



BUSINESS PAPER

ORDINARY MEETING

Thursday 18 September 2025
1.30pm
Council Chambers

COUNCIL'S VISION

To build and maintain sustainable communities while retaining the region's natural beauty.

COUNCIL'S MISSION

To provide services and facilities to enhance the quality of life and economic viability within the Council area.

COUNCIL'S AIMS

To perform services in a cost efficient, effective and friendly manner in order to achieve Council's Mission in meeting the annual objectives and performance targets of the principal activities Council undertakes on behalf of the community.

NOTICE OF MEETING

11 September 2025

Councillors

Dear Members

Ordinary Meeting of Council

Notice is hereby given that the next Ordinary Meeting of Council will take place on **Thursday 18 September 2025** in the **Council Chambers** commencing at **1.30pm**.

Your presence is requested.

Yours faithfully



Alex Waldron
Chief Executive Officer
Upper Lachlan Shire Council

AGENDA

ACKNOWLEDGEMENT OF COUNTRY

"I would like to Acknowledge and pay our respects to the Aboriginal Elders both past and present, as well as emerging leaders, and Acknowledge the traditional custodians of the Land on which we meet today."

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UPPER LACHLAN SHIRE COUNCIL

LEAVE OF ABSENCE

Chief Executive Officer
Upper Lachlan Shire Council
Spring Street
CROOKWELL NSW 2583

Dear Madam

I wish to apply for leave of absence from the Council Meeting to be held on

Date:

I will be absent for the following reason/s:

.....
.....
.....

Yours faithfully

.....
(Councillor Signature)

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

A GUIDING CHECKLIST FOR COUNCILLORS, OFFICERS AND COMMUNITY COMMITTEES

ETHICAL DECISION MAKING

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Could your possible conflict of interest lead to private gain or loss at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

CONFLICT OF INTEREST

- A conflict of interest is a clash between private interest and public duty. There are two types of conflict:
 1. Pecuniary – regulated by the *Local Government Act* and Office of Local Government and,
 2. Non-pecuniary – regulated by Codes of Conduct and policy, ICAC, Ombudsman, Department of Local Government (advice only).

THE TEST FOR CONFLICT OF INTEREST

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of "corruption" – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

IDENTIFYING PROBLEMS

1st Do I have private interest affected by a matter I am officially involved in?

2nd Is my official role one of influence or perceived influence over the matter?

3rd Do my private interest conflict with my official role?

Whilst seeking advice is generally useful, the ultimate decision rests with the person concerned.

AGENCY ADVICE

Officers of the following agencies are available during office hours to discuss the obligations placed on Councillors, Officers and Community Committee members by various pieces of legislation, regulation and Codes.

Contact	Phone	Email	Website
Upper Lachlan Shire Council	(02) 4830 1000	council@upperlachlan.nsw.gov.au	www.upperlachlan.nsw.gov.au
ICAC	(02)8281 5999 Toll Free 1800463909	icac@icac.nsw.gov.au	www.icac.nsw.gov.au
Office of Local Government	(02) 4428 4100	olg@olg.nsw.gov.au	www.olg.nsw.gov.au
NSW Ombudsman	(02) 9286 1000 Toll Free 1800451524	nswomombo@ombo.nsw.gov.au	www.ombo.nsw.gov.au

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A PECUNIARY INTEREST

**PURSUANT TO PART 4 PECUNIARY INTEREST IN THE CODE OF CONDUCT
(THE DISCLOSURE AND MANAGEMENT OF A PECUNIARY INTEREST IS PRESCRIBED UNDER THE
CODE OF CONDUCT FOR LOCAL COUNCILS IN NEW SOUTH WALES)**

To the Chief Executive Officer

I, _____

Declare a Conflict of Interest, being a PECUNIARY Interest.

Name of Meeting: Ordinary Meeting of Council

Date of Meeting:

Page Number: _____ **Item Number:** _____

Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at an Ordinary Meeting of the Council [name of council or council committee (as the case requires)]

to be held on the _____ day of _____ 20 .

Pecuniary interest

Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)

Relationship of identified land to councillor
[Tick or cross one box.]

- The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- An associated person of the councillor has an interest in the land.
- An associated company or body of the councillor has an interest in the land.
- The identified land.
- Land that adjoins or is adjacent to or is in proximity to the identified land.

Matter giving rise to pecuniary interest¹

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)²

[Tick or cross one box]

Current zone/planning control

Proposed change of zone/planning control

Effect of proposed change of zone/planning control on councillor or associated person
(tick box that applies)

Appreciable financial gain Appreciable financial loss

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's Signature:

Date:

UPPER LACHLAN SHIRE COUNCIL

COUNCILLORS DISCLOSURE OF A NON-PECUNIARY INTEREST

**PURSUANT TO PART 5 NON PECUNIARY INTEREST IN THE CODE OF CONDUCT
(THE DISCLOSURE AND MANAGEMENT OF A NON PECUNIARY INTEREST IS PRESCRIBED UNDER THE
CODE OF CONDUCT FOR LOCAL COUNCILS IN NEW SOUTH WALES)**

To the Chief Executive Officer

I, _____

Declare a Conflict of Interest, being a NON-PECUNIARY Interest.

Significant Non Significant

COUNCIL MEETINGS

Name of Meeting _____

Date of Meeting _____

Page Number _____ Item Number _____

Subject _____

Reason for Interest _____

As a result of my non-pecuniary interest, my involvement in the meeting will be as follows:

- Option A** – Make a declaration, stay in the Chamber, participate in the debate, and vote.
- Option B** – Make a declaration, stay in the Chamber, participate in the debate, but not vote.
- Option C** – Make a declaration, stay in the Chamber, participate in the debate, but leave the Chamber for the vote.
- Option D** – Make a declaration, stay in the Chamber, not participate in the debate, but vote.
- Option E** – Make a declaration, stay in the Chamber, not participate in the debate and not vote.
- Option F** – Make a declaration, do not participate in the debate, leave the Chamber upon making the declaration, and not return until the matter is resolved.

Signature

Date

5 CONFIRMATION OF MINUTES

The following minutes are submitted for confirmation -

5.1 Minutes of the Ordinary Meeting of Council of 21 August 2025 12

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PRESENT: Mayor P Culhane (Chairperson), Cr R Cameron, Cr V Flanagan, Cr G Harris, Cr M Meggitt, Cr S Peirce, Cr S Reynolds, Cr J Searl, Cr T Yallouris, Mr A Croke (Acting Chief Executive Officer), Mr S Arkinstall (Director of Environment & Planning), Mr K Mahmud (Director Infrastructure), Ms A Stons (Communications Officer) and Mrs 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 Acknowledgement of Country and notice of meeting/webcast to the meeting.

Mayor Culhane also welcomed the public gallery.

SECTION 2: APOLOGIES & LEAVE OF ABSENCE

An apology was received by Ms A Waldron.

122/25

RESOLVED by Cr Searl and Cr Harris

1. That the apology of Ms A Waldron be received and a leave of absence granted.

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

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, participate in the debate and vote on this item.

SECTION 4: CITIZENSHIP CEREMONY

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Nil

SECTION 5: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Searl and Cr Flanagan
123/25

1. That the minutes of the Ordinary Council Meeting held on 17 July 2025 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

Nil

A motion was moved by Cr Searl and Cr Cameron that –

1. Council move forward Item 17.5 Notice of Motion - Willis Reserve (off-leash dog park) in the order of business.

On being put to the meeting the motion was carried.

124/25 **RESOLVED** by Cr Searl and Cr Cameron that –
1. Council move forward Item 17.5 Notice of Motion - Willis Reserve (off-leash dog park) in the order of business.

- 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 17.5 **NOTICE OF MOTION - WILLIS RESERVE (OFF-LEASH DOG PARK)**
RESOLVED by Cr Cameron and Cr Meggitt that –

1. Work on LOT 174 DP753042 known as Willis Reserve and located at Hay Street Crookwell (the off-leash dog park) be paused until the Office of Local Government, to which a

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community member representing a large number of ratepayers objecting to the nature of the works has referred the matter, investigates the referral and communicates the outcome.

- LOST

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

SECTION 7: MAYORAL MINUTES

ITEM 7.1 MAYORAL MINUTE

125/25

<u>RESOLVED</u> by Mayor Culhane and Cr Searl that -	- CARRIED
1. That Council receive and note the activities attended by the Mayor for July and August. 2. Mayor Culhane noted his attendance to a local Bindia, No more Windfarms in Upper Lachlan Shire (NMWULS) meeting on Sunday 17 August 2025 with Cr Meggitt, Cr Yallouris, Cr Harris and Cr Reynolds.	

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

Cr Simon Peirce left the meeting, the time being 14:19pm.

Cr Simon Peirce returned to the meeting, the time being 14:22pm.

ITEM 8.1 CORRESPONDENCE FOR THE MONTHS OF JULY AND AUGUST 2025

126/25 **RESOLVED** by Cr Searl and Cr Harris

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

1. Office of Local Government – Circular 25-16 – End of Year – Reporting Requirements.

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2. Office of Local Government – Circular 25-17 – Quarterly Budget Review Statement Guidelines.
3. Transport for NSW - Local Transport Forum Function and responsibilities fact sheet.

- 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

SECTION 10: INFORMATION ONLY

ITEM 10.1 DEVELOPMENT STATISTICS REPORT

127/25 RESOLVED by Cr Searl and Cr Flanagan

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

128/25 RESOLVED by Cr Searl and Cr Peirce

1. Council receive and note the 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 REVIEW OF ENFORCEMENT POLICY

129/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council adopt the reviewed Enforcement Policy.

- 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

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

SECTION 12: INFRASTRUCTURE DEPARTMENT

Nil

SECTION 13: FINANCE AND ADMINISTRATION

ITEM 13.1 DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS UNDER THE CODE OF CONDUCT

130/25 **RESOLVED** by Cr Searl and Cr Peirce

1. Council receives the report on the tabling of the Disclosure of Interests Returns by Councillors and Designated Persons for year ending 30 June 2025, and notes they are made publicly available to view on Council's 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

<https://upperlachlan.nsw.gov.au/council/governance/returns-of-interests/>

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ITEM 13.2 REVIEW OF PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

131/25 ***RESOLVED*** by Cr Searl and Cr Peirce

1. Council in accordance with Sections 252-254, of the Local Government Act 1993 adopts the Payment of Expenses and Provision of Facilities Policy.
2. Council respond to the public submission received.

-CARRIED

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

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

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

An amendment was moved by Cr Flanagan and Cr Searl that –

1. Council in accordance with Sections 252-254, of the Local Government Act 1993 adopts the Payment of Expenses and Provision of Facilities Policy with the included amendment.
2. Council respond to the public submission received
3. Travel claims to meetings be from Councillors residential address within the Upper Lachlan Shire or from a nominated address within the Shire

On being put to the meeting the amended Motion was lost.

- LOST

Councillors who voted for:- Crs P Culhane, V Flanagan, S Reynolds and J Searl

Councillors who voted against:- Crs G Harris, A Meggitt, R Cameron S Peirce, and T Yalouris

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ITEM 13.3 2024/2025 BUDGET REVOTES TO CARRY FORWARD TO INTERNAL RESTRICTED RESERVE

132/25 RESOLVED by Cr Flanagan and Cr Harris

1. Council approves the 2024/2025 transfers to the Council internal restricted reserve fund totalling \$5,008,128 including revote of uncompleted works projects and prepayment of the 2025/2026 Financial Assistance Grants.

