

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 20 JULY 2023

PRESENT: Mayor P Kensit (Chairperson), Cr P Culhane, Cr D O'Brien, Cr J Searl, Cr M McDonald, Cr S Reynolds, Ms A Waldron (Chief Executive Officer), Mr L Kruger (Director of Infrastructure), Mr A Croke (Director Finance and Administration), Mr S Arkinstall (Acting Director of Environment & Planning), Mrs K Bowerman (Acting Executive Assistant), Ms S Pearman (Administration Officer and Mr C Gordon (Media Officer).

VIDEO LINK: Cr N McDonald and Cr L Woodbridge.

THE MAYOR DECLARED THE MEETING OPEN AT 1.30PM

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

An acknowledgement of Country was read to the meeting by the Mayor.

Mayor Kensit advised that the meeting is being webcast live and audio recorded in accordance with the Council Code of Meeting Practice.

A minutes silence was observed for the passing of Don Southwell who served on Council and gave service to the community groups in the Upper Lachlan Shire LGA.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received from Cr Marshall.

118/23 **RESOLVED** by Cr Searl and Cr Reynolds that the apology be received and a leave of absence granted.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

SECTION 3: CITIZENSHIP CEREMONY

Nil

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SECTION 4: DECLARATIONS OF INTEREST

The Chief Executive Officer declared a non-significant pecuniary interest in Item 19.1 - Procurement of one new light vehicle as it refers to the purchase of replacement vehicle for CEO and DEP and will make the declaration, leave the Chamber and not return until the matter is resolved.

The Chief Executive Officer declared a non-pecuniary interest in Item 19.2 – 106 - 108 Goulburn Street Crookwell – Lot 1 DP 314755 as it may be perceived as an interest and will make the declaration, leave the Chamber and not return until the matter is resolved.

The Acting Director of Environment & Planning declared a non-significant pecuniary interest in Item 19.1 - Procurement of one new light vehicle as it refers to the purchase of replacement vehicle for CEO and DEP and will make the declaration, leave the Chamber and not return until the matter is resolved.

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 CONFIRMATION OF MINUTES

119/23 RESOLVED by Cr Searl and Cr McDonald

That the minutes of the Ordinary Council Meeting held on 15 June 2023 be adopted.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

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ITEM 5.2 **CONFIRMATION OF MINUTES**
120/23 **RESOLVED** by Cr Reynolds and Cr Culhane

That the minutes of the Extraordinary Council Meeting held on 30 June 2023 be adopted.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds, J Searl and
L Woodbridge

Councillors who voted against:- Nil

SECTION 6: MAYORAL MINUTES

ITEM 6.1 **MAYORAL MINUTE**
121/23 **RESOLVED** by Cr O'Brien and Cr Culhane

1. Council receive and note the activities attended by the Mayor for June and July 2023.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds, J Searl and
L Woodbridge

Councillors who voted against:- Nil

SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

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SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF JUNE 2023
122/23 RESOLVED by Cr Searl and Cr O'Brien

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

1. Office of Local Government – Circular 23-06 – Increase to Companion Animal Registration and Permit Fees for 2023/2024.
2. Office of Local Government – Circular 23-07 - Draft update of the Environment and Health Protection Guidelines: Onsite Sewage Management for Single Households.
3. Office of Local Government – Grants Circular GC152 – 2023-2024 Financial Assistance Grants – advance payment.
4. Tuena Hall and Recreational Area Committee – Thank you letter – 24 June 2023.
5. Update on Critical Communication Enhancement Program – Mares Forest Road, Wombeyan Caves NSW – 30 June 2023.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

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SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT
123/23 RESOLVED by Cr Searl and Cr Reynolds

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

ITEM 10.2 – 10.7 INFORMATION ONLY REPORTS
124/23 RESOLVED by Cr Searl and Cr O'Brien

1. Council receive and notes items 10.2 to 10.7 as information.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

**ITEM 11.1 REVOCATION OF DANGEROUS DOG ORDERS 6630
ABERCROMBIE ROAD TUENA**

125/23 **RESOLVED** by Cr Culhane and Cr Searl

1. Council revoke the dangerous dog declaration as issued by Liverpool City Council issued against the Female Border Collie (Microchip No. 943094320461950) and the Female Beagle/Pointer (Microchip No. 953010001334833).

