

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 21 SEPTEMBER 2023

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

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 was being webcast live and audio recorded in accordance with the Council Code of Meeting Practice.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

Apologies were received from Cr J Marshall and Mr S Arkinstall (Director of Environment & Planning).

168/23 **RESOLVED** by Cr Searl and Cr Reynolds that the apologies 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

A minutes silence was observed for the passing of Gary Poile who gave service to community groups in the Upper Lachlan Shire LGA.

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SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Nil

SECTION 5: CONFIRMATION OF MINUTES

169/23 **RESOLVED** by Cr Searl and Cr Woodbridge

That the minutes of the Ordinary Council Meeting held on 17 August 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

170/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receive and note the activities attended by the Mayor for August and September.

- 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

A presentation from Futurebus.

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A motion was moved by Cr Searl and Cr Woodbridge that Council take a five minute adjournment. On being put to the meeting the motion was carried.

171/23

RESOLVED by Cr Searl and Cr Woodbridge that council take a five minute adjournment.

- 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

The meeting adjourned the time being 1.47pm.

Council resumed the meeting the time being 1.54pm

A motion was moved by Cr Woodbridge and Cr Reynolds that Futurebus present at a future meeting.

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

172/23

RESOLVED by Cr Woodbridge and Cr Reynolds that Futurebus present at a future meeting.

- 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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A motion was moved by Cr N McDonald and Cr Reynolds to move items 14.1 Election of Mayor and 14.2 Election of Deputy Mayor forward in the meeting business agenda.

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

173/23

RESOLVED by Cr N McDonald and Cr Reynolds that items 14.1 Election of Mayor and 14.2 Election of Deputy Mayor be moved forward.

- 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

The Chief Executive Officer as the Returning Officer assumed the Chair to conduct the Election of Mayor and Deputy Mayor the time being 1.44PM.

ITEM 14.1 ELECTION OF MAYOR (SECTION 225-230, LOCAL GOVERNMENT ACT, 1993)

174/23

RESOLVED by Cr Searl and Cr Woodbridge

1. The Chief Executive Officer declared Councillor Pam Kensit elected as Mayor unopposed, and assume the role of Chairperson.

- 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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Cr Kensit as Mayor assumed the role as Chairperson the time being 1.45PM.

ITEM 14.2 ELECTION OF DEPUTY MAYOR

175/23 RESOLVED by Cr Searl and Cr Woodbridge

1. The Mayor declared Councillor M McDonald elected as Deputy Mayor for the remainder of this Council term, unopposed.

- 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 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF SEPTEMBER 2023

176/23 RESOLVED by Cr Searl and Cr Reynolds

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

1. Office of Local Government – Circular 23-10 – End of Year Reporting requirements for 2022-23 and additional information for 2023-24.
2. Dame Mary Gilmore Society – Closure of Committee – 10 August 2023.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
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Councillors who voted against:- Nil

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SECTION 9: LATE CORRESPONDENCE

Nil

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

177/23 **RESOLVED** by Cr Searl and Cr Woodbridge

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 – 10.8 INFORMATION ONLY ITEMS

178/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receive and note Items 10.2 to 10.8 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

Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 AMENDED ACCESS COMMITTEE CHARTER

179/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council adopts the amended Upper Lachlan Shire Council Section 355 Access Committee Charter.

- 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 13: FINANCE AND ADMINISTRATION

ITEM 13.1 REFERRAL FOR AUDIT - 2022/2023 FINANCIAL STATEMENTS

180/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council resolves that the 2022/2023 Financial Statements be referred for independent audit by external auditors, NSW Audit Office;
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer sign the Statement by Councillors and Management for the General Purpose and Special Purpose 2022/2023 Financial Statements;
3. Council adopt the 2022/2023 Financial Statements for Council, containing the General Purpose and Special Purpose Financial Statements; and

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4. The Chief Executive Officer be delegated the authority to authorise the Council 2022/2023 Financial Statements for issue immediately upon receipt of the Auditors Report and delegated the authority to finalise the date at which the Auditor's Report and Financial Statements are presented to the public.