- 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 13.4 REVIEW OF PRE-PLACEMENT HEALTH ASSESSMENT POLICY

133/25 RESOLVED by Cr Searl and Cr Yallouris

1. Council adopt the reviewed Pre-Placement Health Assessment Policy.

- CARRIED

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

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

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

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ITEM 13.5 **REVIEW OF ALCOHOL AND OTHER DRUGS POLICY**
134/25 **RESOLVED by Cr Searl and Cr Peirce**

1. Council adopt the reviewed Alcohol and Other Drugs Policy.

- 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

<https://upperlachlan.nsw.gov.au/council/governance/policies/>

ITEM 13.6 **ARIC STRATEGIC PLAN**
135/25 **RESOLVED by Cr Searl and Cr Cameron**

1. Council adopts the Audit, Risk and Improvement Committee (ARIC) Strategic Plan 2025-2029 in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.

- 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 14: **CHIEF EXECUTIVE OFFICER**

Nil

SECTION 15: **LATE REPORTS**

Nil

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

ITEM 16.1 REPORTS FROM COMMITTEES FOR THE MONTHS OF JULY AND AUGUST 2025

136/25 **RESOLVED** by Cr Peirce and Cr Searl

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

1. Crookwell and District Art Gallery, Section 355 Committee – Minutes from meeting held 10 July 2025.
2. Tourism and Economic Development Committee, Section 355 Advisory Committee – Minutes from meeting held 30 July 2025.
3. Binda Community Progress and Memorial Hall Committee – Minutes from meeting held 5 August 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

137/25

RESOLVED by Cr Cameron and Cr Reynolds that –

1. Council accepts the resignation of Cristy O'Sullivan from The Tourism and Economic Development Section 355 Committee and a letter of thanks be provided to her.

- 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 Alexandra Meggitt left the meeting, the time being 15:37pm.

Cr Alexandra Meggitt returned to the meeting, the time being 15:42pm.

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SECTION 17: NOTICES OF MOTION

ITEM 17.1 NOTICE OF MOTION - TRANSPARENCY AND COMMUNITY PROTECTION IN RELATION TO RENEWABLE ENERGY DEVELOPMENT

MOVED by Cr Harris and Mayor Culhane

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, such as the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council writes to the NSW and Federal Members of Parliament representing the Shire to advocate that renewable energy companies be required to notify local councils and provide public disclosure of the geographic areas under consideration *prior* to negotiating with landowners, in a manner consistent with disclosure requirements in the mining sector.
3. Council investigates the feasibility of requiring all future subdivision Development Applications to include a declaration from the applicant stating, to the best of their knowledge, whether the land is likely to be affected by a renewable energy development or related infrastructure.
4. Council seeks legal advice on the Council's obligations and risks in relation to the disclosure of material facts that may affect land values or amenity, in the context of large-scale infrastructure project.

- MOVED

An Amendment to the Motion was moved by Cr Culhane and Cr Harris That -

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, including the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council supports ongoing state and federal efforts to improve community engagement and transparency in renewable energy projects, including those led by the Australian Energy Infrastructure Commissioner.
3. Council write to NSW and Federal members of Parliament representing the shire to encourage policies promoting early notification and consultation by renewable energy companies with affected communities.
4. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights.

On being put to the meeting the Amended motion was carried.

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RESOLVED by Cr Harris and Cr Culhane that -

1. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, including the Limerick Windfarm, within the Upper Lachlan Shire.
2. Council supports ongoing state and federal efforts to improve community engagement and transparency in renewable energy projects, including those led by the Australian Energy Infrastructure Commissioner.
3. Council write to NSW and Federal members of Parliament representing the shire to encourage policies promoting early notification and consultation by renewable energy companies with affected communities.
4. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:-

Cr T Yalouris

ITEM 17.2

NOTICE OF MOTION - PLANNING NSW - AMENDMENT TO SEPP 2021

139/25

RESOLVED by Mayor Culhane and Cr Flanagan That -

1. Council writes to Planning NSW seeking an urgent amendment to State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 - 2.42 (1) & (2) to expand exclusions from consent where an LGA has an excessive accumulation of windfarm developments, including Upper Lachlan Shire Council LGA. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights

- CARRIED

Councillors who voted for:-

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

Councillors who voted against:- Nil

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ITEM 17.3

**NOTICE OF MOTION - ENHANCING TRANSPARENCY AND
ACCESSIBILITY OF PUBLIC FORUMS**

140/25

RESOLVED by Cr Harris and Cr Peirce That -

Upper Lachlan Shire Council resolves to enhance the transparency, inclusivity, and public engagement of its public forums, held prior to ordinary meetings under Clause 4 of the Code of Meeting Practice, by implementing the following measures effective from the next scheduled public forum:

1. Webcasting and Recording of Public Forums:

- a. All public forums shall be recorded by means of an audio-visual device, consistent with the principles and practices applied to council meetings under Clauses 5.34–5.39 of the Code of Meeting Practice.
- b. The recording shall be made publicly available on the Council's website as soon as practicable after the forum (ideally at the same time if live-streamed, or within 24 hours if not), and retained for at least 12 months.
- c. Where feasible, public forums shall be live webcast on the Council's website.
- d. At the start of each public forum, the Chairperson shall inform attendees that the forum is being recorded and/or webcast, and that participants should refrain from making defamatory statements, per Clause 5.35.

2. Sharing of Links on Social Media:

- a. Links to the webcast (live or recorded) of each public forum shall be shared on Council's website no later than the commencement of the forum or as soon as the recording is available, with a brief description of the forum's purpose and agenda items.

3. Notification of Rejected Requests to Speak:

- a. The Chief Executive Officer (CEO) (or their delegate) shall provide a written report to all Councillors, via email detailing any applications to speak at a public forum that were rejected or not selected (per Clauses 4.5–4.10), including the applicant's name (if not confidential), the

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agenda item, their stance ('for' or 'against'), the reason for rejection, and applicable guidelines.

- b. This notification shall be provided within 48 hours after the public forum.

4. Implementation and Funding:

- a. The CEO is directed to implement these measures under their delegated authority per section 335 of the Local Government Act 1993 and Clause 19.12 of the Code of Meeting Practice, utilizing existing resources for meeting recordings and communications.
- b. If implementation requires expenditure beyond the Council's current operational plan, the CEO is to prepare a report under Clause 3.13, to be included in the business papers for the next ordinary meeting, identifying available funding sources or recommending budget adjustments.

- 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 17.4

NOTICE OF MOTION - TRANSPARENCY OF DEVELOPER MEETINGS – STATE SIGNIFICANT PROJECTS

MOVED by Cr Meggitt and Cr Yallouris That -

1. All meetings — formal or informal — between Council representatives, namely Mayor and /or Chief Executive Officer including their delegates, and developers regarding current or proposed State Significant Project, be accurately minuted.
2. These minutes shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the minutes of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

- MOVED

A foreshadowed amendment was moved by Cr Cameron and Cr Yallouris that –

1. All meetings — formal or informal — between Council representatives, specifically the Mayor and /or Chief Executive Officer, and developers regarding current or proposed State Significant Project, be accurately reported.
2. These reports shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the reports of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

On being put to the meeting the motion was carried.

A motion was moved by Cr Flanagan and Cr Cameron that Council meeting be extended by 30 minutes in line with the Code of Meeting Practice.

On being to the meeting the motion was carried.

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141/25

RESOLVED by Cr Flanagan and Cr Cameron That -

1. Council meeting be extended by 30 minutes 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

142/25

RESOLVED by Cr Cameron and Cr Yallouris That -

1. All meetings — formal or informal — between Council representatives, specifically the Mayor and /or Chief Executive Officer, and developers regarding current or proposed State Significant Project, be accurately reported.
2. These reports shall be made accessible to all Councillors to ensure transparency and accountability.
3. Such meetings must be disclosed within the reports of the relevant Council representative, in accordance with current local government policy on transparency and documentation.

- 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 17.5 **NOTICE OF MOTION - WILLIS RESERVE (OFF-LEASH DOG PARK)**
This item was addressed within the earlier part of the Council meeting.

SECTION 18: QUESTIONS WITH NOTICE

ITEM 18.1 **QUESTION WITH NOTICE - BUDGET TRACKING AND STAFFING**
Refer to the business paper for 21 August 2025 Council Meeting for the CEO's comments.

ITEM 18.2 **QUESTION WITH NOTICE - ABSENCE OF CEO MINUTES**
Refer to the business paper for 21 August 2025 Council Meeting for the CEO's comments.

Council took a short break at 16:41pm, the public, staff and press left the chambers and live streaming ceased.

Council resumed the meeting and returned to live streaming at 16:47pm.

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:

143/25 **RESOLVED** by Cr Peirce 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)2a) 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.

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- 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 16:47pm and the public, staff and press left the chambers and live streaming ceased.

144/25 **RESOLVED** by Cr Peirce and Cr Searl

That Council move out of closed Council and into open 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

Open Council resumed at 17:24pm 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 **CEO PERFORMANCE REVIEW 2024/2025**

145/25 **RESOLVED** by Cr Searl and Cr Flanagan

1. Council receive and note the report as information.

- CARRIED

Councillors who voted for:- Crs P Culhane, R Cameron, V Flanagan, G Harris, A Meggitt, S

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Peirce, S Reynolds, J Searl and
T Yallouris

Councillors who voted against:- Nil

ITEM 19.2 **TOURISM AND ECONOMIC DEVELOPMENT SECTION 355**
ADVISORY COMMITTEE - COMMUNITY REPRESENTATIVE
APPLICATION

146/25 **RESOLVED** by Cr Peirce and Cr Reynolds

1. Council accepts the appointment of three community representatives to the Tourism and Economic Development Section 355 Advisory Committee being Mr Russ Plummer, Mr Peter Cottrell and Ms Dianna Nixon.

- 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 17:25pm

Minutes confirmed 18 SEPTEMBER 2025

.....
Mayor

7 MAYORAL MINUTES

The following item is submitted for consideration -

7.1 Mayoral Minute 32

Mayoral Minutes - 18 September 2025

ITEM 7.1 **Mayoral Minute**

FILE REFERENCE **I25/232**

August 2025

17 August 2025	Binda Community Windfarm Meeting (Binda Hall)
21 August 2025	Council Meeting <i>NB: No Public forum was held ahead of Council meeting in August</i>
25 August 2025	Meeting with Acting CEO, Director Infrastructure, Director Environment and Planning and Manager Planning and Regulatory Services with NGH Consulting – SSD – Lerida Solar Farm
27 August 2025	Radio Interview

September 2025

1 September 2025	Meeting with Acting CEO Andrew Croke
3-4 September 2025	Canberra Region Join Organisation Board Meeting and Federal Parliamentary visit with Ministers.
6 September 2025	Grabben Gullen Hall & Recreational Land Management Committee meeting
9 September 2025	Councillor Planning Proposal Workshop – Information Session on Tuesday 9 September 2025

Items on agenda

- Gunning Sewerage Treatment Plant (STP)
- Planning Proposal - Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell
- Planning Proposal – Lot 4 DP 1198749 – 18 Boureong Drive, Gunning

10 September 2025	Radio Interview Homelessness meeting
11 September 2025	Meeting with X-Elio team – Proposal for Community Benefit Agreement R u Ok day Morning Tea
17 September 2025	Radio Interview
18 September 2025	Council Meeting

8 CORRESPONDENCE

The following item is submitted for consideration -

8.1	Correspondence for the months of August and September	34
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Correspondence - 18 September 2025

ITEM 8.1**Correspondence for the months of August and September****RECOMMENDATION:**

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

1. Office of Local Government – Circular 25-18 – Update Ministerial Guidelines on Alcohol Free Zones.
2. Office of Local Government – Circular 25-19 – Procurement Guidelines for NSW Local Government.
3. Office of Local Government – Circular 25-20 – 2025 Model Meeting Code and FAQ sheet.
4. Office of Local Government – Circular 25-21 – Commencement of Mutual Recognition Scheme.
5. Country Mayors Association – Media Release – Meeting Code response.