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

**ITEM 11.2 ADOPTION OF COUNCIL RELATED DEVELOPMENT
APPLICATION CONFLICT OF INTEREST POLICY**

126/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopt the draft policy for Council-related Development Application Conflict of Interest;

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

[Managing-conflicts-of-interest-for-Council-related-development-policy-Resolution-126-23-20-July-2023-Review-2026.pdf \(nsw.gov.au\)](#)

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SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 REVIEW OF GRAVEL QUARRIES POLICY

127/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the Gravel Quarries Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

<https://www.upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Gravel-Quarries-Policy-Date-Adopted-20-July-2023-Resolution-127-23-Review-2026.pdf>

SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 REVIEW OF COMPLAINTS POLICY AND PROCEDURE

128/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Complaints Policy and Procedure.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

[Complaints-Policy-and-Procedure-December-2015.pdf \(nsw.gov.au\)](#)

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ITEM 13.2 **DELIVERY PROGRAM REVIEW 2022/2023**
129/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopt the Delivery Program Review for the six-month period ended 30 June 2023.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

ITEM 13.3 **REVIEW OF MEDIA POLICY**
130/23 **RESOLVED** by Cr McDonald and Cr Reynolds

1. Council adopts the reviewed Model Media Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

<https://www.upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/ULSC-Model-Media-Policy-Date-Adpoted-20-July-2023-Resolution-130-23-Review-2026.pdf>

Cr Woodbridge left the Meeting the time being 2.14pm and will not return.

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ITEM 13.4 **REVIEW OF GIPA AGENCY INFORMATION GUIDE**
131/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the updated Agency Information Guide.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

ITEM 13.5 **REVIEW OF GOVERNMENT INFORMATION PUBLIC ACCESS**
132/23 **POLICY**
RESOLVED by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Government Information (Public Access) Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

[Government-Information-Public-Access-Policy-GIPA-Date-Adopted-20-July-2023-Resolution-132-23-Review-2026.pdf \(nsw.gov.au\)](#)

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ITEM 13.6 **INTEGRATED PLANNING AND REPORTING - UPDATE OF UPPER LACHLAN COMMUNITY STRATEGIC PLAN AFTER COMMUNITY ENGAGEMENT**

133/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council, in accordance with the Integrated Planning and Reporting Guidelines and requirements of Section 402 and Sections 8A-8C, of the Local Government Act 1993, participates in a Canberra Region Joint Organisation regionally coordinated project to refresh the Community Strategic Plan Towards 2042 in collaboration with the member councils.
2. Council, in accordance with the Integrated Planning and Reporting Guidelines, undertake community engagement on the Community Strategic Plan Towards 2042 refresh project prior to the Local Government Election, which is to be held in September 2024.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

ITEM 13.7 **2022/2023 LIBRARY ASSET REPLACEMENT FROM INTERNAL RESTRICTED RESERVE**

134/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council approves the 2022/2023 transfer of funds from the Library Services internal restricted cash reserve fund totalling \$13,545 for the expense of the Gunning Library heating system asset replacement.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

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ITEM 13.8 **REVIEW OF PREPARATION OF MEETING AGENDAS POLICY**
135/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Preparation of Meeting Agendas Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

[Preparation-of-Agendas-Policy-and-Procedure-Date-Adopted-20-July-2023-Resolution-135-23-Review-2026.pdf \(nsw.gov.au\)](https://www.upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Preparation-of-Agendas-Policy-and-Procedure-Date-Adopted-20-July-2023-Resolution-135-23-Review-2026.pdf)

ITEM 13.9 **REVIEW OF PRESENTATIONS TO COUNCIL POLICY**
136/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Presentations to Council Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, N McDonald, D
O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

<https://www.upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Presentations-to-Council-Policy-and-Procedure-Date-Adopted-20-July-2023-Resolution-136-23-Review-2026.pdf>

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

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SECTION 15: LATE REPORTS

Nil

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTH OF JULY 2023.

137/23 **RESOLVED** by Cr Searl and Cr Reynolds

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

1. Tuena Hall and Recreational Area Committee – Minutes – 21 June 2023.
2. Taralga Wind Farm Consultation Committee – Minutes from meeting held 5 July 2023.

138/23 **RESOLVED** by Cr Searl and Cr Reynolds that Council adopts Item 4.1 Prioritisation of Project Submissions for 2022/2023 – Funding \$222,283.00.

