to the Kiamma Creek Landcare Group for the construction of a stone entrance at Laggan Road subject to the Kiamma Creek Landcare Group securing the balance of funding to complete the required works.

- CARRIED

**SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC**

Nil

**SECTION 7: CORRESPONDENCE**

**ITEM 7.1 CORRESPONDENCE ITEMS FOR THE MONTH OF APRIL 2019**

**68/19** **RESOLVED** by Clr Searl and Clr Culhane

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

1. Hon Michael McCormack MP – Australian Government's 2019/2020 Budget Road Safety Announcement – 19 March 2019.
2. Gunning Arts Festival – Request to Form a s355 Committee for the Gunning Arts Festival – 3 April 2019.

**RESOLVED** by Clr Searl and Clr Wheelwright that:

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**69/19**

1. Council endorse the Gunning Arts Festival 2020 as a Section 355 Committee of Council with Councillor Pam Kensit as Council's delegate and Councillor John Searl as alternate delegate to the Gunning Arts Festival Committee.
3. Barry Ford – Staff Compliment on Clearing of Peelwood Road Trees and Gravel Work – Customer Service Request – Work to be extended to Tuena – 7 April 2019.

- CARRIED

**SECTION 8: LATE CORRESPONDENCE**

Nil

**SECTION 9: INFORMATION ONLY**

**ITEM 9.1 DEVELOPMENT STATISTICS FOR THE MONTH OF MARCH 2019**  
**70/19 RESOLVED by Clr Searl and Clr Kensit**

1. Council receives and notes the report as information.

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

**Councillors who voted against:-** Nil

- CARRIED

**ITEM 9.2 – 9.11 INFORMATION ONLY ITEMS 9.2 TO 9.11**  
**71/19 RESOLVED by Clr Searl and Clr O'Brien That –**

1. Council receives and notes items 9.2 to 9.11 as information.

- CARRIED

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**REPORTS FROM STAFF AND STANDING COMMITTEES**

**SECTION 10: ENVIRONMENT AND PLANNING**

**ITEM 10.1 LOCAL STRATEGIC PLANNING STATEMENTS**

**72/19** **RESOLVED** by Clr Searl and Clr Culhane

1. Councillors receive and note the report as information.

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

**Councillors who voted against:-** Nil

- CARRIED

**ITEM 10.2 HOUSING STRATEGY**

**73/19** **RESOLVED** by Clr Searl and Clr Kensit

1. Council receive and note the report as information.

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

**Councillors who voted against:-** Nil

- CARRIED

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**ITEM 10.3**                      **LOCAL FUTURE CHARACTER GUIDELINES**  
**74/19**                              **RESOLVED** by Clr Searl and Clr Kensit

1. Council Receive and note the Local Future Character Guidelines.

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

**Councillors who voted against:-**              Nil

- CARRIED

**ITEM 10.4**                      **REVIEW OF COUNCILS PLANNING SYSTEM**  
**75/19**                              **RESOLVED** by Clr Searl and Clr Culhane

1. That Council receive and note the report as information.

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

**Councillors who voted against:-**              Nil

- CARRIED

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**SECTION 11:      INFRASTRUCTURE DEPARTMENT**

**ITEM 11.1            REPORT DETAILING THE STATUS OF SECTIONS OF UNNAMED PUBLIC ROAD (OFF KANGALOO LAH ROAD)**

**76/19                RESOLVED by Clr Searl and Clr O'Brien**

1.    Endorses the naming of the public section of the unnamed public road as Karinya Road to allow for rural addressing;
2.    Council not consider acceptance of maintenance responsibility for the unnamed public road until the condition rating and rationalisation of unsealed roads project is completed.