- 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 13.2 **REVIEW OF GATHERING INFORMATION POLICY**
181/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council adopts the Gathering Information 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

[Gathering-Information-Policy-Date-Adopted-21-September-2023-Resolution-181-23-Review-2026.pdf \(nsw.gov.au\)](#)

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ITEM 13.3 REVIEW OF CODE OF PRACTICE FOR SECTION 355 COMMITTEES

182/23

RESOLVED by Cr Searl and Cr Woodbridge

1. Council adopts the Code of Practice for Section 355 Committees.

- 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://upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Section-355-Code-of-Practice-Policy-Date-Adopted-21-September-2023-Resolution-182-23-Review-2026.pdf>

ITEM 13.4 REVIEW OF SECTION 355 COMMITTEE POLICY

183/23

RESOLVED by Cr Searl and Cr Woodbridge

1. Council adopts the Section 355 Committee 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://upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Section-355-Committee-Policy-Date-Adopted-21-September-2023-Resolution-183-23-Review-2026.pdf>

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SECTION 14: CHIEF EXECUTIVE OFFICER

ITEM 14.1 ELECTION OF MAYOR (SECTION 225-230, LOCAL GOVERNMENT ACT, 1993)

This item was dealt with at the start of the meeting see above.

ITEM 14.2 ELECTION OF DEPUTY MAYOR

This item was dealt with at the start of the meeting see above.

ITEM 14.3 COUNCIL MEETINGS - TIMES AND FREQUENCY

184/23

RESOLVED by Cr Searl and Cr Woodbridge

1. Ordinary Council Meetings are to be held on the third Thursday of the month (with the exception of January 2024 and December 2023) at Crookwell Council Chambers and webcast as per the following schedule of meeting times and dates:-
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 19 October 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 November 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 14 December 2023 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 15 February 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 21 March 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 April 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 16 May 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 20 June 2024 commencing at 1:30pm.
 - Ordinary Council Meeting to be held at Crookwell on Thursday, 18 July 2024 commencing at 1:30pm.

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- Ordinary Council Meeting to be held at Crookwell on Thursday, 15 August 2024 commencing at 1:30pm.

- CARRIED

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

Councillors who voted against:- Crs S Reynolds and L Woodbridge

ITEM 14.4
185/23

COUNCIL AGENDA FORMAT AND COMMITTEES STRUCTURE

RESOLVED by Cr Searl and Cr O'Brien

1. Council adopts Schedule A as the Agenda for the business of the Ordinary Council Meetings.
2. Council determines and approves Schedule B and Schedule C for the committee structures, committee memberships and appointment of Councillors and staff representations/delegates to committees in accordance with Section 355, of the Local Government Act 1993.

- 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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SCHEDULE A

AGENDA

Ordinary Council Meetings

Ordinary Meetings of Council shall be held on the third Thursday of each month (excluding January) commencing at 1:30pm.

The business of the Ordinary Meeting of Council shall be:

- Acknowledgement of Country
- 1. Notice of Webcasting/Recording of Meeting
- 2. Apologies and Leave of Absence
- 3. Citizenship Ceremony
- 4. Declarations of Interest
- 5. Confirmation of Ordinary Meeting Minutes
- 6. Mayoral Minutes
- 7. Presentations to Council/Public
- 8. Correspondence
- 9. Late Correspondence
- 10. Reports – Information Only
- 11. Reports from Staff - Environment and Planning Department
- 12. Reports from Staff - Infrastructure Department
- 13. Reports from Staff - Finance and Administration Department
- 14. Reports from Staff – Chief Executive Officer
- 15. Late Reports
- 16. Reports from Other Committees, Section 355 Committees and Delegates

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17. Notices of Motion
18. Questions with Notice

19. Confidential Session - Closed Council Reports

SCHEDULE B

COMMITTEES, STAFF AND COUNCILLOR MEMBERSHIP

Council Mayor, is Ex-Officio Chairperson of Section 355 committee meetings.

Audit, Risk and Improvement Committee (ARIC)

Functions of the Committee:

Audit, Risk and Improvement Committee will act as an advisory Committee to Council. The primary roles of the Committee is to assist Council in the effective operation of its responsibilities for internal audit, external audit, fraud control, compliance, probity, financial management, risk management, governance and service reviews. The Committee will work with Council's external auditor and internal auditor to facilitate achieving the organisational goals and efficient work practices.

Council Non-Voting Delegate: - Cllr P Culhane

Staff Representation (non-voting): - Manager Risk, Audit and Improvement, Chief Financial Officer & Director of Finance and Administration (Managers as requested).

