

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 14 DECEMBER 2023

PRESENT: Mayor P Kensit (Chairperson), Cr P Culhane, Cr J Searl, Cr J Marshall, Cr S Reynolds, Cr L Woodbridge, Ms A Waldron (Chief Executive Officer), Mr L Kruger (Director of Infrastructure), Mr J Blake (Chief Financial Officer), Mr S Arkinstall (Director of Environment & Planning), Mrs K Bowerman (Acting Executive Assistant) and Ms S Pearman (Administration Officer)

VIDEO LINK: Cr M McDonald

THE MAYOR DECLARED THE MEETING OPEN AT 1.31PM

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.

Note: Cr Marshall advised that she will be late to the meeting.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

Apologies were received from Cr N McDonald, Cr D O'Brien and Mr A Croke (Director of Finance and Administration).

231/23 **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, 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

Cr Searl declared a non-pecuniary interest in Item 12.3 Renaming Saxby Street , Dalton as he is an resident of this road and will make the declaration stay in the chamber, participate in the debate and vote.

Cr M McDonald declared a non-pecuniary interest in Item 11.3 Willis Park – Off leash area, Crookwell as it would be perceived that she has an interest due to her friendship with members of the Crookwell & District Ladies Dogs Sports Club Inc and will make a declaration, stay in the Chamber, not participate in the debate and not vote.

SECTION 5: CONFIRMATION OF MINUTES

232/23 RESOLVED by Cr Searl and Cr Reynolds

That the minutes of the Ordinary Council Meeting held on 16 November 2023 be adopted.

- CARRIED

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

Councillors who voted against:- Nil

SECTION 6: MAYORAL MINUTES

ITEM 6.1 MAYORAL MINUTE
233/23 RESOLVED by Cr Searl and Cr Woodbridge

1. Council receive and note the activities attended by the Mayor for November and December.

- CARRIED

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

Councillors who voted against:- Nil

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Cr Searl and Cr Reynolds moved that Item 11.3 Willis Park – Offleash area, Crookwell be moved forward.

On being put to the meeting the motion was carried

234/23 **RESOLVED** by Cr Searl and Cr Reynolds that Item 11.3 11.3 Willis Park – Offleash area, Crookwell be moved forward

- CARRIED

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

Councillors who voted against:- Nil

ITEM 11.3 **WILLIS PARK - OFF-LEASH AREA, CROOKWELL**
Motion lapsed from lack of seconder

1. Council confirm that Lot 174 DP 753042, known as Willis Reserve and located at Hay Street, Crookwell as being the nominated off leash area for Crookwell; and
2. Council support the proposed upgrades to the off leash area in the form of the erection of a 1.5m - 1.8m chain mesh fence and the installation of timed solar lighting, subject to a layout plan and operating requirements being approved by the Chief Executive Officer.

A foreshadow motion was moved by Cr Culhane and Cr Kensit

That the decision be deferred and Council seek alternative sites to come back to Council by March 2024.

On being put to the meeting the motion was carried.

235/23 **RESOLVED** by Cr Culhane and Cr Kensit

1. That the decision be deferred and Council seek alternative sites to come back to Council by March 2024.

- CARRIED

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Councillors who voted for:- Crs P Kensit, P Culhane and J Searl

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

Abstained:- Cr M McDonald

SECTION 7: PRESENTATIONS TO COUNCIL/PUBLIC

NSW Audit Office – Ms Reiky Jiang Director Financial Audit
Presentation of Independent Auditors Report for 2022/23 Financial
Statements

SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTH OF DECEMBER 2023
236/23 RESOLVED by Cr Searl and Cr Woodbridge

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

1. Local Government NSW – Presidents Message – November 2023.
2. Office of Local Government – Circular 23-15 – Regulation amendments prescribing requirements for audit risk and improvement committees, internal audit and risk management.
3. Premier of NSW – A fairer, more sustainable approach to funding our emergency services.
4. Samantha Cosgrove – Resignation from Access Committee.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, 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
237/23 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, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

Cr Marshall entered the Chamber the time being 2.19pm

ITEM 10.2 – INFORMATION ONLY ITEMS
10.8
238/23 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, J Marshall, 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 PLANNING PROPOSAL - LOT 4 DP 1198749 - 18 BOUREONG DRIVE, GUNNING

239/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council supports the amendments to the Local Strategic Planning Statement
2. The Council submits the planning proposal for a Gateway Determination to amend the Upper Lachlan Local Environmental Plan 2010 by changing the zone and minimum lot size provisions of Lot 4 DP 1198749 from RU4 Primary Production Small Lots zone to RU5 Village zone and to reduce the minimum lot size from 10Ha to 1000m2.
3. The Council requests the Department of Planning and Environment to authorise Council to exercise delegation of plan making functions in accordance with the Environmental Planning and Assessment Act 1979.
4. The Council notifies the community of the proposed changes to the local environmental plan through appropriate processes at the time.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

ITEM 11.3 WILLIS PARK - OFF-LEASH AREA, CROOKWELL

Item dealt with earlier in meeting

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ITEM 11.2 **NAMING OF THE LIN COOPER AMENITIES BUILDING**
240/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council not proceed with the naming of the Lin Cooper sporting field building based on the names received through the expression of interest process not reflecting the focus of the funding that enabled the project to proceed.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Crs P Culhane and J Marshall

A foreshadowed motion was moved by Cr Marshall and Cr Kensit

That the Lin Cooper amenities building be named the Matildas.