- CARRIED

**ITEM 11.2            ROAD NAMING POLICY AND ROAD NAMING REGISTER**

**77/19                RESOLVED by Clr Searl and Clr Culhane**

1.    Council adopts the attached Draft Road Naming Policy;
2.    Council adopts the proposed Road Naming Register.

- CARRIED

**ITEM 11.3            CROOKWELL PROGRESS ASSOCIATION - CHRISTMAS IN THE PARK**

**78/19                RESOLVED by Clr Cummins and Clr Opie**

1.    Council supports the placement of and removal of the Christmas decorations, providing a budgeted allocation of \$1,500.00 in the 2019/20 Operational Plan.
2.    Council advises the Crookwell Progress Association of the current available funds of \$3000 in the 2018/19 Operational Plan and that Council meets with the Crookwell Progress Association to discuss preliminary ideas for Christmas 2019.

- CARRIED

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**SECTION 12: FINANCE AND ADMINISTRATION**

**ITEM 12.1 INTEGRATED PLANNING AND REPORTING - ADOPTION OF DRAFT PLANS FOR PUBLIC EXHIBITION**

**79/19** **RESOLVED** by Clr Culhane and Clr Cummins

1. Council, in accordance Sections 403-406, of the Local Government Act 1993, and Sections 8A-8C, of the Local Government Act 1993, and requirements of the Local Government Amendment (Governance and Planning) Act 2016, place on public exhibition the following suite of draft plans:-
  - Delivery Program 2019/2020 – 2022/2023;
  - Operational Plan 2019/2020;
  - Resource Strategy documents including:-
    - Long Term Financial Plan 2019 – 2028;
    - Infrastructure Plan 2019 – 2028;
    - Workforce Plan 2019/2020 – 2022/2023.

The public exhibition period commences Tuesday, 23 April 2019 to Tuesday, 28 May 2019 inclusive, with copies of each plan available for inspection on Council's website, links to Council's Facebook Page, available to view at the three Council Administration Offices at Crookwell, Taralga and Gunning, and at the Crookwell and Gunning Libraries.

*Clr Opie left the chamber at 7.05pm in accordance with his declaration as the Streetscape budget and plan was raised during discussions.*

*Clr Opie returned to the Chamber the time being 7.07pm.*

- CARRIED

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**ITEM 12.2                    CODE OF MEETING PRACTICE - SUPPLEMENTARY PROVISIONS  
FOR WEBCASTING OF COUNCIL MEETINGS**

**80/19                        RESOLVED by Cllr Searl and Cllr Wheelwright**

1. Council adopt the Code of Meeting Practice Supplementary Provisions for Webcasting of Council Meetings.

- CARRIED

**ITEM 12.3                    UPPER LACHLAN SHIRE COUNCIL COMMUNITY SURVEY 2018 -  
2019**

**81/19                        RESOLVED by Cllr Searl and Cllr McCormack**

1. Council receive and note the report and adopt the Community Survey 2018-2019.

- CARRIED

**SECTION 13:                GENERAL MANAGER**

**ITEM 13.1                    CODE OF MEETING PRACTICE REVIEW**

**MOVED by Cllr Searl and Cllr O'Brien**

1. In accordance with Section 362, of the Local Government Act 1993, Council adopts the Upper Lachlan Shire Council Code of Meeting Practice.

A foreshadowed motion was moved by Cllr Cummins and Cllr Opie that:

1. Council remove clauses 3.32 to 3.36 inclusive from the Model Code of Meeting Practice.

On being put to the meeting the motion was lost.



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Clr Cummins and Clr Opie called for a division.

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

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

A further foreshadowed motion was moved by Clr Cummins and Clr Opie that:

1. Council remove Clause 3.33 from the Model Code of Meeting Practice.

On being put to the meeting the motion was lost.

Clr Cummins and Clr Opie called for a division.

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

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

**82/19**

**RESOLVED** by Clr Searl and Clr O'Brien

1. In accordance with Section 362, of the Local Government Act 1993, Council adopts the Upper Lachlan Shire Council Code of Meeting Practice.