ATTACHMENTS

1. <u>↓</u>	Office of Local Government - Circular 25-18 - Updated Ministerial Guidelines on Alcohol Free Zones	Attachment
2. <u>↓</u>	OLG - Circular 25-19 - Procurement Guidelines for NSW Local Government	Attachment
3. <u>↓</u>	OLG - Circular 25-20 2025 Model Meeting Code and FAQ Sheet	Attachment
4. <u>↓</u>	OLG - Circular 25-21 - Commencement of Mutual Recognition Scheme	Attachment
5. <u>↓</u>	County Mayors Association - Media Release - Meeting code response	Attachment

Department of Planning, Housing and Infrastructure
Office of Local Government



Circular to Councils

Subject	Updated Ministerial Guidelines on Alcohol Free Zones
Circular Details	Circular 25-18 / 14 August 2025 / A958894
Previous Circular	N/A
Who should read this	Councillors / General Managers / All council staff
Contact	Sector Policy and Frameworks / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

What's new or changing?

- The Ministerial Guidelines on Alcohol-Free Zones (the Guidelines) have been updated following an administrative review.
- The revised Guidelines incorporate updates to agency names, agency contact details and International Organization for Standardization references.
- The list of councils required to consult with the NSW Anti-Discrimination Board (the Board) on alcohol-free zone (AFZ) proposals has been removed from the Guidelines on advice from the Board.
- Guidelines headings and public notification requirements have been updated to align with the *Local Government Act 1993* (LG Act) and contemporary publication practices.
- The Alcohol-Free Zones and Alcohol Prohibited Areas in NSW Fact Sheet (Fact Sheet) has also been updated to reflect the minor changes to the Guidelines.

What will this mean for council?

- The Guidelines have been prepared under section 646(1) of the LG Act and outline councils' obligations associated with establishment, operation and suspension of alcohol-free zones (AFZs).

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- The Fact Sheet provides additional guidance to councils on both AFZs and Alcohol Prohibited Areas (APAs), including key differences and council best practice.
- The revised Guidelines do not list any councils that must consult the Board regarding AFZ/APA proposals under Section 644A(3) and 646(3) of the Act.
- The revised Guidelines provide guidance on public notification in line with contemporary publication practices.
- All councils may still consult with the Board regarding AFZ/APA proposals and continue to ensure that their actions, including in the management of AFZ/APAs, do not discriminate against individuals or groups, and should continue to consult with interested parties.

Key points

- The Guidelines have undergone an administrative update and replace the February 2009 Guidelines.
- The Guidelines outline councils' obligations associated with establishment, operation and suspension of AFZs.
- The Fact Sheet has also been updated, providing councils with additional guidance on both AFZs and APAs.

Where to go for further information

A copy of the updated Guidelines is available on the Office of Local Government (OLG) website at <https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/guidelines-codes-and-practice-notes/>.

A copy of the updated Fact Sheet is available on the OLG website at <https://www.olg.nsw.gov.au/councils/council-infrastructure/services-to-communities/alcohol-free-zones-alcohol-prohibited-areas/>.

NSW Office of Local Government

For further information on the Guidelines or Fact Sheet, contact OLG's Sector Policy and Frameworks Team on (02) 4428 4100 or by emailing olg@olg.nsw.gov.au.

Anti-Discrimination NSW

Anti-Discrimination NSW (ADNSW) is the NSW Government body that administers the *Anti-Discrimination Act 1977*. ADNSW provides free, confidential enquiries service is available for individuals and organisations seeking information about their rights and responsibilities.



For further information on ADNSW, contact the Enquiries and Complaints team on (02) 9268 5544 or 1800 670 812. ADNSW can also be contacted by emailing complaintsadb@justice.nsw.gov.au.

Brett Whitworth
Deputy Secretary
Office of Local Government



Department of Planning, Housing and Infrastructure
Office of Local Government

Procurement Guidelines for NSW Local Government

Subject/title	Procurement Guidelines for NSW Local Government and Procurement Working Group
Circular Details	Circular No 25-19 / 27 August 2025 / A896222
Previous Circular	<u>Circular 22-40 Amendments to the tendering provisions of the Local Government (General) Regulation 2021 and consultation of the development of new procurement guidelines for councils</u>
Who should read this	Councillors / General Managers / Council procurement staff
Contact	Council Governance / (02) 4428 4100 / <u>olg@olg.nsw.gov.au</u>
Action required	Response to OLG



What's new or changing?

- The Office of Local Government (OLG) is seeking feedback on draft Procurement Guidelines for NSW Local Government (Guidelines) to replace the outdated Tendering Guidelines 2009.
- The draft Guidelines outline best practice procurement principles and processes to enable delivery of quality outcomes that provide value for money while effectively managing risks.
- The Guidelines provide clarification on the interpretation and application of the *Local Government Act 1993* (Act) and the *Local Government (General) Regulation 2021* (Regulation) as they apply to procurement activities.
- The Guidelines will also give effect to recommendations made by the NSW Auditor General, address identified procurement risks, and address corruption risks identified in recent NSW Independent Commission Against Corruption investigations.
- OLG is also inviting expressions of interest from procurement professionals to join a Procurement Working Group (Working Group).

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- This group will provide input into the Guidelines and assist with the development of a range of comprehensive supplementary guidance materials and other procurement resources for councils. Information about the expression of interest process is provided in the attachment to this circular.

What will this mean for council?

- Councils are requested to provide feedback on the Guidelines which cover the legislative framework, overarching best-practice principles of procurement and includes links to current available resources
- Participation in the Working Group is an opportunity to directly contribute to the development of the Guidelines and development of supplementary guidance materials and other resources that will benefit all councils.
- When finalised, the Guidelines and supplementary guidance materials will be issued under section 23A of the Act, meaning that councils will be required to consider them when exercising their functions in relation to procurement.

Key points

- A consultation draft of the Guidelines is available on the Office of Local Government (OLG) website at: www.olg.nsw.gov.au/councils/council-finances/consultation-on-new-procurement-guidelines-for-nsw-local-government/
- Feedback can be emailed to olg@olg.nsw.gov.au and should be labelled 'Procurement Guidelines Feedback' and marked to the attention of OLG's Council Governance Team.
- Submissions on the draft Guidelines will be accepted until **COB 10 October 2025**.
- Expressions of interest to join the Working Group can be emailed to olg@olg.nsw.gov.au and should be labelled 'Procurement Working Group Expression of Interest' and marked to the attention of OLG's Council Governance Team.
- Expressions of interest to join the Working Group will be accepted until COB **10 October 2025**.
- OLG will be consulting further with councils on the content of each of the supplementary guidance materials as and when they are developed.

Where to go for further information

- A consultation draft of the Guidelines is available on the [OLG website](http://www.olg.nsw.gov.au/councils/council-finances/consultation-on-new-procurement-guidelines-for-nsw-local-government/).
- Information about the expression of interest process for membership of the Working Group is provided in the attachment to this circular.



- For further information, please contact OLG's Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A blue ink signature of the name 'Brett Whitworth'.

Brett Whitworth
Deputy Secretary, Office of Local Government



Department of Planning, Housing and Infrastructure
Office of Local Government

Attachment

Expressions of interest for membership of procurement working group

- Expressions of Interest are sought from council procurement professionals to join a procurement working group (the Working Group).
- OLG is also seeking EOIs from key stakeholders.
- The Working Group will provide technical input into the Procurement Guidelines for NSW Local Government (Guidelines) and the development of supplementary guidance materials.
- OLG will be seeking the advice of the Working Group on the topics to be addressed in the supplementary guidance materials. Possible topics include the following:
 - Plain English guide to tendering requirements under the Regulation
 - Using procurement to deliver Community Strategic Plan outcomes (e.g. by supporting indigenous businesses, local businesses and disability enterprises)
 - Tendering for domestic waste management services
 - Tendering for labour hire and consultancy services
 - Joint procurement
 - Establishment and use of supplier lists
 - Utilisation of State Government pre-qualification schemes and standing offers/panel contracts established by prescribed entities (i.e. Local Government Procurement/Procurement Australia)
 - Asset disposal
 - Managing cyber security risks in procurement
 - Managing corruption risks in procurement.
- The expected commitment schedule is:
 - an initial discussion session to consider the proposed structure and to identify topics to be covered in the supplementary guidance materials, and
 - an additional 5 meetings to discuss content of the supplementary guidance materials, review feedback on them and proposed refinements.



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Please note: this schedule is provisional and subject to confirmation. There may also be a requirement for some actions to be undertaken outside of Working Group meetings.

Procurement professionals interested in joining the Working Group and who have the capacity and technical expertise to participate are encouraged to email a brief description of their procurement experience, knowledge and skills, and any specific

- area of interest to OLG's Council Governance Team at olg@olg.nsw.gov.au by **COB 10 October 2025.**

Expressions of interest should be labelled 'Procurement Working Group EOI' and marked to the attention of OLG's Council Governance Team.

Final membership of the Working Group will be determined by OLG. Both successful and unsuccessful applicants will be advised of the outcome.

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Circular to Councils

Subject/title	2025 Model Meeting Code
Circular Details	Circular No 25-20 / 29 August 2025 / A975455
Previous Circular	<u>Council Circular 24-23 Consultation on reforms to council meeting practices</u>
Who should read this	Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Council governance staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

What's new or changing?

- Following extensive consultation, the new 2025 Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code) has been finalised.
- The new 2025 Model Meeting Code has been published in the Government Gazette and is expected to be prescribed under the Local Government (General) Regulation 2021 (the Regulation) shortly.
- The new 2025 Model Meeting Code is available on the [Model Code of Meeting Practice for Local Councils in NSW](#) webpage on the Office of Local Government's (OLG) website at www.olg.nsw.gov.au.
- Among other changes, the mandatory provisions of the 2025 Model Meeting Code will prohibit pre-meeting briefings.
- Councils must also livestream meetings of the council and committees comprising wholly of councillors from 1 January 2026 using an audio-visual recording. Recordings of meetings must be published on the council's website for the balance of the council term or for 12 months, whichever is the later date.
- More detailed information about the changes to council meeting practices made by the 2025 Model Meeting Code is provided in the FAQ attached to this circular and available



on the [Model Code of Meeting Practice for Local Councils in NSW](#) webpage on OLG's website.

What will this mean for council?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.
- Transitional provisions in the Regulation will provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.
- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Key points

- The 2025 Model Meeting Code has two elements:
 - mandatory provisions (indicated in black font), and
 - non-mandatory provisions (indicated in red font) covering areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".



Where to go for further information

- The 2025 Model Meeting Code is available on the Model Code of Meeting Practice for Local Councils in NSW webpage of OLG's website at www.olg.nsw.gov.au.
- More information about the 2025 Model Meeting Code and guidance on its adoption is provided in the FAQ attached to this circular and available on the Model Code of Meeting Practice for Local Councils in NSW webpage of OLG's website.
- A webinar will be held in October to support councils in adopting the new Model Code of Meeting Practice. Notice will be provided to enable councils to register.
- For more information, contact the Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

A handwritten signature in blue ink that reads 'Brett Whitworth'.

Brett Whitworth
Deputy Secretary
Office of Local Government

2025 Model Meeting Code - FAQ

Implementation of the 2025 Model Meeting Code

When must the 2025 Model Meeting Code be adopted?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.

