

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS
ON 20 FEBRUARY 2025

Present: Mayor P Culhane (Chairperson), Cr R Cameron, Cr V Flanagan, Cr G Harris, Cr A Meggitt, Cr S Peirce, Cr S Reynolds, Cr J Searl, Cr T Yallouris, Ms A Waldron (Chief Executive Officer), Mr A Croke (Director Finance and Administration), Mr K Mahmud (Director Infrastructure), Mr S Arkinstall (Director of Environment & Planning) Ms A Stons (Communications Officer) and Ms K McCarthy (Executive Assistant)

THE MAYOR DECLARED THE MEETING OPEN AT 13:30pm

SECTION 1: NOTICE OF WEBCASTING/AUDIO RECORDING OF MEETING

Mayor Culhane read an acknowledgment of Country and notice of meeting/webcast to the meeting.

Mayor Culhane also welcomed the public gallery.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

There were no apologies.

SECTION 3: DECLARATIONS OF INTEREST

Cr R Cameron declared a non-pecuniary interest in Item 16.1 Reports from Committees specifically to the Crookwell Art and District Gallery Committee as his wife is the secretary of the committee and will make a declaration, stay in the chamber, not participate in the debate and not vote.

Cr S Peirce declared a non-pecuniary interest in Item 11.6 Creative Capital Grant – Accessibility ramp at the Gunning Courthouse and Shire Hall as he is a member of the Gunning RSL Chapter and will make a declaration, stay in the chamber, participate in the debate and vote.

SECTION 4: CITIZENSHIP CEREMONY

Nil

A moments silence was observed for the passing of Charlie McGuinness and the Carr-McGuinness family.

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SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Searl and Cr Peirce

01/25

1. That the minutes of the Ordinary Council Meeting held on 12 December 2024 be adopted.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl, and T Yallouris

Councillors who voted against:- Nil

SECTION 6: PRESENTATIONS TO COUNCIL/PUBLIC

A presentation was provided by Matt Armstrong (Regional Development & Engagement Manager – Central NSW) from NBN Co.

SECTION 7: MAYORAL MINUTES

ITEM 7.1 **MAYORAL MINUTE**

02/25

RESOLVED by Cr Culhane and Cr Searl

1. That Council receive and note the activities attended by the Mayor for December 2024, January and February 2025.
2. Noted Minister Michael McCormack met Mayor and Councillors on 19 February 2025.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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SECTION 8: CORRESPONDENCE

ITEM 8.1 CORRESPONDENCE FOR THE MONTHS OF DECEMBER 2024 AND JANUARY 2025

03/25 **RESOLVED** by Cr Searl and Cr Harris

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

1. Office of Local Government – Circular 24-23 – Consultation on reforms to council meeting practices.
2. Office of Local Government – Circular 25-01 – Cyber Security Guidelines for Councils.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 9: LATE CORRESPONDENCE

Nil

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SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT
04/25 RESOLVED by Cr Searl and Cr Reynolds

1. Council receives and notes the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

ITEM 10.2-10.8 INFORMATION ONLY REPORTS
05/25 RESOLVED by Cr Searl and Cr Peirce

1. Council receive and note reports 10.2-10.8 as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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REPORTS FROM STAFF AND STANDING COMMITTEES

SECTION 11: ENVIRONMENT AND PLANNING

ITEM 11.1 CROOKWELL GOLF CLUB - PLAN OF CONSOLIDATION - AFFIX COMMON SEAL

06/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council authorise the Mayor and Chief Executive Officer to sign all necessary documents and affix the common seal to the Plan of Consolidation for Lot 2 DP 200924 and Lot 3 DP 524712.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 11.2 **PLANNING PROPOSAL - LOT 4 DP 1198749 18 BOUREONG DRIVE, GUNNING**

07/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council resolves to support the amendment to the planning proposal and 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. The land use zones will be amended from RU4 Primary Production Small Lots zone to incorporate RU5 Village, MU1 – Mixed Use, C3 – Environmental Management and RE1 – Public Recreation zones. The proposal will reduce the minimum lot size from 10ha (existing RU4 zone) to 1,000m² (proposed RU5 zone), 4,000m² (proposed C3 zone) and no minimum lot size for the MU1 and RE1 zones.
2. 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 Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Cr R Cameron and Cr A Meggitt moved a motion that Council move to suspended orders to committee of the whole for Item 11.3 Collector Community Plan – Draft to allow for open discussion to occur.