- CARRIED

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**ITEM 13.2            WOMEN IN LOCAL GOVERNMENT FRAMEWORK – UPPER LACHLAN SHIRE ACTION PLAN REVIEW**

**83/19                RESOLVED by Clr Searl and Clr Culhane**

1. Council adopt the reviewed Women in Local Government Framework – Upper Lachlan Shire Action Plan.

- CARRIED

**ITEM 13.3            EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN REVIEW**

**84/19                RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopts the reviewed Equal Employment Opportunity Management Plan.

- CARRIED

**ITEM 13.4            EQUAL EMPLOYMENT OPPORTUNITY & ANTI-DISCRIMINATION POLICY REVIEW**

**85/19                RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopts the reviewed Equal Employment Opportunity & Anti-Discrimination Policy.

- CARRIED

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**ITEM 13.5                    COUNCILLOR TRAINING AND DEVELOPMENT PLAN POLICY REVIEW**

**86/19                    RESOLVED by Clr Searl and Clr Wheelwright**

1. Council adopt the reviewed Councillor Training and Development Plan Policy.

- CARRIED

**ITEM 13.6                    HARASSMENT POLICY REVIEW**

**87/19                    RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopts the reviewed Harassment Policy.

- CARRIED

**ITEM 13.7                    DISCLOSURE OF INTERESTS AT MEETING POLICY AND PROCEDURE**

**88/19                    RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopt the reviewed of the Disclosure of Interests at Meetings Policy and Procedure.

- CARRIED

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**ITEM 13.8            DESIGNATED PERSONS DISCLOSING INTERESTS - RETURNS POLICY**

**89/19                RESOLVED by Clr Searl and Clr Wheelwright**

1. Council adopts the reviewed Designated Persons Disclosing Interests – Returns Policy.

- CARRIED

**ITEM 13.9            LEGAL PROCEEDINGS REPORTING POLICY REVIEW**

**90/19                RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopt the reviewed Legal Proceedings Reporting Policy.

- CARRIED

**ITEM 13.10          PETITIONS - ADMINISTRATION POLICY REVIEW**

**91/19                RESOLVED by Clr Searl and Clr O'Brien**

1. Council adopts the reviewed Petitions – Administration Policy.

- CARRIED

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**ITEM 13.11**                      **INTERACTION BETWEEN COUNCILLORS AND STAFF POLICY**  
**92/19**                              **RESOLVED** by Clr Searl and Clr O'Brien

1. Council adopt the reviewed Interaction Between Councillors & Staff Policy.

- CARRIED

**ITEM 13.12**                      **MY COMMUNITIES SPONSORSHIP REPORT**  
**93/19**                              **RESOLVED** by Clr Searl and Clr Kensit

1. Council supports in principle the sponsoring of the following projects:
  - Gunning District Association – Inclusive Play Equipment for Endeavour Park, Gunning.
  - Gunning Youth – Skatepark lighting – Gunning.

- CARRIED

**SECTION 14:            LATE REPORTS**

Nil

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

**ITEM 15.1**                      **REPORTS FOR THE MONTH OF APRIL 2019**  
**94/19**                              **RESOLVED** by Clr Searl and Clr McCormack

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

1. Breadalbane Hall 355 Committee – Meeting Minutes – 24 February 2019.

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2. Tony Foley Memorial Community Centre 355 Committee – Meeting Minutes – 7 March 2019.

**95/19**

**RESOLVED** by Clr Searl and Clr Kensit that

1. Council endorse the appointment of Kelly Dowling onto the s355 Tony Foley Memorial Community Centre Committee.

- CARRIED

3. Tony Foley Memorial Community Centre 355 Committee – Meeting Minutes – 18 March 2019.

**96/19**

**RESOLVED** by Clr Searl and Clr O'Brien that:

1. Council adopt the following bookings and fees arrangements for the use of the Tony Foley Memorial Community Centre Room commencing 1 July 2019:

- Bookings by not for profit associations or groups for the Community Room should be on the basis of sessions, there being three sessions each day: morning (till 1pm); afternoon (1pm to 5pm); and evening (after 5pm).
- In the case of not for profit associations or groups the fee is to be \$15 per session.
- Not for profit associations or groups may choose to pay for their bookings in advance annually – the designated booking officer will maintain a record of bookings for the room by each association or group.
- The Committee will not charge fees for very short access to the room, e.g. to access fridges.
- Private individuals or groups may book the room - the fee in this case is to be \$10 per hour.
- Commercial bodies may book the room - the fee in this case is to be \$50 per session.