What happens if the 2025 Model Meeting Code is not adopted by 31 December 2025?

- Transitional provisions in the Local Government (General) Regulation 2021 (the Regulation) provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, then from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

Are councils required to adopt the non-mandatory provisions of the 2025 Model Meeting Code?

- No. The non-mandatory provisions of the 2025 Model Meeting Code cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- Councils are free to omit the non-mandatory provisions or to adapt them to meet their needs.

Can councils include supplementary provisions in their adopted code of meeting practice?

- Yes. There is nothing to prevent councils from including supplementary provisions in their adopted code of meeting practice to meet their needs, provided the supplementary provisions are not inconsistent with the mandatory provisions of the 2025 Model Meeting Code.



Are joint organisations and county councils required to adopt the 2025 Model Meeting Code?

- Yes. The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils.
- The provisions of the 2025 Model Meeting Code that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

What consultation must councils do before adopting a code of meeting practice?

- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
- This requirement does not apply to joint organisations.

What are the key changes?

A key focus of the changes made to the 2025 Model Meeting Code is to ensure meetings are conducted in a dignified and orderly way befitting to a chamber of democracy and to promote community confidence in councils and their decisions.

The following is a summary of the key changes. It is not an exhaustive list of all the changes that have been made.

Extraordinary meetings

- The mayor may now call an extraordinary meeting without the need to obtain the signature of two councillors.

Dealing with urgent business at meetings

- The process for dealing with urgent business at both ordinary and extraordinary meetings has been simplified.
- Business may be considered at a meeting at which all councillors are present, even though due notice has not been given of the business, if the council resolves

2025 Model Meeting Code - FAQ



to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. The resolution must state the reasons for the urgency.

- If all councillors are not present at the meeting, the chairperson must also rule that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

Prohibition on pre-meeting briefing sessions

- The 2025 Model Meeting Code prohibits briefing sessions being held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.
- The prohibition on briefing sessions does not prevent a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. The information must be provided in a way that does not involve any discussion of the information.

Public forums

- The public forum provisions are now mandatory but leave it to councils to determine whether to hold public forums before council and committee meetings.
- Councils are also free to determine the rules under which public forums are to be conducted and when they are to be held. OLG will be issuing model best practice public forum rules that councils can use if they choose to.
- Public forums must be livestreamed.

Councillors' attendance at meetings by audio-visual link

- The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

Absences from council meetings

- Changes have been made to the provisions governing absences from meetings.
- Where councillors are unable to attend one or more meetings of the council or committees of the council, the new provisions encourage them to:
 - submit an apology for the meetings they are unable to attend,
 - state the reasons for their absence from the meetings, and

2025 Model Meeting Code - FAQ



- request that the council grant them a leave of absence from the relevant meetings.
- Where a councillor makes an apology, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting. Councils are required to act reasonably when deciding whether to grant a leave of absence to a councillor. To ensure accountability, if the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

Livestreaming meetings

- As of 1 January 2026, councils are required to livestream their meetings using an audio-visual recording.
- Recordings of meetings must be published on the council's website for the balance of the council's term or for 12 months, whichever is the later date.
- OLG will be issuing updated guidance on the livestreaming of meetings.

New rules of etiquette at meetings

- Councils may determine standards of dress for councillors when attending meetings.
- Where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.
- The 2025 Model Meeting Code prescribes modes of address.

Mayoral minutes

- The restrictions on mayoral minutes under the previous code have been removed. A mayoral minute may be put to a meeting without notice on any matter or topic that the mayor determines should be considered at the meeting.

Rules of debate

- The rules of debate have been simplified and the rules governing the foreshadowing of motions and amendments have been removed. It remains open to councillors to foreshadow that they intend to move an amendment during the debate, but there are no longer formal rules governing this.
- An amendment has been made to clarify that there is nothing to prevent a further motion from being moved at a meeting on the same item of business where the original motion is lost, provided the motion is not substantially the same as the one that was lost.

2025 Model Meeting Code - FAQ



- Councils will no longer have the option of reducing the duration of speeches to less than 5 minutes. However, councils continue to have other options to expedite business at meetings such as moving that a motion be put where the necessary conditions have been satisfied and to resolve to deal with items by exception.

Voting on planning decisions

- Consistent with the Independent Commission Against Corruption's (ICAC) recommendations, a council or a council committee must not make a final planning decision at a meeting without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

Representations by the public on the closure of meetings

- In the interests of simplifying the code, the rules governing representations by the public on the closure of meetings have been removed. However, there is nothing to prevent councils from adopting their own rules on this. OLG will be issuing model best practice rules for public representations that councils can use if they choose to.

Making information considered at closed meetings public

- Consistent with ICAC's recommendation, the general manager must publish business papers for items of business considered during meetings that have been closed to public on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- Before publishing this information, the general manager must consult with the council and any other affected persons and provide reasons for why the information has ceased to be confidential.

Dealing with disorder

- Councils will be required to determine on the adoption of the new code and at the commencement of each council term, whether to authorise the person presiding at a meeting to exercise a power of expulsion.
- The definition of acts of disorder by councillors have changed. The following constitute acts of disorder under the Regulation and the 2025 Model Meeting Code:

2025 Model Meeting Code - FAQ



- contravening the Act, the Regulation, or the council's code of meeting practice,
- assaulting, or threatening to assault, another councillor or person present at the meeting,
- moving or attempting to move a motion or an amendment that has an unlawful purpose, or deals with a matter that is outside the jurisdiction of the council or committee or addressing or attempting to address the council or committee on or such a motion, amendment or matter,
- using offensive or disorderly words,
- making gestures or otherwise behaving in a way that is sexist, racist, homophobic or otherwise discriminatory, or if the behaviour occurred in the Legislative Assembly, would be considered disorderly,
- imputing improper motives, or unfavourably personally reflecting, on another council official or a person present at the meeting, or
- saying or doing anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.
- Where a councillor fails to remedy an act of disorder at the meeting at which it occurs, they can be required to do so at each subsequent meeting until they remedy the act of disorder. On each occasion the councillor fails to comply with a direction by the chairperson to remedy an act of disorder, they can be expelled from the meeting and each subsequent meeting until they comply.
- Members of the public can be expelled from meetings for engaging in disorderly conduct. Disorderly conduct includes:
 - speaking at meetings without being invited to,
 - bringing flags, signs or protest symbols to meetings,
 - disrupting meetings,
 - making unauthorised recordings of meetings.
- The 2025 Model Meeting Code notes that failure by a councillor or members of the public to leave a meeting when expelled is an offence under section 660 of the Act. Section 660 provides that a person who wilfully obstructs a council, councillor, employee of a council or a duly authorised person in the exercise of any function under the Act, or Regulation is guilty of an offence. An offence under section 660 carries a maximum fine of \$2,100.

2025 Model Meeting Code - FAQ

**Committees**

- Meetings of committees of a council whose membership comprises only of councillors must be conducted in accordance with the council's adopted meeting code. Such committees will no longer have the option of determining that rules under the council's meeting code do not apply to them.

2025 Model Meeting Code - FAQ

Implementation of the 2025 Model Meeting Code

When must the 2025 Model Meeting Code be adopted?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.

What happens if the 2025 Model Meeting Code is not adopted by 31 December 2025?

- Transitional provisions in the Local Government (General) Regulation 2021 (the Regulation) provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, then from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

Are councils required to adopt the non-mandatory provisions of the 2025 Model Meeting Code?

- No. The non-mandatory provisions of the 2025 Model Meeting Code cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- Councils are free to omit the non-mandatory provisions or to adapt them to meet their needs.

Can councils include supplementary provisions in their adopted code of meeting practice?

- Yes. There is nothing to prevent councils from including supplementary provisions in their adopted code of meeting practice to meet their needs, provided the supplementary provisions are not inconsistent with the mandatory provisions of the 2025 Model Meeting Code.



Are joint organisations and county councils required to adopt the 2025 Model Meeting Code?

- Yes. The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils.
- The provisions of the 2025 Model Meeting Code that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

What consultation must councils do before adopting a code of meeting practice?

- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
- This requirement does not apply to joint organisations.

What are the key changes?

A key focus of the changes made to the 2025 Model Meeting Code is to ensure meetings are conducted in a dignified and orderly way befitting to a chamber of democracy and to promote community confidence in councils and their decisions.

The following is a summary of the key changes. It is not an exhaustive list of all the changes that have been made.

Extraordinary meetings

- The mayor may now call an extraordinary meeting without the need to obtain the signature of two councillors.

Dealing with urgent business at meetings

- The process for dealing with urgent business at both ordinary and extraordinary meetings has been simplified.
- Business may be considered at a meeting at which all councillors are present, even though due notice has not been given of the business, if the council resolves

2025 Model Meeting Code - FAQ



to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. The resolution must state the reasons for the urgency.

- If all councillors are not present at the meeting, the chairperson must also rule that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

Prohibition on pre-meeting briefing sessions

- The 2025 Model Meeting Code prohibits briefing sessions being held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.
- The prohibition on briefing sessions does not prevent a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. The information must be provided in a way that does not involve any discussion of the information.

Public forums

- The public forum provisions are now mandatory but leave it to councils to determine whether to hold public forums before council and committee meetings.
- Councils are also free to determine the rules under which public forums are to be conducted and when they are to be held. OLG will be issuing model best practice public forum rules that councils can use if they choose to.
- Public forums must be livestreamed.

Councillors' attendance at meetings by audio-visual link

- The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

Absences from council meetings

- Changes have been made to the provisions governing absences from meetings.
- Where councillors are unable to attend one or more meetings of the council or committees of the council, the new provisions encourage them to:
 - submit an apology for the meetings they are unable to attend,
 - state the reasons for their absence from the meetings, and

2025 Model Meeting Code - FAQ



- request that the council grant them a leave of absence from the relevant meetings.
- Where a councillor makes an apology, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting. Councils are required to act reasonably when deciding whether to grant a leave of absence to a councillor. To ensure accountability, if the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

Livestreaming meetings

- As of 1 January 2026, councils are required to livestream their meetings using an audio-visual recording.
- Recordings of meetings must be published on the council's website for the balance of the council's term or for 12 months, whichever is the later date.
- OLG will be issuing updated guidance on the livestreaming of meetings.

New rules of etiquette at meetings

- Councils may determine standards of dress for councillors when attending meetings.
- Where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.
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2025 Model Meeting Code - FAQ



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2025 Model Meeting Code - FAQ

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Circular to Councils

Subject	Commencement of Mutual Recognition Scheme
Circular Details	Council Circular 25-21 / 5 September 2025 / A952303
Previous Circular	<u>Council Circular 24-18 Mutual Recognition – Councils’ Local Approvals for mobile businesses</u>
Who should read this	Councillors / General Managers / All council staff / Environmental Health teams / Local business approval teams
Contact	OLG Sector Policy and Frameworks Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

What's new or changing?

- The Mutual Recognition Scheme is now available to all NSW councils, facilitated by amendments to the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.
- The Mutual Recognition Scheme has been designed to simplify the approval process and reduce the administrative and cost burden on councils and mobile businesses.
- Instead of requiring a mobile business to obtain separate 'Section 68' approval from each council where they intend to operate, holders of eligible approvals may seek to have a current approval recognised by other councils.
- Council participation in mutual recognition is non-mandatory; however, councils are encouraged to recognise approvals to reduce the administrative burden associated and improve economic outcomes in their area.
- The Mutual Recognition Scheme contains the following provisions:
 - Authorise councils to recognise an approval issued by another council under Part D or Part F7 of Section 68 of the *Local Government Act 1993*
 - Prescribe particulars to be inserted by a council on a Recognition Certificate
 - Apply any enforcement powers for Section 68 approvals to recognition of approvals



- Establish an offence that can be applied against a person that has had an approval revoked and has not notified the councils who have recognised the approval.
- To support the new Mutual Recognition Scheme, the Office of Local Government (OLG) has developed Mutual Recognition Guidelines (Guidelines), FAQ's, explanatory videos, best practice forms and a model council policy template.
- The Guidelines and supplementary suite of resources can be accessed via the OLG website <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition/>

What will this mean for council?