PROJECT	AMOUNT
Taralga Golf Club	\$14,999.00
Taralga Historical Society	\$15,000.00
Taralga Community Medical Assoc Inc	\$22,000.00
Taralga & District Showground & Recreation Co-Op	\$18,700.00
Taralga & District Showground & Recreation Co-Op	\$14,193.46
Taralga Australia Day Rodeo Committee	\$22,605.54
Taralga Sports Club	\$47,144.00
Golspie Progress and Landcare Association Inc	\$67,441.00
Taralga Playgroup	\$700.00
TOTAL	\$222,283.00

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

3. Crookwell District Art Gallery – Minutes from meeting held May 2023.

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4. Crookwell District Art Gallery – Minutes from meeting held June 2023.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- 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 2021, in the opinion of the Chief Executive Officer, 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:*

139/23 **RESOLVED** by Cr Searl and Cr Reynolds

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(a)), (2(c)) and (2(d(i))) 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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Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

Council closed its meeting at 2.23pm and the public, staff and press left the chambers.

140/23 **RESOLVED** by Cr Searl and Cr O'Brien

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

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

Open Council resumed at 3.22pm..

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

A Motion was moved by Cr Searl and Cr Reynolds that item 19.3 be moved forward due to Declarations of Interest in items 19.1 and 19.2.

On being put to the meeting the motion was carried:

141/23 **RESOLVED** by Cr Searl and Cr Reynolds that Item 19.3 be move forward due to a conflict of interest with Items 19.1 and 19.2.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

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ITEM 19.3 TOURISM AND EVENTS UPDATE

142/23

RESOLVED by Cr Reynolds and Cr Searl

1. That Council receive and note the Economic Development and Tourism report.
2. Council approves the 2022/2023 transfer of funds from the Tourism Services internal restricted cash reserve fund totalling \$69,803 for the expense of the Reconnecting Regional NSW events and Crookwell Country Weekend event.
3. Council approves the transfer of funds from unrestricted cash reserves totalling \$63,273 for the expense of the Reconnecting Regional NSW events and Crookwell Country Weekend event.

- CARRIED

Councillors who voted for:-

Crs P Kensit, M McDonald, P Culhane, D O'Brien, S Reynolds and J Searl

Councillors who voted against:-

Cr N McDonald

Ms A Waldon (Chief Executive Officer) left the meeting in accordance with their declaration the time being 2.51pm and did not return to the meeting.

Mr S Arkinstall left the meeting in accordance with their declaration the time being 2.53pm and did not return to the meeting.

ITEM 19.1 PROCUREMENT OF ONE NEW LIGHT VEHICLE

143/23

RESOLVED by Cr Searl and Cr Reynolds

1. The 2023/24 plant replacement program budget be increased by \$8,000 (excl. GST) to enable the purchase of a replacement vehicle for the new CEO.
2. The \$8,000 be funded from unrestricted cash reserves.

- CARRIED

Councillors who voted for:-

Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien and J Searl

Councillors who voted against:-

Cr S Reynolds

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ITEM 19.2 106-108 GOULBURN STREET CROOKWELL - LOT 1 DP314755

MOVED by Cr Searl and Cr Reynolds

1. Council may consider the option to sell the former Westpac Bank House building at 106-108 Goulburn Street Crookwell, Lot 1 DP 314755.

An amendment was moved by Cr Searl and Cr Reynolds

1. Council consider the option to sell the former Westpac Bank House building at 106-108 Goulburn Street Crookwell, Lot 1 DP 314755.
2. Council seek an EOI for the former Westpac Bank House for a market appraisal and best use option by an agent, including an agent with Commercial property experience.

On being put to the meeting the amendment became the motion.

144/23 RESOLVED by Cr Searl and Cr Reynolds

1. Council consider the option to sell the former Westpac Bank House building at 106-108 Goulburn Street Crookwell, Lot 1 DP 314755.
2. Council seek an EOI for the former Westpac Bank House for a market appraisal and best use option by an agent, including an agent with Commercial property experience.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, N McDonald, D O'Brien, S Reynolds and J Searl

Councillors who voted against:- Nil

THE MEETING CLOSED AT 3.24pm

Minutes confirmed 17 AUGUST 2023

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Mayor