Other Representation: Canberra Region Joint Organisation accredited committee members – Stephen Coates, Diana Hamono, Rachel Harris and Bryce McNair.

Meets: Quarterly

Performance Review Committee – Chief Executive Officer (CEO)

Functions of the Committee:

- To assess the performance of the Chief Executive Officer against the objectives and performance measures established in the Performance Agreement.
- Council to comply with the Office of Local Government 2022 Guidelines for the Appointment and Oversight of Chief Executive Officer directing that the whole process of performance management be delegated to a Performance Review Panel, including decisions about performance, any actions that should be taken, and the determination of the new Performance Agreement.
- Whilst the Council can undertake the performance management of its Chief Executive Officer, it delegates this task to the Performance Review Panel.

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- It is Council practice to enable Councillors not on the Panel to provide feedback to the Mayor in the week prior to each performance review.
- The Performance Review Panel provides a superior forum for constructive discussion and feedback.
- The result of the Performance Review will be reported to a closed meeting of Council. As per the direction by the Office of Local Government Guidelines for the Appointment and Oversight of Chief Executive Officer, the report in the closed meeting of Council is not to be an opportunity to debate the results, or re-enact the performance management of the Chief Executive Officer.

Council Delegates: The Mayor, Deputy Mayor, Clr J Searl (Chief Executive Officer's nominated Councillor Representative) and Clr D O'Brien

Meets: Annually

Local Traffic Committee

Functions of the Committee:

Primarily a technical review committee that advises Council on traffic related matters in the Upper Lachlan Shire Council area.

Note: Where Council decides to act contrary to the Traffic Committee advice, written notification must be provided to the Roads and Maritime Service and to the NSW Police Force with no further action taken within 14 days from the date of written notification.

Council Delegate: Clr J Searl, alternative Clr P Culhane

Meets: Quarterly

Minute Secretary: Engineering Executive Assistant

Other Representation: Transport NSW representative (1 Vote), NSW Police Representative (1 Vote) and Local Members Representatives (1 Vote).

Other Staff Involved: Director of Infrastructure, Manager of Asset and Design and Traffic and Road Safety Officer.

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SECTION 355 COMMITTEES

Access Committee

Functions of the Committee: Provide input to Council on Council owned and controlled assets/facilities access issues and to assist with the ongoing development of the Disability Inclusion Action Plan.

Council Delegate: Cllr M McDonald, Cllr J Searl and Cllr J Marshall

Minute Secretary: Engineering Executive Assistant.

Staff Representation: Director of Infrastructure, Manager of Asset and Design, Traffic and Road Safety Officer and Director of Environment and Planning (where required).

Meets: Quarterly

Biala Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Scott Keyworth and Paul Hewitt

Wind Farm Representation: Mr Derek Powell (BJCE) (Biala Wind Farm representative)

Meets: Annually

Bigga Memorial Hall Committee

Functions of the Committee: The care, control and management of the Bigga Memorial Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr J Marshall

Staff Representation: Director of Infrastructure (as required).

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Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Binda Hall Committee

Functions of the Committee: The care control and management of the Binda Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr J Marshall

Staff Representation: Director of Infrastructure (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Breadalbane Community Hall Committee

Functions of the Committee: The care, control, management and organisation of the Breadalbane Community Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr J Searl

Staff Representation: Director of Infrastructure (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Collector Oval Committee

Functions of the Committee: The care, control, management and organisation of the Collector Oval in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Mayor and Clr J Searl

Staff Representation: Director of Environment and Planning (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Collector Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

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Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Katie Yeo and Robert Carter.

Wind Farm Representation: Ms Melinda Loew (Collector Wind Farm representative).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Crookwell & District Arts Gallery

Functions of the Committee: The care, control, management and organisation of the Crookwell Arts Gallery in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr M McDonald

Staff Representation: - Chief Executive Officer.

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Crookwell & District Historical Society

Functions of the Committee: The care control and management of the history of the Crookwell portion of the area in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr P Culhane, alternative Clr N McDonald

Meets: Second Thursday of each month

Crookwell II & III Wind Farms Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegates: Mayor

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Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Katrina Nixon and Paul Seary

Wind Farm Representation: To be announced (Crookwell Wind Farm representative).