- The Mutual Recognition Scheme has commenced. All current and new approvals issued under Section 68 Part D or Part F7 of the *Local Government Act 1993* are eligible for mutual recognition requests.
- Councils are not required to formally opt-in to participate in the Mutual Recognition Scheme and have discretion to participate in the Mutual Recognition Scheme.
- Councils who participate in the Mutual Recognition Scheme may need to review suitability of existing forms, processes, policies and fees for managing mutual recognition requests.
- Guidelines and supporting material is available on the OLG website: <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition/>.

Key points

- Mutual recognition is immediately available to all councils and holders of eligible approvals (Section 68 Part D or Part F7).
- OLG has developed Guidelines and a suite of resource materials to assist councils and businesses interpret, implement and use the Mutual Recognition Scheme.
- The development of the Mutual Recognition Scheme and the supporting Guidelines has been a collaborative effort, informed through engagement with various NSW Government agencies, local councils and the mobile business sector.

Where to go for further information

- For further information go to <https://www.olg.nsw.gov.au/programs-and-initiatives/mutual-recognition>, or contact the Sector Policy and Frameworks team on 02 4428 4100 or via email at olg@olg.nsw.gov.au

A handwritten signature in blue ink that reads 'Brett Whitworth'.

Brett Whitworth
Deputy Secretary, Office of Local Government



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

MEDIA RELEASE

3 September, 2025

Country Mayors welcome new council meeting rulebook

Chairman of the Country Mayors Association of NSW (CMA), Temora Shire Mayor Rick Firman OAM has commended the New South Wales Local Government Minister the Hon. Ron Hoenig MP and the Office of Local Government for the recently released 'Meeting Code of Practice'.

"In the main, it's a good workable Code. The CMA Board are very grateful to Minister Hoenig for having direct input into this document, and for allowing extensive consultation. We certainly can't bellyache about not being part of Minister Hoenig's reform journey," he said.

"The reaction from rural, remote and regional mayors throughout the State thus far has been generally positive, despite a few points of frustration. I've spoken to Minister Hoenig since the release of the Code of Meeting Practice. The CMA Board and Members acknowledge and appreciate how hard he and his team have worked on this. It has been a long road to this point."

"Of course, the expectations of the NSW Government and country Mayors are not going align perfectly, across the board. Many CMA members were not happy that private briefing sessions have been banned. While acknowledging the Minister's focus on transparency, it was a widespread view that Councillors are not experts in all areas and should be able to receive briefings, off the record and in-private where appropriate, so an informed decision-making process can occur.

"Other points of contention in the new code have included some not believing that rising when the Mayor enters the Chamber is necessary or that all Councillors should stand (if able) when addressing the Chamber. However, such formal protocols engender improved respect for all Council roles and more appropriate behaviour. A new minimum dress standard is in line with this. I applaud the Minister for pushing in that direction," Mayor Firman said.

"It must be noted that in rural and remote Councils, there are rarely the issues of poor behaviour that has existed in some larger Councils. However, we note that the Minister can't have separate legislation for rural, remote, regional and metropolitan Councils."

"It is positive that there are still opportunities for Councils to include supplementary provisions in the Code, as long as they're not contradicting the mandatory aspects of the Code. It's also pleasing to see

www.nswcountrymayors.com.au



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

Mayors will be able to call an extra-ordinary meeting without having to seek signatures from two Councillors. Mandatory live-streaming of Council meetings is an interesting new requirement for Council meetings; it's not new for some but for others, it represents some capital outlay and some Chamber tweaking," he said.

Deputy CMA Chairman and Bega Valley Shire Mayor Russell Fitzpatrick said the onus is now on Councils to make the Code of Meeting Practice work. "Like the Minister, we want to see greater respect for our Councillors and Mayors," he said. "It's not perfect but it is a playbook for a higher standard in our Council Chambers and that is something our respective communities deserve."

END

Caption: CMA Chairman and Temora Shire Mayor Rick Firman OAM

Contacts: Mayor Rick Firman OAM, CMA Chairman: 0429 204 060
Mayor Russell Fitzpatrick, Deputy Chairman: 0400 956 388
Mr Gary Fry, CMA Secretariat, Mobile: 0427 008 572
Email: admin@nswcountrymayors.com.au

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10 INFORMATION ONLY

The following items are submitted for consideration -

10.1	Development Statistics Report	66
10.2	Water, Sewer Waste Quarterly Report	72
10.3	Investments for the month of August 2025	75
10.4	Bank Balance and Reconciliation - 31 August 2025	79
10.5	Rates and Charges Outstanding for the month of August 2025	80
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10.7	Action Summary - Council Decisions	86

Information Only - 18 September 2025

ITEM 10.1 **Development Statistics Report**

FILE REFERENCE **I25/255**

AUTHOR **Manager Planning and Regulatory Services**

ISSUE

This report provides Council with an overview of the development application consents that have occurred in the period of 1 August 2025 – 31 August 2025, and an update on the status of the Planning and Development Control Department.

RECOMMENDATION That -

1. Council receives and notes the report as information.

BACKGROUND

A standard monthly report providing Council with a summary of the development control activities that have occurred in the period 1 August 2025 – 31 August 2025.

REPORT

This report provides Council with an overview of the development control activities that have occurred in the period of 1 July 2024 to 1 August 2025. This report contains information detailing Upper Lachlan Shire Councils performance in relation to the NSW Planning Ministers Expectations for Development Application Assessments.

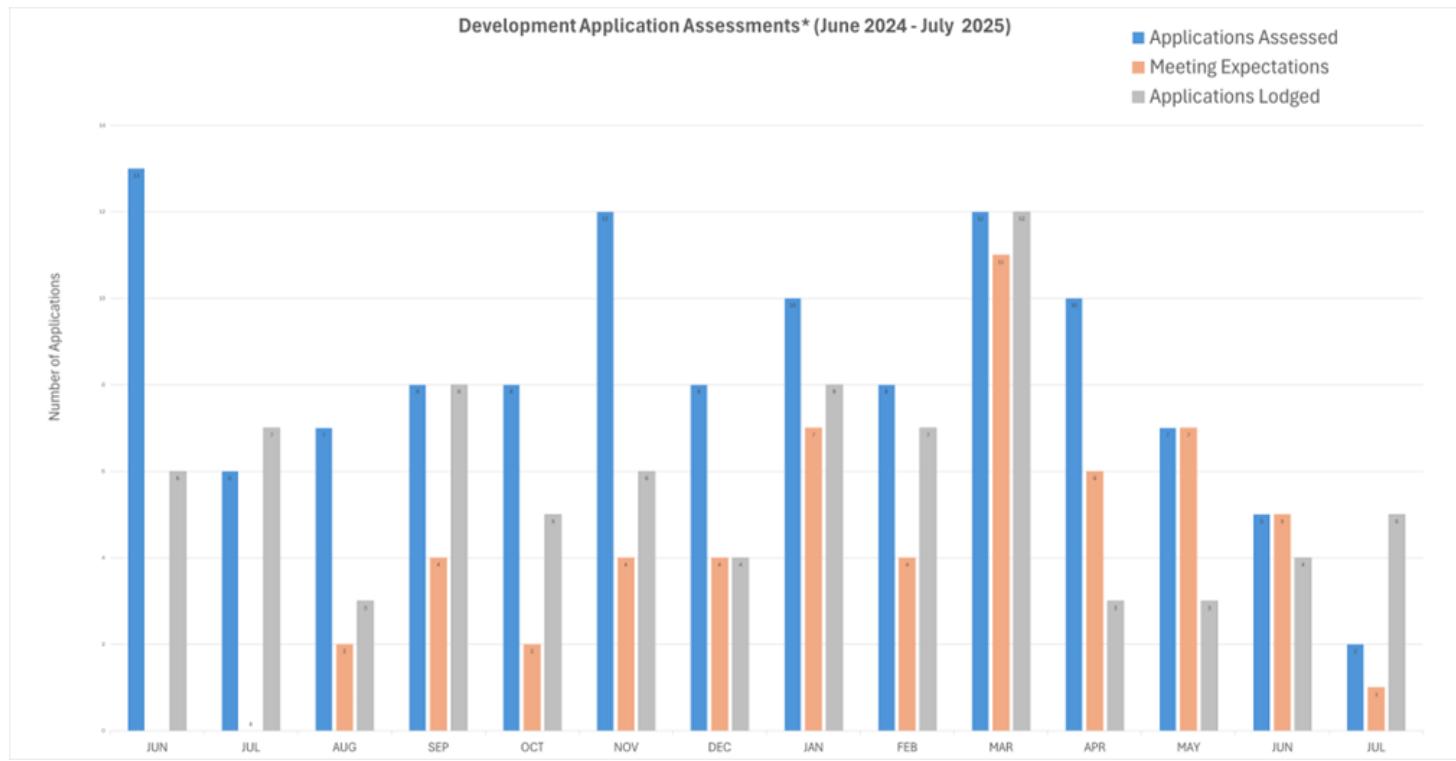
As identified in Figure 1, Council achieved the NSW Planning Ministers expectation of 105 days for 50% of applications determined in the month of July 2025. As of 1 July 2025, the NSW Planning Minister no longer recognises Modifications and Reviews as applications lodged, this decision is now reflected in reporting numbers. (Note: A monthly delay remains on this data, as it still relies on NSW Planning Portal).

As shown in figure 2, average assessment days continue to trend downwards from the 2024/2025 reporting period. (Note: A monthly delay remains on this data as it still relies on NSW Planning Portal).

The addition of figure 3, provides Councillors with an understanding of actual average assessment days for the application assessed within that month.

