

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 21 MARCH 2024

PRESENT: Mayor P Kensit (Chairperson), Cr P Culhane, Cr M McDonald, Cr N McDonald, Cr D O'Brien, Cr J Searl, Cr S Reynolds, Cr L Woodbridge, Ms A Waldron (Chief Executive Officer), Mr A Croke (Director Finance and Administration), Mr L Kruger (Director of Infrastructure), Mr S Arkinstall (Director of Environment & Planning), Mrs K McCarthy (Executive Assistant) and Ms S Pearman (Administration 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 welcomed the public gallery today.

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

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

Apologies were received by Cr J Marshall.

22/24 **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 Culhane, P Kensit, M McDonald, 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 Ally Jaffrey, Matthew Arnall and other members of the community.

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SECTION 3: CITIZENSHIP CEREMONY

Nil

SECTION 4: DECLARATIONS OF INTEREST

Nil

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Searl and Cr Woodbridge
23/24

That the minutes of the Ordinary Council Meeting held on 15 February 2024 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**
24/24 **RESOLVED** by Cr Searl and Cr Woodbridge

1. That Council receive and note the activities attended by the Mayor and Deputy Mayor for February and March 2024.

- CARRIED

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

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SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

Nil

ITEM 15.1 – LATE REPORT

Cr N McDonald and Cr Woodbridge moved that Late report Item 15.1 – Proposal for the declaration of new off leash area - LOT 1 DP 1054839 Woodward Lane, Crookwell be moved forward.

On being put to the meeting the motion was carried

25/24 **RESOLVED** by Cr N McDonald and Cr Woodbridge that

1. Item 15.1 Late Report – Proposal for the declaration of new off leash area - Lot 1 DP 1054839 Woodward Lane, Crookwell be moved forward.

- CARRIED

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

Councillors who voted against:- Nil

A Motion was moved by the Cr Kensit and Cr Searl that -

1. In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting Practice that Item 15.1 Late Report – Proposal for the declaration of new off leash area - Lot 1 DP 1054839 Woodward Lane, Crookwell, be considered at this March 2024 Council Ordinary Meeting, as it is a matter for public consultation.

On being put to the meeting the Motion was Carried.

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26/24

RESOLVED by Cr Kensit and Cr Searl that

1. In accordance with clause 9.3 (a) and (b) of the Council Code of Meeting Practice that Item 15.1 Late Report – Proposal for the declaration of new off leash area - Lot 1 DP 1054839 Woodward Lane, Crookwell, be considered at this March 2024 Council Ordinary Meeting, as it is a matter for public consultation.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

ITEM 15.1

**PROPOSAL FOR THE DECLARATION OF NEW OFF LEASH AREA
- LOT 1 DP 1054839 WOODWARD LANE, CROOKWELL**

27/24

RESOLVED by Cr Searl and Cr N McDonald that -

1. Council receive the report on the proposal to Declare new Off-Leash Area.
2. Council determine to give notice of Intention to Declare new Off-Leash area in the Council reserve located on Woodward Lane, Crookwell (Lot 1 DP1054839).
3. That the notice of Intention to Declare new Off-Leash areas seeks submissions from the public for a minimum period of 28 days.
4. A further report be presented to Council after the completion of the public exhibition period to enable Council to consider any feedback and make a determination with respect to relocating the current Off-Leash Area.

- 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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SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF FEBRUARY 2024
28/24 RESOLVED by Cr Searl and Cr Reynolds

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

1. Office of Local Government – Circular 24-03 – Performance and Suspension Orders.

- 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

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT
29/24 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

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ITEM 10.2 – 10.6 INFORMATION ONLY ITEMS

30/24

RESOLVED by Cr Searl and Cr Woodbridge

1. Council receive and note Items 10.2 – 10.6 the report as information.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 DISABILITY INCLUSION ACTION PLAN

31/24

RESOLVED by Cr Searl and Cr Woodbridge

1. Council notes that community consultation was undertaken between 12 September to 13 October 2023.
2. Council considers the submissions received during the exhibition period.
3. Council notes and endorses the amendments recommended by Council staff in this report (Attachment 1).
4. Council adopts the Upper Lachlan Shire Disability Inclusion Action Plan 2023-2027 (Attachment 1) and makes this available on Council's website.