Meets: Annually

Crookwell Memorial Hall Committee

Functions of the Committee: The care, control and management of the Crookwell Memorial Hall in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council annually. Responsibility for the care, control and management of the Crookwell Memorial Hall in accordance with the Plan of Management arrangement with Council.

Council Delegate: Cllr M McDonald

Staff Representation: - Manager Library Services and Director of Infrastructure (as required).

Meets: Bi-monthly

Cullerin Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegates: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Rachael Foley and Michael Coley.

Wind Farm Representation: Elsbeth Pickerin (Cullerin Wind Farm representative).

Meets: Annually

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Economic Development Advisory Committee

Functions of the Committee: Identify economic development projects, opportunities and actions, develop and promote partnerships and business networks in the local area and assist with the commissioning of an Economic Development Strategy for Council in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr M McDonald, Clr J Searl and Clr S Reynolds, alternative Clr L Woodbridge

Community Representation: Josh Proudman, Cristy O’Sullivan, Doug McIntyre and Robert Cameron.

Meets: Quarterly

Gullen Range Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Margaret McPherson and Ms Christine McLean

Goulburn Mulwaree Representation: Mr Scott Martin.

Wind Farm Representation: Mr Derek Powell (BJCE) (Gullen Range Wind Farm representative)

Meets: Annually

Gunning Arts Festival Committee

Functions of the Committee: The care, control, management and organisation of the Gunning Arts Festival in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within funds that may be voted by Council from time to time.

Council Delegate: Clr L Woodbridge

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Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Gunning Shire Hall and Showground Precinct Advisory Committee

Functions of the Committee: To provide advice with respect to the care, control, management and organisation of the Gunning Shire Hall and Showground Precinct in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within any funds that may be voted by Council from time to time.

Council Delegate: Clr L Woodbridge

Staff Representation: Director of Infrastructure and Director of Environment and Planning (as required).

Meets: As required by Upper Lachlan Shire Council Section 355 Committee Policy.

Rye Park Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: (EOI's to be advertised).

Wind Farm Representation: To be announced (Rye Park Wind Farm representative).

Meets: Annually

Sport and Recreation Committee

Functions of the Committee: To advise Council on matters involving the use, maintenance and improvement of Sporting Fields and Recreational Facilities throughout the Upper Lachlan Shire LGA.

Council Delegates: Clr P Culhane and Clr D O'Brien

Staff Representation: Coordinator Parks and Biosecurity and Director of Environment and Planning (where required).

Meets: Quarterly

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Stonequarry Cemetery Committee

Functions of the Committee: The care control and management of the Stonequarry Cemetery in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr N McDonald

Staff Representation: Director of Infrastructure (where required).

Meets: As required as per Upper Lachlan Shire Council Sec 355 Committee Policy.

Taralga Wind Farm Community Enhancement Fund Committee

Functions of the Committee: To provide recommendations to Council prioritising available project funding involving the Community Enhancement Program for the benefit of the eligible target community.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer and Director of Environment and Planning (as alternate representative).

Community Representation: Mr Craig Croker and Mr Brian Corby.

Wind Farm Representation: Ms Lucy Sinclair (Taralga Wind Farm representative).

Meets: Annually

Tuena Hall and Recreation Area Committee

Functions of the Committee: The care control and management of the Tuena Hall and Recreation Area in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Clr M McDonald

Meets: Quarterly

Tourism and Event Management Advisory Committee

Functions of the Committee: Advise Council on the development of strategies relating to tourism, help build stronger local community awareness of the importance and value of the visitor community partner with Council to promote the benefits of tourism and events and provide ideas that will help grow the visitor economy on a

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sustainable basis in accordance with the requirements of the Local Government Act 1993 and Regulations, Council policies and within the funds voted by Council.

Council Delegate: Cllr M McDonald, Cllr J Searl and Cllr S Reynolds, alternative Cllr L Woodbridge

Community Representation: Peter Fulton, Samuel Hansen and Stuart Duke.

Meets: Quarterly

Upper Lachlan Australia Day Committee

Functions of the Committee: The Australia Day Committee will be responsible for the co-ordination of the official Australia Day celebrations across the Upper Lachlan Shire. Subject to the Australia Day Guidelines the Committee's responsibilities in respect of this event are as follows:-

- a) The Committee will: organise the Ambassador, provide recommendations to Council on the annual Australia Day Citizen and Young Citizen of the Year Awards, Event of the Year Awards and Sportsperson of the Year Awards and be responsible for expenditure as per Operational Plan allocation.
- b) The Council will: be responsible for any administrative assistance (Executive Assistant) to the Committee and be responsible for funding as per the Operational Plan for the current year.