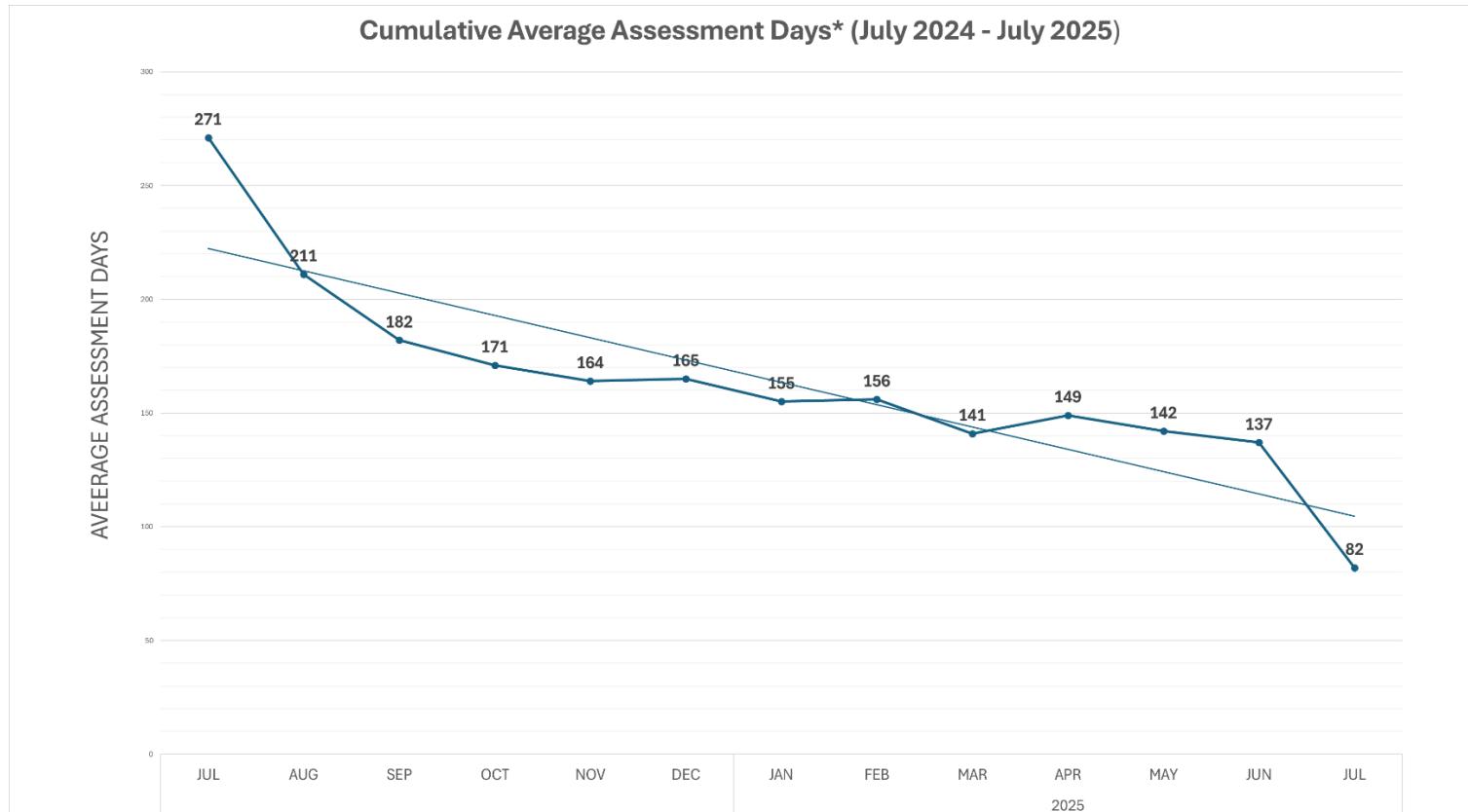
Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Figure 1. Comparison of Applications Lodged/Assessed/Meeting Expectations: June 2024 – July 2025.



* As of 1 July 2025, the NSW Planning Minister no longer recognises Modifications and Reviews as applications lodged, this decision is now reflected in reporting numbers.

Figure 2. Cumulative Average Assessment Days (July 2024 to July 2025).



* As of 1 July 2025, the NSW Planning Minister no longer recognises Modifications and Reviews as applications lodged, this decision is now reflected in reporting numbers.

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Figure 3. Actual Per Month Average Assessment Days (June 2024 to July 2025*).

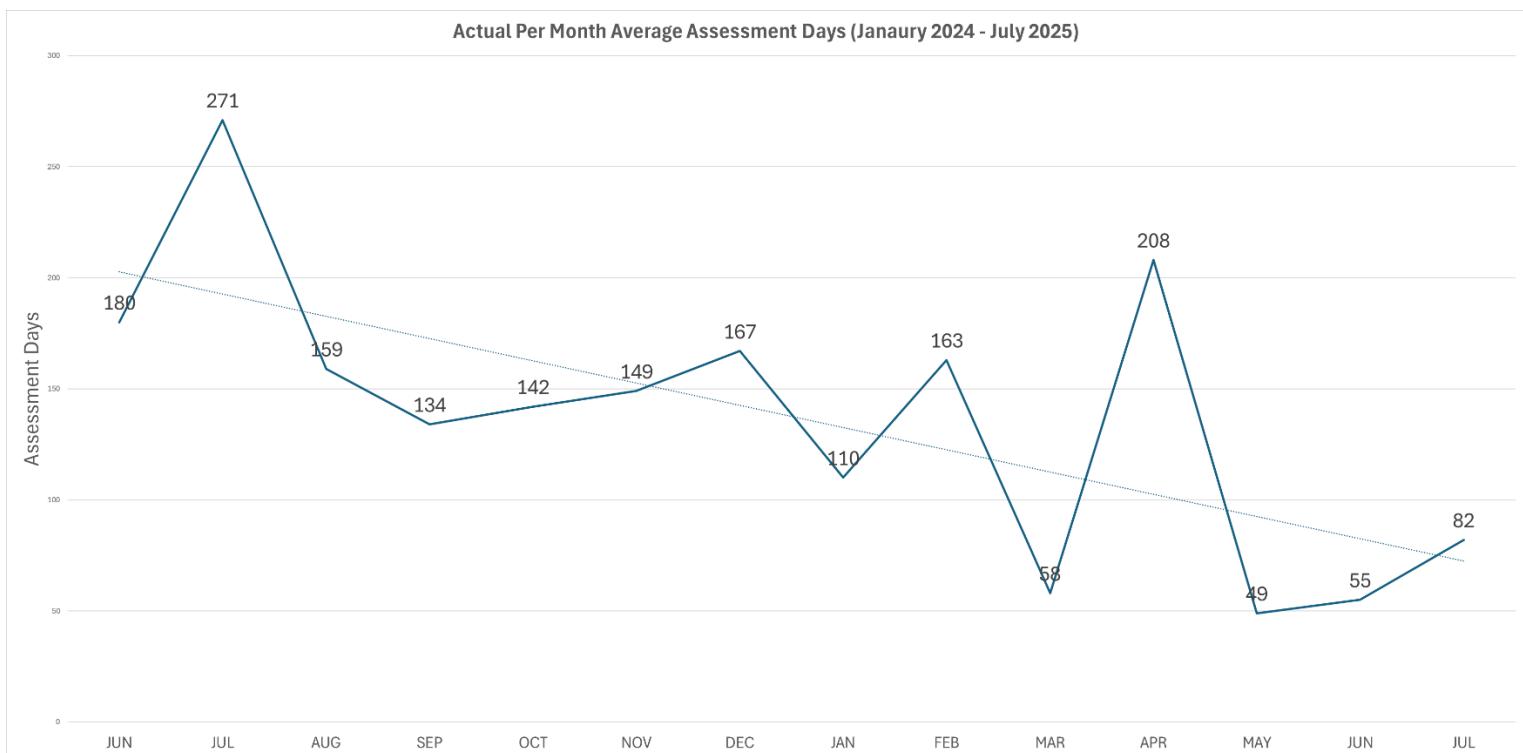
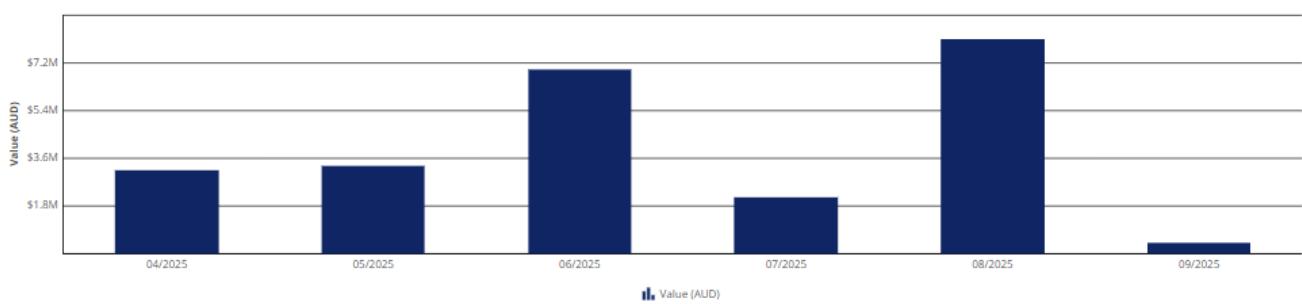


Figure 4. Total Estimated Cost of Development (February 2025 to Present)

✓ **Total estimated cost of development**



Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Development Applications

The current level of development application assessment for this period to 31 August 2025 is summarised in the tables below:

Determined Development/Planning Applications

Determined from 1/08/2025 to 31/08/2025

Application Number	Date Submitted	Address	Proposal	Date Determined	Determination
Development Application					
10/2010/95/3	14 Jul 2025	Golspie Road GOLSPIE	Modification - Extension of Loft Area	26 Aug 2025	Approved by Delegation
10/2025/55/1	02 Jul 2025	190 Greenridge Road CURRAWEELA	Dwelling	31 Aug 2025	Approved by Delegation
10/2024/79/2	14 Jul 2025	451 Salisbury Road BIGGA	Outbuilding	14 Aug 2025	Approved by Delegation
10/2025/38/1	23 Apr 2025	161 Strathaird Lane TARALGA	Dwelling and Outbuilding	28 Aug 2025	Approved by Delegation
10/2025/61/1	14 Jul 2025	120 Greenwich Meadows Road GREENWICH PARK	Dwelling	28 Aug 2025	Withdrawn
10/2025/64/1	23 Jul 2025	Yalbraith Road GOLSPIE	Outbuilding	19 Aug 2025	Approved by Delegation

Total Applications: 6

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

Outstanding Development/Planning Applications

Lodged since 1/01/2010

Application Number	Submitted	Address	Proposal	Status	Net Days
Development Application					
10/2023/286/1	25 Jan 2024	McDonald Street CROOKWELL	Fifty (50) lot Subdivision (Torrens Title and Drainage)	Request for Information	258
10/2024/24/1	11 Apr 2024	14 Peelwood Road LAGGAN	Change of Use - Church to Dwelling	Request for Information	44
10/2024/76/2	12 May 2025	Carrington Street CROOKWELL	Dual Occupancy	Request for Information	98
10/2025/37/3	06 Jun 2025	Cuddyong Road LIMERICK	Agricultural Subdivision	Under Assessment	25
10/2025/46/1	08 May 2025	Golspie Road TARALGA	Alterations and Additions	Request for Information	37
10/2025/50/1	30 May 2025	3 Memory Avenue CROOKWELL	Twenty-One (21) lot Subdivision (Torrens title and Childcare Centre)	Under Assessment	64
10/2025/57/1	11 Jul 2025	1905 Fullerton Road FULLERTON	Dwelling	Under Assessment	28
10/2025/58/1	10 Jul 2025	534 Flacknell Creek Road JERRAWA	Three (3) Lot Subdivision (Torrens Title)	Under Assessment	52
10/2025/65/1	17 Aug 2025	224 Fullerton Road LAGGAN	Dwelling	Under Assessment	15

Information Only
DEVELOPMENT STATISTICS REPORT cont'd

10/2025/66/1	14 Aug 2025	51 Emmerton Drive GREENWICH PARK	Dwelling	Under Assessment	17
10/2025/67/1	05 Aug 2025	1624 Breadalbane Road BREADALBANE	Outbuilding	Under Assessment	17
10/2025/68/1	22 Aug 2025	2603 Cullerin Road GUNNING	Twenty-Three (23) lot Subdivision (Torrens Title)	On Exhibition	17
10/2025/69/1	19 Aug 2025	103 Collector Road GUNNING	Concept Development (Torrens Title 99 lots for residential use, 4 allotments for stormwater onsite detention, 1 allotment for environmental protection and 1 allotment for dedication to Council for future cemetery expansion). Stage 1 (32 - Torrens Title Lots and 2 - Open space drainage lots.)	On Exhibition	19
10/2025/70/1	25 Aug 2025	Garmoran Valley Road BIG HILL	Dwelling	Under Assessment	7
10/2025/72/1	02 Sep 2025	Mount Rae Road ROSLYN	Dwelling	Under Assessment	4

Total Applications: 15

RECOMMENDATION That -

1. Council receives and notes the report as information.

ATTACHMENTS

Nil

Information Only - 18 September 2025

ITEM 10.2 Water, Sewer Waste Quarterly Report

FILE REFERENCE I25/256

AUTHOR Manager Water, Waste and Sewer

ISSUE

This quarterly report advises Council of Water, Sewer and Waste activities.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Quarterly report on Water Sewer and Waste activities from June 2025.