On being put the meeting the motion was carried.

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ITEM 11.3 **COLLECTOR COMMUNITY PLAN - DRAFT**
08/25 **RESOLVED** by Cr Cameron and Cr Meggitt

1. That Council move to suspended orders to committee of the whole for Item 11.3 Collector Community Plan – Draft to allow for open discussion to occur.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

09/25 **COLLECTOR COMMUNITY PLAN - DRAFT**
RESOLVED by Cr Cameron and Cr Meggitt

1. That Council move out of committee of the whole for Item 11.3 Collector Community Plan – Draft.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 11.3 **COLLECTOR COMMUNITY PLAN - DRAFT**
10/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receives and notes the report and attachment as information only.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and Yallouris

Councillors who voted against:- Nil

ITEM 11.4 **BIALA STREET, GUNNING - BOUNDARY REALIGNMENT**
11/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council allocate \$30,000.00 from unrestricted funds and \$10,000.00 from council legal expenses towards finalising the boundary realignment at Biala Street, Gunning, which will fund surveying and legal works completed to date and future works to enable the finalisation of this boundary realignment.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 11.5 REVIEW OF DRINKING WATER QUALITY POLICY
STAFF RECOMMENDATION by Cr Searl and Cr Reynolds

1. Council adopt the reviewed Drinking Water Quality Policy

An Amendment was moved by Cr V Flanagan that –

1. Council adopt the revised Drinking Water Quality Policy with the following amendments:
2. The version of the Drinking Water Management Guidelines is removed from the policy.
3. The sentence “The policy extends to Council’s town water supplies in Crookwell, Gunning, Taralga and Dalton” is moved under the Policy Statement heading.
4. That typographical and style errors are corrected prior to the policy being placed on Council’s web page.

On being put to the meeting the Amendment was carried therefore becoming the resolution.

12/25 RESOLVED by Cr Flanagan and Cr Harris

1. Council adopt the revised Drinking Water Quality Policy with the following amendments:
2. The version of the Drinking Water Management Guidelines is removed from the policy.
3. The sentence “The policy extends to Council’s town water supplies in Crookwell, Gunning, Taralga and Dalton” is moved under the Policy Statement heading.
4. That typographical and style errors are corrected prior to the policy being placed on Council’s web page.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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13/25

REVIEW OF DRINKING WATER QUALITY POLICY

RESOLVED by Cr Flanagan and Cr Harris

1. Council adopt the revised Drinking Water Quality Policy with the following amendments:
2. The version of the Drinking Water Management Guidelines is removed from the policy.
3. The sentence “The policy extends to Council’s town water supplies in Crookwell, Gunning, Taralga and Dalton” is moved under the Policy Statement heading.
4. That typographical and style errors are corrected prior to the policy being placed on Council’s web page.

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:-

Nil

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ITEM 11.6 CREATIVE CAPTIAL GRANT - ACCESSIBILTY RAMPS AT THE GUNNING COURTHOUSE AND SHIRE HALL.

14/25 RESOLVED by Cr Searl and Cr Peirce

1. Council allocate \$25,000.00 from the Section 7.11 Community Building Reserves to enable the construction of the accessibility ramp at the Gunning Courthouse; and
2. Council allocate \$15,000.00 from the Section 7.11 Community Building Reserves to enable the construction of the accessibility ramp at the Gunning Shire Hall (Gunning showground).