Council Delegates: Mayor, Cllr M McDonald, Cllr J Searl, Cllr N McDonald and Cllr S Reynolds

Staff Representation: - Director of Finance and Administration (Voting) and Executive Assistant to the Chief Executive Officer (Non-Voting).

Community Representation: Noelene Cosgrove, Michael Coley, John Shaw, Cheryl John, Dianne Layden, Robert Cameron, Elizabeth Newcombe, Katherine Johnson, Carmel Hills and Norm Fountain.

Meets: Annually

UPPER LACHLAN SHIRE COUNCIL
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SCHEDULE C

COUNCIL DELEGATES / REPRESENTATIONS (OTHER THAN COUNCIL COMMITTEES)

Biala Wind Farm Community Consultative Committee

Council Delegate: Clr P Culhane

Meets: As required

Canberra Region Joint Organisation (CRJO)

Objective: To advocate on agreed regional positions and priorities for Canberra Region whilst providing a forum for regional cooperation and resource sharing and nurturing investment and infrastructure development.

Membership: Bega Valley Shire Council, Eurobodalla Shire Council, Goulburn Mulwaree Council, Hilltops Council, Queanbeyan-Palerang Regional Council, Snowy Monaro Regional Council, Snowy Valleys Council, Upper Lachlan Shire Council, Wingecarribee Shire Council, Yass Valley Council with associate members being the ACT Government, East Gippsland Shire Council and Wagga Wagga City Council.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer

Meets: Quarterly

Collector Community Association

Council Delegate: Clr J Searl

Meets: Monthly

Collector Wind Farm Community Consultative Committee

Council Delegate: Mayor

Meets: As required

Country University Centre Committee

Council Delegate: Clr N McDonald and Clr L Woodbridge

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Meets: Monthly

Crookwell Community Consultation Committee (Health)

Council Delegate: Clr P Kensit

Meets: Second Wednesday of the month at 10.30am

Crookwell II and III Wind Farm Community Consultative Committee

Council Delegate: Clr P Culhane

Meets: As required

Gullen Range Wind Farm Community Consultative Committee

Council Delegate: Clr P Culhane

Meets: As required

Gunning District Association

Council Delegate: Clr J Searl

Meets: Monthly

Gunning District Community and Health Service Inc Management Committee

Council Delegate: Clr J Searl

Meets: Monthly

Gunning & District Historical Society

Council Delegate: Clr J Searl

Meets: Fourth Thursday of each month

Gunning Landcare

Council Delegate: Mayor and Clr L Woodbridge

Meets: As required

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Gunning Wind Farm Community Enhancement Program Advisory Group

Council Delegate: Clr L Woodbridge

Staff Representation: Chief Executive Officer.

Meets: As required

Kiamma Creek Landcare Group

Council Delegate: Clr S Reynolds

Meets: Quarterly

Local Government NSW (LGNSW)

Objective: To promote the interests of local government Councils at a divisional level.

Membership: All Councils in NSW.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer

Meets: As required

Rye Park Wind Farm Community Consultative Committee

Council Delegate: Mayor.

Meets: As required

South East Australian Transport Strategy Inc. (SEATS)

Objective: To stimulate and facilitate investment in transport and infrastructure in south eastern NSW, eastern Victoria and the ACT.

Council Delegate: Mayor

Staff Representation: Director of Infrastructure

Meets: Quarterly

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Southern Tablelands Bush Fire Management Committee

Council Delegate: Clr N McDonald

Meets: Quarterly

Staff Representation: Director of Infrastructure.

Note: *This Committee is a statutory Committee appointed under the Rural Fires Act.*

Southern Tablelands Regional Arts (STARTS) Advisory Board

Council Delegates: Clr M McDonald

Meets: Quarterly

Southern Tablelands Regional Arts (STARTS) Sub-committee

Council Delegates: Clr J Searl

Meets: Quarterly

Southern Tablelands (Rural Fire Services) Zone Liaison Committee

Council Delegate: Clr P Kensit and Clr N McDonald

Staff Representation: Director of Infrastructure.