REPORT

Water & Sewer

Potable water production has reduced in months from May to end of August. Colder weather and increased rainfall the standout reason for this subtle decrease. There has been a spike increase in sewer flows as a result of infiltration to the sewer network from the wet weather events in the period. Comparison from previous years has shown a decrease in infiltration from repair works completed by the Water and Sewer team.

Water Treatment

Township	JUNE 2025			JULY 2025			AUGUST 2025		
	Average Dam Level (%)	Average Daily Consumption (kl)	Total Production (kl)	Average Dam Level (%)	Average Daily Consumption (kl)	Total Production (kl)	Average Dam Level (%)	Average Daily Consumption (kl)	Total Production (kl)
Crookwell	100	827.4	24823	100	765.4	23726	100	725.2	22482
Gunning	105	191.1	5733.95	101	171.1	5134.11	99	197.3	6116.85
Taralga	29	85.3	2557.8	29	87.5	2711.2	29	80.1	2483.6

Sewer Treatment

Township	JUNE 2025			JULY 2025			AUGUST 2025		
	Total Effluent Treated (kl)	Average Daily Flows (kl)	Rainfall (mm)	Total Effluent Treated (kl)	Average Daily Flows (kl)	Rainfall (mm)	Total Effluent Treated (kl)	Average Daily Flows (kl)	Rainfall (mm)
Crookwell	20325	700.9	67	58625	1891.1	146.5	45906	1583	44.5
Gunning	3684	122.8	36	4348	140.3	93.5	4437	143.1	47.5
Taralga	4905	163.5	48	9427	304.1	137.3	9915	330.5	101.8

Information Only**WATER, SEWER WASTE QUARTERLY REPORT cont'd**

Water and Sewer Infrastructure Works				
Town	Crookwell	Gunning	Taralga	Dalton
Water main breaks	4	0	0	0
Water main flushing				
Water meter repairs	16	7	4	3
Water meter replacements/new installs	20	7	4	2
Stop valve inspections/repairs				
After hours call outs	21	3	1	0
Sewer chokes	8	3	0	N/A
Sewer access chamber inspections				
Access chamber lid/con version slab replacement				
Bore inspections/maintenance/repairs				

There has been an increase in frost - damaged meters across the shire with the cold weather.

Unfortunately, sewer chokes cleared were caused mostly from foreign items being flushed down toilets.

There has also been sewer chokes from fat in mains exacerbated by colder weather causing blockages to flows (*NB: Oils and fats should also be disposed of in the waste bin and not down the sewer*)

Council will continue to educate the community to improve this area.

Waste

Waste volumes have been consistent for this time of year. Green lid bin servicing has decreased during the winter months with almost only 1 in 5 bins put out for fortnightly collection. The yellow lid recycle bin frequency has increased to almost 4 out of 5 bins put out for weekly servicing. A further report regarding development of waste strategy and implications will be provided in the near future.

Information Only
WATER, SEWER WASTE QUARTERLY REPORT cont'd

WASTE COLLECTIONS AND TRANSFER STATIONS

	JUN 2025		JUL 2025		AUG 2025		
	Loads	Tonnes	Loads	Tonnes	Loads	Tonnes	
Waste disposal at Woodlawn (Veolia)	13	211.4	19	222.94	21	269.36	
KERB SIDE COLLECTIONS	BIN COUNT	%	TONNES	BIN COUNT	%	TONNES	
<i>(Red Lid)</i> Waste bins collected	9367	89.62	121.93	9215	88.16	87.01	8607 82.35 78.05
<i>(Yellow Lid)</i> Recycle bins collected	4048	77.46	41.58	3764	72.02	36.17	3609 69.06 45.19
<i>(Green Lid)</i> Garden organics bins collected	1148	21.97	24.83	1135	21.72	28.01	995 19.04 20.82
Missed bins	3		3		3		
Bins too heavy for collection	2		5		0		
WASTE TRANSFER STATIONS	NO. VISITS	VOLUME	NO. VISITS	VOLUME	NO. VISITS	VOLUME	
Crookwell	618	28.88	469	41.28	618	32.72	
Taralga	516	15.76	449	17.51	487	12.99	
Gunning	215	11.48	190	17.26	266	16.04	
Bigga	192	5.81	130	5.59	183	5.28	

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 September 2025

ITEM 10.3 **Investments for the month of August 2025**

FILE REFERENCE **I25/242**

AUTHOR **Director of Finance and Administration**

ISSUE

Council Investment Portfolio Register as at 31 August 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

The investment portfolio register is provided for the information of Council.

REPORT

Investments to 31 August 2025

Investment Institution	Type	Investment Face Value	Interest Rate	Term Days	Maturity Date	Interest Due
IMB	TD	\$1,000,000	4.30%	90	2/09/2025	\$10,602.74
Bendigo Bank	TD	\$1,000,000	4.65%	182	3/09/2025	\$23,186.30
NAB	TD	\$1,000,000	4.30%	90	9/09/2025	\$10,602.74
Bendigo Bank	TD	\$1,000,000	4.20%	84	10/09/2025	\$9,665.75
IMB	TD	\$1,000,000	4.65%	182	17/09/2025	\$23,186.30
CBA	TD	\$2,000,000	4.20%	90	23/09/2025	\$20,712.33
NAB	TD	\$1,000,000	4.80%	231	24/09/2025	\$30,378.08
IMB	TD	\$1,000,000	4.25%	97	1/10/2025	\$11,294.52
IMB	TD	\$1,000,000	4.25%	139	8/10/2025	\$16,184.93
NAB	TD	\$1,000,000	4.75%	239	16/10/2025	\$31,102.74
Bank of Qld	TD	\$1,000,000	4.20%	118	22/10/2025	\$13,578.08
NAB	TD	\$1,000,000	4.25%	125	29/10/2025	\$14,554.79
IMB	TD	\$1,000,000	4.17%	112	5/11/2025	\$12,795.62
Bank of Qld	TD	\$1,000,000	4.45%	181	12/11/2025	\$22,067.12
NAB	TD	\$1,000,000	5.10%	364	19/11/2025	\$50,860.27
CBA	TD	\$1,000,000	4.06%	140	26/11/2025	\$15,572.60
Bank of Qld	TD	\$1,000,000	4.35%	181	3/12/2025	\$21,571.23
CBA	TD	\$1,000,000	4.16%	140	10/12/2025	\$15,956.16
NAB	TD	\$1,000,000	4.65%	259	17/12/2025	\$32,995.89
Bank of Qld	TD	\$1,000,000	4.35%	182	7/01/2026	\$21,690.41
IMB	TD	\$1,000,000	4.10%	175	14/01/2026	\$19,657.53
Bank of Qld	TD	\$1,000,000	4.25%	203	21/01/2026	\$23,636.99
NAB	TD	\$1,000,000	4.80%	362	28/01/2026	\$47,605.48
Bendigo Bank	TD	\$1,000,000	4.15%	189	4/02/2026	\$21,489.04

Information Only

INVESTMENTS FOR THE MONTH OF AUGUST 2025 cont'd

Bendigo Bank	TD	\$1,000,000	4.15%	189	11/02/2026	\$21,489.04
CBA	TD	\$1,000,000	4.11%	196	18/02/2026	\$22,070.14
NAB	TD	\$1,000,000	4.20%	210	25/02/2026	\$24,164.38
Bank of Qld	TD	\$1,000,000	4.10%	203	4/03/2026	\$22,802.74
CBA	TD	\$1,000,000	4.06%	204	11/03/2026	\$22,691.51
IMB	TD	\$1,000,000	4.05%	210	18/03/2026	\$23,301.37
Bendigo Bank	TD	\$1,000,000	4.05%	217	25/03/2026	\$24,078.08
Bendigo Bank	TD	\$1,000,000	4.05%	224	1/04/2026	\$24,854.79
Bank of Qld	TD	\$1,100,000	4.05%	231	8/04/2026	\$28,194.66
CBA	TD	\$1,000,000	4.05%	237	15/04/2026	\$26,297.26
Bendigo Bank	TD	\$1,000,000	4.00%	239	22/04/2026	\$26,191.78
CBA	TD	\$1,000,000	4.03%	245	29/04/2026	\$27,050.68
Bendigo Bank	TD	\$1,000,000	4.00%	252	6/05/2026	\$27,616.44
NAB	TD	\$1,000,000	4.10%	364	19/08/2026	\$40,887.67
		\$39,100,000				\$882,638

COUNCIL INVESTMENT PERFORMANCE:

BUDGET COMPARISON TO 31 AUGUST 2025

Interest on Investments Received YTD	\$340,567.79
Annual budgeted amount for all funds	\$1,350,000.00
Percentage of Interest Received YTD	25.23%
Percentage of Year Elapsed	16.99%
Average market interest rate (90-day BBSW)	3.56%
Average return on all investments	4.27%

The above investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the Local Government Regulations, the Ministerial Investment Order, and the Council's Investment Policy.