- 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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The Disability Inclusion Action plan can be found on Council's website under – Council – Plans and Reports.

[HTTPS://UPPERLACHLAN.NSW.GOV.AU/WP-CONTENT/UPLOADS/2022/11/UPPER-LACHLAN-SHIRE-DISABILITY-INCLUSION-ACTION-PLAN-ADOPTED-21-MARCH-2024.PDF](https://upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Upper-Lachlan-Shire-Disability-Inclusion-Action-Plan-Adopted-21-March-2024.pdf)

**ITEM 11.2 REVIEW OF COUNCIL WATER DETERMINATION POLICY
(PREVIOUSLY REBATE FOR UNDETECTED WATER LEAK
POLICY)**

32/24 RESOLVED by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Water Determination Policy.
2. Council agrees to a maximum water rebate increase from \$400 to \$800.
3. Council agrees to minimum water rebate calculation revised from \$150 to \$200 to be considered as not significant.
4. Council agrees to determination of ownership of services detailed in Figures 1 and 2.

- 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

To view the Policy visit Council's website.

[HTTPS://UPPERLACHLAN.NSW.GOV.AU/WP-CONTENT/UPLOADS/2022/11/WATER-DETERMINATION-POLICY-DATE-ADOPTED-21-MARCH-2024-RESOLUTION-32-24-REVIEW-FOR-2027.PDF](https://upperlachlan.nsw.gov.au/wp-content/uploads/2022/11/Water-Determination-Policy-Date-Adopted-21-March-2024-Resolution-32-24-Review-for-2027.pdf)

SECTION 12: INFRASTRUCTURE DEPARTMENT

**ITEM 12.1 ROAD CLOSURE - GIBRALTAR ROAD, BIG HILL - AFFIX
COMMON SEAL**

33/24 RESOLVED by Cr Searl and Cr Reynolds

1. Council authorises the Mayor and Chief Executive Officer to sign all necessary documents and affix the common seal for the closure and reopening of a section of Gibraltar Road.

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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

Nil

SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

SECTION 15: LATE REPORTS

Addressed earlier in the meeting

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF MARCH 2024

34/24 **RESOLVED** by Cr Searl and Cr Reynolds

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

1. Gunning Arts Festival – Minutes from Annual General Meeting held 19 November 2023.

35/24 **RESOLVED** by Cr Searl and Cr Woodbridge that –

1. Council write to Gunning Arts Festival acknowledging the successful office bearers; President - Dianna Nixon, Secretary - Helen Vooren and Treasurer - Michelle Storey.

Councillors who voted for:- Crs P Culhane, P Kensit, M McDonald, N McDonald, D

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L Woodbridge

Councillors who voted against:- Nil

2. Crookwell and District Art Gallery – Minutes from meeting held 23 November 2023.
3. Economic Development s355 Advisory Committee – Minutes from meeting held 18 January 2024.
4. Collector Oval Committee – Minutes from meeting held 1 February 2024.
5. Tuena Hall & Recreation Area Committee – Minutes from Annual General Meeting held 21 February 2024.

36/24

RESOLVED by Cr Reynolds and Cr Woodbridge that –

1. Council write to Tuena Hall & Recreation committee acknowledging the successful office bearers; President – James Armitage, Vice President – Robyn Hall, Secretary – Gabrielle Saville and and Treasurer - Janelle Parsons

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

Councillors who voted against:- Nil

6. Tuena Hall & Recreation Area Committee – Minutes from meeting held 21 February 2024.
7. Upper Lachlan Shire Council Traffic Committee – Minutes from meeting held 7 March 2024.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

Nil

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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:*

37/24 **RESOLVED** by Cr Searl and Cr Woodbridge

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 (2c), 10A (2d(i)), 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 2:13pm and the public, staff and press left the chambers and live streaming ceased.

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318/24 **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 2:20pm live streaming returned to the public prior to the meeting closing.

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 **AWARD OF CONTRACT - PEJAR ROAD - FIRST CREEK BOX
CULVERT**

39/24 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council resolves to award a contract for the project, Pejar Road, First Creek Box Culvert Installation Works, to AJ Parsons Earthmoving Pty Ltd for a lump sum contract price of \$259,420.40 (including GST).

- 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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THE MEETING CLOSED AT 2:23pm

Minutes confirmed 18 APRIL 2024

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Mayor