Meets: Quarterly

Taralga & District Historical Society

Functions of the Committee: The care, control and management of the history of the Taralga and surrounding villages.

Council Delegate: Clr N McDonald

Meets: As required

Upper Lachlan Joint Regional Planning Panel

Function: To determine state significant, designated development applications and other development applications as prescribed.

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Council Delegate: Mayor and Clr P Culhane

Staff Delegate: Director of Environment and Planning.

Meets: As required

Upper Lachlan Local Emergency Management Committee

Function:

- To develop and maintain a Consequences Management Guide (CMG) for Upper Lachlan Shire.
- To review local emergency service organisational and functional area plans.
- Produce specific local hazard management plans if appropriate.
- Arrange emergency management training for individuals, including individuals employed in emergency service organisations and functional areas.
- Arrange the conduct of exercises to train individuals and agencies to test Emergency Management Plans.
- Produce Standing Orders and instructions and standard operating procedures under the local CMG.
- Assist the District Emergency Management Committee as required in the preparation and review of the District CMG.

Council Delegate: Mayor and Clr N McDonald

Council Membership:

- Manager of Infrastructure Delivery – (LEMC Chairman)
- Executive Assistant to Infrastructure – (Deputy LEMO)

Meets: Quarterly

Upper Lachlan Landcare Group

Council Delegate: Clr S Reynolds

Meets: Quarterly

Village and Town Progress Associations

Noting these are not managed by Council and will require an invitation from the Progress Association / committee should they wish for a Councillor delegate attend.

Bigga Progress Association

Council Delegates: Clr J Marshall and Clr P Culhane

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Meets: on invitation from Association / Committee

Binda Progress Association

Council Delegates: Clr J Marshall and Clr P Culhane

Meets: on invitation from Association / Committee

Collector Community Association

Council Delegates: Clr J Searl and Clr L Woodbridge

Meets: on invitation from Association / Committee

Crookwell Progress Association

Council Delegates: Clr M McDonald and Clr S Reynolds

Meets: on invitation from Association / Committee

Dalton Community & District Association

Council Delegates: Clr J Searl and Clr L Woodbridge

Meets: on invitation from Association / Committee

Golspie Progress Association

Council Delegates: Clr N McDonald

Meets: on invitation from Association / Committee

Grabben Gullen Community Progress Association Inc

Council Delegates: Clr J Searl and Clr S Reynolds

Meets: on invitation from Association / Committee

Gunning District Association

Council Delegates: Clr L Woodbridge

Meets: on invitation from Association / Committee

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Laggan & District Progress Association

Council Delegates: Clr M McDonald and Clr S Reynolds

Meets: on invitation from Association / Committee

Middle Arm Progress Association

Council Delegates: Clr D O'Brien

Meets: on invitation from Association / Committee

Roslyn Progress Association

Council Delegates: Clr D O'Brien and Clr S Reynolds

Meets: on invitation from Association / Committee

Taralga & District Progress Association

Council Delegates: Clr P Culhane and Clr N McDonald

Meets: on invitation from Association / Committee

Tuena Progress Association

Council Delegates: Clr M McDonald and Clr N McDonald

Meets: on invitation from Association / Committee

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 AUGUST
2023.**

186/23 RESOLVED by Cr Searl and Cr Woodbridge

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

UPPER LACHLAN SHIRE COUNCIL
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1. Gunning Arts Festival Committee – Minutes from meeting held 28 May 2023.
2. Gunning Arts Festival Committee – Minutes from meeting held 2 July 2023.
3. Gunning Arts Festival Committee – Minutes from meeting held 30 July 2023.
4. Crookwell & District Art Gallery – Minutes from meeting held 27 July 2023.
5. Upper Lachlan Access Committee – Minutes from meeting held 30 August 2023.
6. Upper Lachlan Traffic Committee – Minutes from meeting held 7 September 2023.
7. Crookwell Memorial Hall Committee – Minutes from Annual General Meeting held 31 August 2023.

187/23

RESOLVED by Cr Woodbridge and Cr Reynolds that

Council accept the Crookwell Memorial Hall Committee office bearers Robert Bill President, Margaret Wheelwright Secretary and Wal Smart Treasurer.

- 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

8. Crookwell Memorial Hall Committee – Minutes from meeting held 31 August 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

UPPER LACHLAN SHIRE COUNCIL
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SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF MOTION SHORTCOMINGS IN SPORTS FACILITIES ACROSS THE UPPER LACHLAN SHIRE.