On being put to the meeting to the meeting the motion was lost and the original motion was carried.

- LOST

\Councillors who voted for:- Crs P Kensit and J Marshall

Councillors who voted against:- Crs M McDonald, P Culhane, S Reynolds, J Searl and L Woodbridge

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ITEM 11.4 **REGIONAL DROUGHT RESILIENCE PLAN**
241/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council endorse The Regional Drought Resilience Plan; and
2. Place the Regional Drought Resilience Plan on Councils website.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, J Marshall, S
Reynolds, J Searl and L
Woodbridge

Councillors who voted against:- Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 **MINOR WORKS TENDER**
242/23 **RESOLVED** by Cr Woodbridge and Cr Reynolds

1. Council resolves to appoint the recommended suppliers to the Minor Civil Works panel, as outlined in Attachment 1 accompanying this report.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, J Marshall, S
Reynolds, J Searl and L
Woodbridge

Councillors who voted against:- Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 PRESENTATION OF THE 2022/2023 FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT

244/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council receive and note the NSW Audit Office external Independent Auditor's Reports and public presentation of the 2022/2023 Financial Statements.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

ITEM 13.2 AEC GROUP - FINANCIAL SUSTAINABILITY REVIEW REPORT

245/23 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council receive and note the AEC Group Financial Sustainability Review Report.
2. Council consider implementation of the AEC Group Financial Sustainability Review Report recommendations at a future workshop.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

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ITEM 13.4 **REVIEW OF LIBRARY SPONSORSHIP POLICY**
247/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council adopts the reviewed Library Sponsorship Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, J Marshall, S
Reynolds, J Searl and L
Woodbridge

Councillors who voted against:- Nil

[Library-Sponsorship-Policy-Date-Adopted-14-December-2023-Resolution-247-23-Review-2026.pdf \(nsw.gov.au\)](#)

ITEM 13.5 **REVIEW OF LIBRARY MEMBERSHIP AND ACCESS POLICY**
248/23 **RESOLVED** by Cr Searl and Cr Woodbridge

1. Council adopts the reviewed Library Membership and Access Policy.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, J Marshall, S
Reynolds, J Searl and L
Woodbridge

Councillors who voted against:- Nil

[Library-Membership-and-Access-Policy-Date-Adopted-14-December-2023-Resolution-248-23-Review-2026.pdf \(nsw.gov.au\)](#)

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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 DECEMBER 2023.

251/23 **RESOLVED** by Cr Searl and Cr Woodbridge

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

1. Binda Community Progress Association Inc. and Binda Memorial Hall – Minutes from meeting held 14 November 2023.
2. Biala Wind Farm Community Enhancement Fund – Minutes of Meeting held on 6 November 2023.

252/23 **RESOLVED** by Cr Kensit and Cr Woodbridge

1. That Item 4.1 – Prioritisation of Project Submissions for 2023/2024 Funding \$160,302.00 be adopted as below:

	PROJECT	AMOUNT
1.	Upper Lachlan Landcare Inc. Community Film Screening – Graziers	\$3,432.00
2.	Gunning District Landcare Planting the Next Generation of Paddock Trees	\$18,477.38
3.	Upper Lachlan Landcare Inc Supporting Grazing Practices to Grow Local Resilience	\$44,748.00
	TOTAL	\$66,657.38

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

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3. Collector Oval Committee – Minutes from Annual General Meeting held 14 November 2023.

RESOLVED by Cr Searl and Cr Woodbridge

253/23

1. That Council adopts New Officers of Committee Keith Fincham President, Holly Fincham Secretary and Charlie Reardon as Treasurer contained in the 14 November 2023 Minutes of the Collector Oval Committee.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

4. Collector Oval Committee – Minutes from Meeting held 14 November 2023.
5. Breadalbane Hall Committee – Minutes from Annual General Meeting held 19 November 2023.

RESOLVED by Cr Searl and Cr Woodbridge

254/23

1. That Council adopts New Officers of Committee Sylvie Hayles President, Sally Hoskin Secretary and Christine McLean as Treasurer contained in the 14 November 2023 Minutes of the Collector Oval Committee.

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P Culhane, J Marshall, S Reynolds, J Searl and L Woodbridge

Councillors who voted against:- Nil

- CARRIED

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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:*

255/23 **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 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
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Councillors who voted against:- Nil

Council closed its meeting at 3.25PM and left the chambers.

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256/23 **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, J Marshall, S
Reynolds, J Searl and L
Woodbridge

Councillors who voted against:- Nil

Open Council resumed at 3.32.

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 19.1 106-108 GOULBURN STREET CROOKWELL - FORMER WESTPAC
BANK HOUSE**

257/23 **RESOLVED** by Cr Searl and Mayor Kensit

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

- CARRIED

Councillors who voted for:- Crs P Kensit, M McDonald, P
Culhane, J Marshall, S
Reynolds, J Searl and L
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Councillors who voted against:- Nil

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THE MEETING CLOSED AT 3.32PM

Minutes confirmed 15 FEBRUARY 2024

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Mayor