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 12: INFRASTRUCTURE DEPARTMENT

ITEM 12.1 ROAD RESERVE ACQUISITION - 1562 LAGGAN-TARALGA ROAD, LAGGAN

15/25 RESOLVED by Cr T Yallouris and Cr Flanagan

1. Council agree in principle to the road closure and transfer of the closed road subject to a deed of agreement being executed with the adjoining landowner outlining that all costs will be borne by the landowner for LOT 3, DP 1184269 – 1563 Laggan-Taralga Road Laggan.
2. Council resolve to close the road reserve and transfer the land crossing LOT 3, DP 1184269-1563 to the landowner and authorises the Mayor and Chief Executive Officer to sign all necessary documents to affect the closure.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 DELIVERY PROGRAM BI-ANNUAL REVIEW 2024/2025
16/25 RESOLVED by Cr Searl and Cr Peirce

1. Council adopt the Delivery Program Actions Report review for the six month period ended 31 December 2024.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

ITEM 13.2 QUARTERLY BUDGET REVIEW STATEMENTS - 2ND QUARTER
2024/2025
17/25 RESOLVED by Cr Searl and Cr Reynolds

1. Council endorses the 2nd Quarter Budget Review Statements for 2024/2025 including revotes of income and expenditure to the Operational Plan; and
2. Council endorses the Operational Plan Performance Summary Report.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Cr Gregory Harris left the meeting, the time being 15:54pm.

Cr Gregory Harris returned to the meeting, the time being 15:59pm.

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ITEM 13.3 **INTEGRATED PLANNING AND REPORTING - PUBLIC EXHIBITION OF THE DRAFT UPPER LACHLAN COMMUNITY STRATEGIC PLAN 2042**

18/25 **RESOLVED** by Cr Flanagan and Cr Peirce

1. Council, in accordance with the Office of Local Government Integrated Planning and Reporting Guidelines and requirements of Section 402 and Sections 8A-8C, of the Local Government Act 1993, place on public exhibition the draft Upper Lachlan Community Strategic Plan 2042.
2. The public exhibition period for the draft Upper Lachlan Community Strategic Plan 2042 is 24 February to 14 April 2025 inclusive, with the plan available for inspection on Council's website, link to Council's Facebook Page, available to view at the Council Administration Offices and at the Libraries.
3. All public submissions to the draft Upper Lachlan Community Strategic Plan 2042 shall be considered by Council.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Director Environment and Planning left the meeting the time being 15:59pm.

Director Environment and Planning left the meeting the time being 16:03 pm.

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ITEM 13.4 **REVIEW OF GIPA AGENCY INFORMATION GUIDE**
19/25 **RESOLVED** by Cr Reynolds and Cr Flanagan

1. Council endorses the Agency Information Guide and publish it on the Council website.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

ITEM 13.5 **REVIEW OF BRIBES, GIFTS AND BENEFITS POLICY**
20/25 **RESOLVED** by Cr Searl and Cr Reynolds

1. Council adopts the reviewed Bribes, Gifts and Benefits Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Crs V Flanagan and G Harris

A foreshadowed motion was moved by Cr V Flanagan that –

1. Council not endorse the Bribes, gifts and benefits policy as presented to this meeting,
2. Part one of council's code of conduct be revised to include volunteers of council as being subject to the application of the code,
3. Part two of council's code of conduct be revised to include volunteers to council,
4. Council refers the declaration form attached to the policy to senior staff to make it available for use by those seeking to make a declaration, and
5. The bribes gifts and benefits policy adopted 15 July 2021 be rescinded.

The foreshadowed motion lapsed.

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ITEM 13.6 **REVIEW OF CASH HANDLING POLICY**
21/25 **RESOLVED** by Cr Peirce and Cr Reynolds

1. Council adopt the reviewed Cash Handling Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, A
Meggitt, S Peirce, S Reynolds, J
Searl and Yallouris

Councillors who voted against:- Crs V Flanagan and G Harris

A foreshadowed motion was moved by Cr V Flanagan that –

1. Not endorse the cash handling policy as presented to this meeting,
2. That the document be referred to senior staff to consider issuing as a directive to staff, and
3. The Cash Handling Policy adopted 21 October 2021 be rescinded.

The foreshadowed motion lapsed.