- CARRIED

4. Upper Lachlan Tourist Association 355 Committee – Meeting Minutes – 2 April 2019.

*Clr Opie left the Chamber in accordance with his declaration the time being 8.14pm.*

5. Streetscape Committee – Minutes from meeting held 9 April 2019.

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**97/19**

**RESOLVED** by Clr Searl and Clr O'Brien that

1. Item 4.1 and 4.2 listed below of the Streetscape Committee minutes from 9 April 2019 be adopted.

**4.1 Review of Practical Location of seats, bin enclosures and notice boards for 12 villages, and review of Kerb return (tree surrounds) design and costing for Gunning**

**RESOLVED** by Clr Searl and Clr Cummins

1. The Committee recommends to Council finalisation of the Streetscape upgrade works based on numbers and numbers and locations of the seats, bin enclosures and notice boards for the 12 villages of the Shire as shown in the attached plan.
2. The Committee recommends Council refer this item to the Local Traffic Committee for technical review of the existing Gunning tree surrounds.
3. The Committee recommends to Council the finalised detailed engineering design documentation in regards to Bin Enclosures, Seats and Noticeboards based upon the above preliminary designs as attached for the 12 villages.
4. The Committee recommends Council commence procurement and installation of the seats, bin enclosures and notice boards as provided in the concept design on the proviso that the estimated costs are within the allocated funds.

**4.2 Extension of Laggan Pub Outdoor dining, and placement of memorial plaque on a park bench or by a tree in Crookwell**

**RESOLVED** by Mr Douglas and Mrs Skelly

1. The Committee recommends to Council that the request for the proposed extension to the Lagan Hotel outdoors dining is not funded as a part of the Streetscape Project, the owners be advised of the outcome.
2. The Committee recommends to Council the placement of memorial plaque on a suitable bench at no cost to the Council.
3. The Committee recommends to Council to develop an appropriate policy for the installation and sponsorship of memorial seats and plaques within our local government area.

- CARRIED

*Clr Opie returned to the Chamber the time being 8.16pm.*

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6. Audit, Risk and Improvement Committee – Meeting Minutes – 10 April 2019.

**98/19**

**RESOLVED** by Cllr McCormack and Cllr Culhane that

1. Item 4.1 to 4.7 and 5.1 and 5.2 listed below of the Audit Risk and Improvement Committee minutes from 10 April 2019 be adopted.

**4.1 Council Investment Portfolio to 28 February 2019**

**RESOLVED** by Mr Martin and Cllr Culhane

1. The report on Council's investment portfolio is received and information noted.

**4.2 Local Government Accounting Code Update 2018/2019**

**RESOLVED** by Mr Marshall and Cllr Culhane

1. The report on the Local Government Code of Accounting Practice and Financial Reporting Guidelines Code Update be received and the information noted.

**4.3 NSW Audit Office – Financial Reporting Issues and Developments Local Government and Office of Local Government accounting standards workshop**

**RESOLVED** by Mr Marshall and Mr Martin

1. The report of NSW Audit Office Financial Reporting Issues and Developments Local Government and the Office of Local Government Accounting Standards Workshop be received and information noted.
2. The Committee request Canberra Region Joint Organisation(CRJO) convene a finance user group panel workshop to consider and implement accounting policy for Councils to comply with and implement new accounting standards; AASB 16 Leases, AASB 15 Revenue from Contracts with Customers and AASB 1058 Income of Not for Profit Entities.