188/23 **RESOLVED** by Cr Culhane and Cr O'Brien

That the Chief Executive Officer commission a review of shortcomings in sports facilities for women across the Upper Lachlan Shire and report back to Upper Lachlan Shire Council

- 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 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:

189/23 **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.

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2. That pursuant to 10A(2(a)) and 10A(2d(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

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

Council closed its meeting at 2.42pm and staff left the meeting.

190/23 **RESOLVED** by Cr Searl and Cr Woodbridge

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, J Searl and L Woodbridge

Councillors who voted against:- Nil

Open Council resumed at 3.19pm.

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 ADDITIONAL SLOPE STABILITY WORKS ON WOMBEGAN CAVES ROAD

191/23 **RESOLVED** by Cr Searl and Cr N McDonald

1. Council awards a commercially acceptable contract to Specialised Site Services for the additional slope stability works on Wombeyan Caves Road, pursuant to Section 55(3)(i) of the Local Government Act 1993, for a lump sum of \$1,827,051.80 (excluding GST).
2. Council stated reasons for the decision of extenuating circumstances to allow proceeding with a contract with Specialised Site Services are as follows:-
 - These additional landslides occurred during a period that is formally declared as a natural disaster;
 - There exists a significant risk of subsequent landslides if remediation efforts are not promptly undertaken;
 - If the works are not undertaken in the near future Wombeyan Caves Road will remain closed to the public for extended periods;
 - There is a substantial likelihood of escalating costs due to inflation if the additional landslide repairs are not promptly addressed;
 - Having two contractors simultaneously undertaking works on Wombeyan Caves Road presents an unacceptably high WHS and operational risks;
 - Based on the lack of responses to the initial procurement for the works, last year, Council conclude that obtaining more competitive or reliable tenders is unlikely (especially in the known time constraints).
3. Council notes the cost of the works are funded by the Australian Government under the AGRN 1034 – NSW Floods, September 2022 declaration.

- 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 19.2 **PROCUREMENT OF ONE NEW LOADER**
192/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council postpones the replacement of the Nissan UD Flocon Truck (Plant 888) and the Plant Trailer (Plant 582), which were initially budgeted for replacement in the 2023/2024 Operational Plan.
2. Council dispose of the existing front end loader (Plant 672) to Highway Tractor Spares.
3. Council resolves to purchase a new front end loader in this financial year in accordance with Council's Procurement Policy, at an estimated cost of \$370,000.

- 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 19.3 ECONOMIC DEVELOPMENT ADVISORY S355 COMMITTEE -
EXPRESSION OF INTEREST FOR COMMUNITY
REPRESENTATIVES**

Recommendation lapsed due to lack of mover and seconder

1. Council appoints three Community Representatives to serve on the Section 355 Economic Development Advisory Committee.

An amendment was moved by Cr Reynolds and Cr Searl that

1. Council appoints four Community Representatives Josh Proudman, Cristy O'Sullivan, Doug McIntyre and Robert Cameron to serve on the Section 355 Economic Development Advisory Committee.
2. The Economic Development Advisory Committee Charter be amended to reflect the committee membership changes.

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

193/23 RESOLVED by Cr Reynolds and Cr Searl

1. Council appoints four Community Representatives Josh Proudman, Cristy O'Sullivan, Doug McIntyre and Robert Cameron to serve on the Section 355 Economic Development Advisory Committee.
2. The Economic Development Advisory Committee Charter be amended to reflect the committee membership changes.

- 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

UPPER LACHLAN SHIRE COUNCIL

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**ITEM 19.4 TOURISM AND EVENT MANAGEMENT ADVISORY S355
COMMITTEE - EXPRESSION OF INTEREST FOR COMMUNITY
REPRESENTATIVES**

194/23 RESOLVED by Cr Culhane and Cr N McDonald

- 1. Council appoints three Community Representatives to serve on the Section 355 Tourism and Event Management Advisory Committee of Council.
- 2. Appoints Peter Fulton, Samuel Hansen and Stuart Duke as the Community Representatives to the Tourism and Event Advisory Committee.

- 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

THE MEETING CLOSED AT 3.19PM.

Minutes confirmed 19 OCTOBER 2023

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Mayor