ITEM 13.7 **REVIEW OF PROCUREMENT POLICY**
22/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council adopt the reviewed Procurement Policy.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, G
Harris, A Meggitt, S Peirce, S
Reynolds, J Searl and Yallouris

Councillors who voted against:- Cr V Flanagan

A foreshadowed motion was moved by Cr V Flanagan that –

1. Council not endorse the draft procurement policy as presented to this meeting,
2. That the document be referred for further revision to remove procedural information.

The foreshadowed motion lapsed.

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SECTION 14: CHIEF EXECUTIVE OFFICER

Nil

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 JANUARY AND FEBRUARY 2025

23/25 **RESOLVED** by Cr Searl and Cr Peirce

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

1. Crookwell Memorial Hall Committee – Minutes from meeting held 26 November 2024.
2. Crookwell & District Art Gallery – Minutes from meeting held 28 November 2024.
3. Crookwell & District Art Gallery – Minutes from meeting held 30 January 2025.
4. Binda Community Progress Association – Minutes from meeting held 9 December 2024.
5. Tourism and Economic Development s355 Advisory Committee – minutes from meeting held 23 January 2025.

- CARRIED

Councillors who voted for:-

Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

24/25 **RESOLVED** by Cr Searl and Cr Harris

1. Council formally accept the resignation of Stuart Duke from the Tourism and Economic Development s355 Advisory Committee.

- CARRIED

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Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

SECTION 17: NOTICES OF MOTION

ITEM 17.1 **NOTICE OF RESCISSION MOTION - LINE MARKING**
24/25 **RESOLVED** by Mayor Culhane and Cr Meggitt

"I Councillor Culhane table a notice of rescission regarding Item 11.2 relating to Crookwell Sporting Fields Line Marking resolved at the Upper Lachlan Shire Council meeting held on 21 November 2024

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, G Harris, A Meggitt, S Peirce and T Yallouris

Councillors who voted against:- Crs V Flanagan, S Reynolds and J Searl

A motion was moved by Cr V Flanagan that Council meeting be extended by 30 minutes time in line with the code of meeting practice.

On being put to the meeting the motion was carried.

25/25 **RESOLVED** by Cr Flanagan and Cr Cameron

1. That Council meeting be extended by 30 minutes time in line with the code of meeting practice.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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SECTION 18: QUESTIONS WITH NOTICE

ITEM 18.1 QUESTION WITH NOTICE - MEADOW CREEK CLEARING

Refer to the business paper for 20 February 2025 Council Meeting for the CEO's comments.

ITEM 18.2 CROOKWELL AERODROME

Refer to the business paper for 20 February 2025 Council Meeting for the CEO's comments.

ITEM 18.3 QUESTION WITH NOTICE - SHIRE STANDPIPES

Refer to the business paper for 20 February 2025 Council Meeting for the CEO's comments.

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CLOSED COUNCIL ITEMS

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in 10A (2) 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:*

26/25

RESOLVED by Cr Searl and Cr Cameron

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) 10A(2d(i)) and 10A(2d(iii)) 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 Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Council closed its meeting at 16:52pm and the public, staff and press left the chambers and live streaming ceased.

27/25

RESOLVED by Cr Searl and Cr Cameron

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

- CARRIED

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Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

Open Council resumed at 16:56 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 PROCUREMENT OF ONE NEW BACKHOE

28/25 **RESOLVED** by Cr Searl and Cr Cameron

1. Council purchase one Komatsu WB97R-8 Backhoe for the sum of \$248,700 EX GST from Komatsu.
2. Dispose of existing Backhoe (Plant 652) through public auction.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

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ITEM 19.2 **PROCUREMENT OF ONE NEW GRADER**
29/25 **RESOLVED** by Cr Searl and Cr Cameron

1. Council purchase one Caterpillar 140 tier 3 Grader for the total sum of \$558,000 EX GST from Westrac.
2. Council trade in existing grader (Plant No 712) to Westrac for the sum of \$155,000 Ex GST.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S Peirce, S Reynolds, J Searl and T Yallouris

Councillors who voted against:- Nil

THE MEETING CLOSED AT 16:57pm

Minutes confirmed 20 MARCH 2025

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Mayor