**4.4 Grant Thornton Australia – Internal Audit of Information Technology (IT) General Controls**

**RESOLVED** by Mr Martin and Mr Marshall



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1. The Grant Thornton Australia internal audit review report for Council on Information Technology (IT) General Controls be received, the Action Plan, endorsed and implemented by senior management.

**4.5 NSW Audit Office Performance Audit – Fraud Controls in Local Councils**

**RESOLVED** by Mr Martin and Clr Culhane

1. The NSW Audit Office Performance Audit Fraud Controls in Local Councils report is received and information noted.

**4.6 NSW Audit Office – Report on Local Government 2018 Financial Audit**

**RESOLVED** by Clr Culhane and Mr Martin

1. The NSW Audit Office Report on Local Government 2018 for financial audits is received and information noted.

**4.7 Meeting held between Audit, Risk and Improvement Committee Chairperson, the Council Mayor and General Manager**

**RESOLVED** by Mr Barlow and Mr Martin

1. The Audit, Risk and Improvement Committee Chairperson report be received and information noted.

**5.1 Chairpersons Presentation at the Council meeting held on 20 December 2018**

**RESOLVED** by Mr Marshall and Clr Culhane

1. That the Chairperson's report be presented to the Audit, Risk and Improvement Committee a month prior to presentation to Council.

**5.2 Review of the Meaning of Risk within the Committee's Charter**

**RESOLVED** by Mr Barlow and Mr Martin

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1. That the independent members of the Audit, Risk and Improvement Committee receive a copy of Council's Business Paper or Agenda as they prefer.

- CARRIED

- CARRIED

**SECTION 16: BUSINESS WITHOUT NOTICE**

Nil

**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) (c), (d(ii)) and (g) 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:

**99/19**                      **RESOLVED** by Clr Searl and Clr McCormack

1. That Council move into closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to 10A (2) 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 8.17PM and the public, staff and press left the chambers.

*The meeting adjourned for a short break the time being 8.17pm.*

*The meeting resumed the time being 8.30pm.*

**100/19**                    **RESOLVED** by Clr Searl and Clr McCormack

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

- CARRIED

Open Council resumed at 9.40PM.

**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            COMPLIANCE OF CROOKWELL AND GUNNING SWIMMING POOL**

**101/19**                    **RESOLVED** by Clr Searl and Clr O'Brien

1. Council approves the purchase of the new irrigation system at an approximate cost of \$30,000 for the dispersal of pool water to irrigate the grounds within and around the Crookwell Swimming Pool.

- CARRIED

**102/19**                    **RESOLVED** by Clr O'Brien and Clr McCormack that Council extend the closure of the meeting to 9.30pm in accordance with Clause 18.2 of the Code of Meeting Practice.

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**ITEM 19.2**                      **ECONOMIC FEASABILITY STUDY - WASTE DISPOSAL SERVICES**  
**103/19**                      **RESOLVED** by Clr McCormack and Clr O'Brien

1. Council adopts the strategy in principle to convert all of Council's Waste Disposal Centres into Waste Transfer Stations, on the proviso that a further report be presented detailing operational costs that supports the transfer station strategy.

- CARRIED

**104/19**                      **RESOLVED** by Clr O'Brien and Clr Kensit that Council extend the closure of the meeting to 10.00pm in accordance with Clause 18.2 of the Code of Meeting Practice.

**ITEM 19.3**                      **REPORT ABOUT RMCC CORRECTIVE ACTION**  
**105/19**                      **RESOLVED** by Clr O'Brien and Clr Kensit

1. That Senior Management implement the RMCC corrective actions as necessary.

- CARRIED

**ITEM 19.4**                      **CLOSURE OF HARLEY ROAD BRIDGE OVER THE KIAMMA CREEK**  
**106/19**                      **RESOLVED** by Clr McCormack and Clr Wheelwright

1. Council allocate \$200,000 from the Works Contingency Reserve to fund the proposed bridge replacement over Kiamma Creek at Harley Road.

- CARRIED

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**THE MEETING CLOSED AT 9.40PM.**

Minutes confirmed 16 MAY 2019

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Mayor