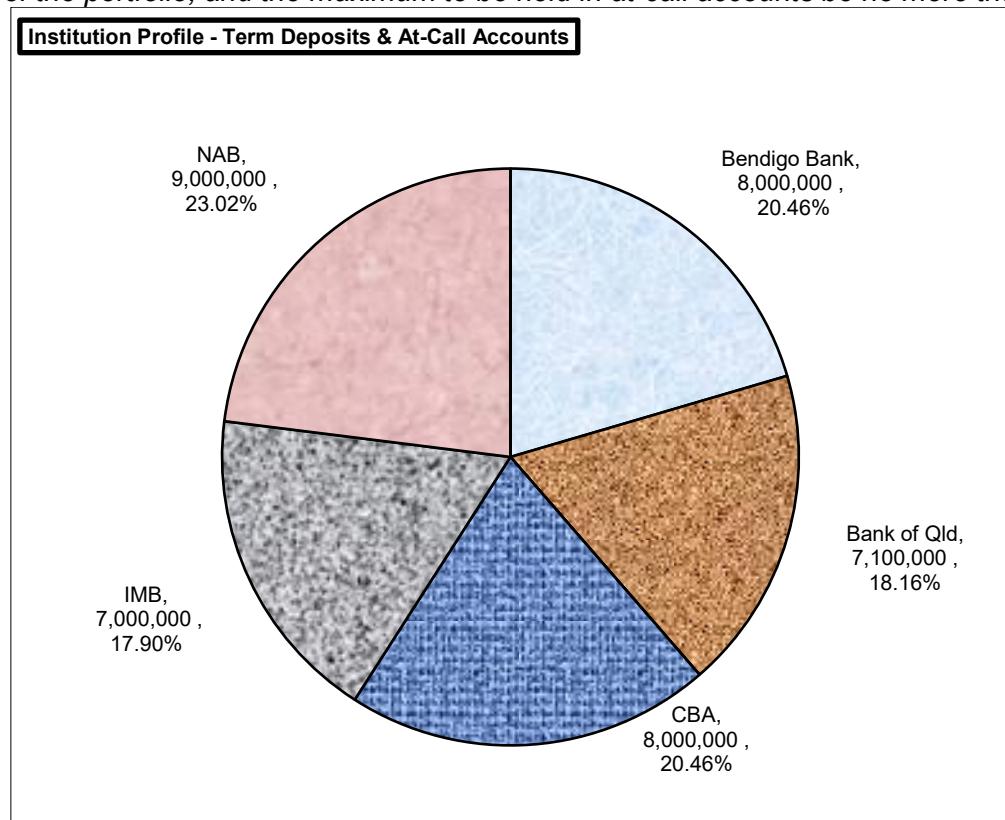
Information Only

INVESTMENTS FOR THE MONTH OF AUGUST 2025 cont'd

FINANCIAL INSTITUTION INVESTMENTS PROFILE AS AT 31 AUGUST 2025

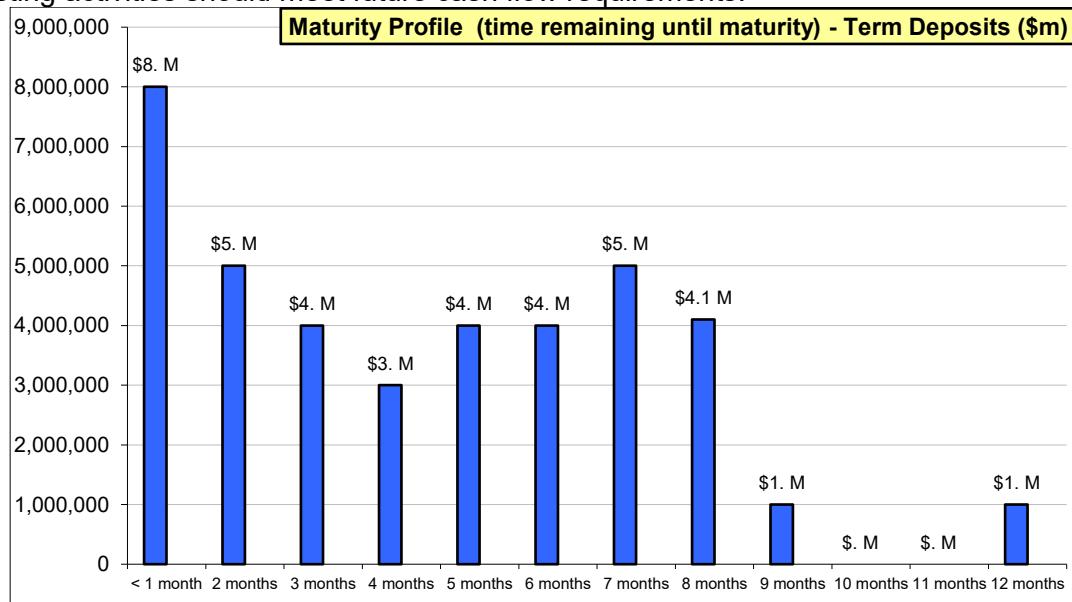
The following chart shows the current distribution of Council's investment portfolio between the authorised financial institutions used. The current distribution of funds between institutions complies with Council's Investment Policy which states:

"The maximum percentage that may be held in term deposits with any one financial institution is 25% of the portfolio, and the maximum to be held in at-call accounts be no more than 15%."



INVESTMENTS - MATURITY PROFILE AS AT 31 AUGUST 2025

The following chart illustrates the maturity profile of investment portfolio showing the amount of time remaining until current term deposits mature. This demonstrates that Council's investing activities should meet future cash flow requirements.



Information Only

INVESTMENTS FOR THE MONTH OF AUGUST 2025 cont'd

SUMMARY OF AVAILABLE CASH AT 31 AUGUST 2025

TOTAL INVESTMENTS: \$ **39,100,000**

INVESTMENTS BY FUND (INCLUDES RESTRICTED AND UNRESTRICTED CASH):

General Fund Reserves	\$ 22,746,322
Water Supply Fund Reserves	\$ 4,493,219
Sewerage Fund Reserves	\$ 8,233,478
Domestic Waste Management Fund Reserves	\$ 3,442,430
Trust Fund Reserves	\$ 184,551

POLICY IMPACT

Investments are in accordance with Council's Investment Policy and Strategy.

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 September 2025

ITEM 10.4 **Bank Balance and Reconciliation - 31 August 2025**

FILE REFERENCE **I25/243**

AUTHOR **Director of Finance and Administration**

ISSUE

Statement of Bank Balance and Reconciliation as at 31 August 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

REPORT

STATEMENT OF BANK BALANCE & RECONCILIATION	\$
General Ledger Balance brought forward 31 July 2025	603,015.72
Add: Receipts for August 2025	16,139,930.35
	16,742,946.07
Deduct: Payments for August 2025	(15,013,933.53)
Balance as at 31 August 2025	1,729,012.54
Balance as per Bank Statement 31 August 2025	2,247,714.97
Add: Outstanding Deposits (less unpresented Bank file transactions)	45,260.57
	2,292,975.54
Less: Unpresented Cheques/ EFTs	(563,963.00)
Balance as at 31 August 2025	1,729,012.54

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 September 2025

ITEM 10.5 **Rates and Charges Outstanding for the month of August 2025**

FILE REFERENCE I25/244

AUTHOR Director of Finance and Administration

ISSUE

Rates and Charges Outstanding Report to 31 August 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

A Summary report of the Rates and Charges outstanding at 31 August 2025 is detailed.

REPORT

There is an attached report titled "Rate Collection 2026 Year" for the 2025/2026 financial year, including credit balances. A comparison of the rates and charges outstanding percentage to previous financial years is highlighted in the below table:

Description	31/08/2025	31/07/2024	31/08/2023
Total % Rates and Charges Outstanding	62.23%	86.64%	61.70%
Total \$ Amount Rates and Charges Outstanding	\$10.53 million	\$13.92 million	\$9.18 million

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

[1. !\[\]\(0283a157a96e2a7ce87630f6149e5755_img.jpg\) Rate Collection by Year - September 2025](#) | Attachment

Rate Collection 2026 Year

Rating Categories	Levy Raised to date	Rates Received to 2 September 2025	Rates Outstanding to 2 September 2025	% Rates Outstanding 2 September 2025
Farmland	6,205,856.20	2,372,767.09	3,833,089.11	61.77%
Residential	1,723,043.92	568,978.82	1,154,065.10	66.98%
Rural Residential	962,461.34	381,661.25	580,800.09	60.35%
Business	749,492.53	434,359.48	315,133.05	42.05%
Mining	2,372.10	593.69	1,778.41	74.97%
Water	1,423,008.07	486,579.31	936,428.76	65.81%
Sewerage	2,159,187.72	726,323.06	1,432,864.66	66.36%
Domestic & Comm Waste	1,863,871.00	661,139.21	1,202,731.79	64.53%
Rural Waste	1,001,146.41	394,646.34	606,500.07	60.58%
Storm Water	50,850.00	16,646.65	34,203.35	67.26%
**Arrears	772,899.67	344,708.79	428,190.88	55.40%
Credits		74,150.43	-74,150.43	
Overall Total Rates	16,914,188.96	6,462,554.12	10,451,634.84	61.79%

Z:\Rates\2025-2026\Recs\%oust_August 31 - 2025

Information Only - 18 September 2025

ITEM 10.6

Tourism and Economic Development Report - Updates

FILE REFERENCE I25/179

AUTHOR

Coordinator Visitor Information Centre and Events

ISSUE

This report provides a summary of the activities in the Upper Lachlan Shire Council Tourism and Economic Development Department and the Crookwell Visitor Information Centre (VIC) for June, July and August 2025.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Nil

Visitors to Visitor Information Centre (VIC)

	June 2024	June 2025	July 2024	July 2025	Aug 2024	Aug 2025	Total (June, July, Aug 24)	Total (June, July, Aug 25)
Number of walk in visitors	309	304	415	339	405	296	1,143	939
Local Residents	103	88	118	96	143	96	364	280
Goulburn	9	13	20	8	20	22	49	43
New South Wales	153	149	198	190	208	160	559	499
Victoria	12	10	31	11	9	5	52	26
Queensland	9	5	7	11	13	0	29	16
South Australia	0	9	0	5	1	1	1	15
Northern Territory	0	0	0	0	0	2	0	2
Australian Capital Territory	19	18	37	10	13	10	69	38
Western Australia	0	3	0	2	1	0	1	5
Tasmania	2	1	1	0	0	0	3	1
Overseas/International	2	8	3	6	2	0	7	14

OVERVIEW

Tourism in the Upper Lachlan Shire has been positive despite the colder weather with a total of 939 walk-ins to the Information Centre. The tourism team have focused on getting our local destinations listed on the Australian Tourism Data Warehouse

Information Only

TOURISM AND ECONOMIC DEVELOPMENT REPORT - UPDATES cont'd

(ATDW) a Destination NSW platform that then lists our assets on Visit NSW. In June 2025 there were 133 live listings compared to 180 live listings in August 2025.

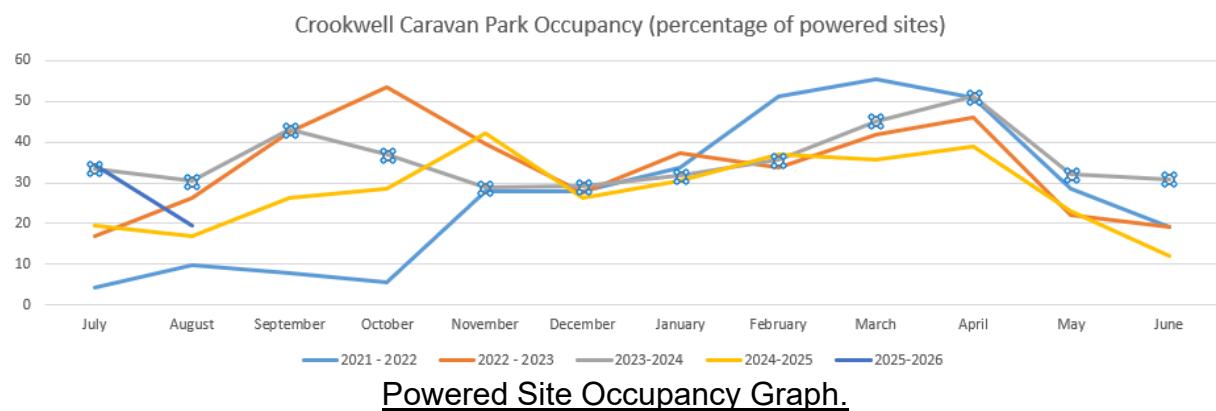
CARAVAN PARKS

GUNNING

- Both Barbour Park and Gunning Showground have been well attended over the past three months.

CROOKWELL CARAVAN PARK

- Crookwell Caravan Park had the highest occupancy rate for July in five years.
- Crookwell Caravan Park continues to see many return visitors.



VISITOR INFORMATION CENTRE

- Over the past three months, the Visitor Information Centre team have been working on the product list of all local businesses, an accommodation brochure, and increasing our listings on the Australian Tourism Data Warehouse (ATDW).
- The VIC continues to sell local / Southern Tablelands wines and products with new promotional and destination merchandise products being added.
- The 'What's on' continues to be distributed throughout the shire in both hard copy and via our online mailing list.
- The VIC continues to promote businesses and local events through its social media and web channels.
- The destination guide is on display in 43 Visitor Centres throughout New South Wales and the ACT and 20 local accommodation and destination sites.

SOCIAL MEDIA PERFORMANCE

Social media continues to play a key role in our tourism promotion strategy. Over the past three months, our Facebook content had 26,044 views and Instagram had 11,736 views.

GRANTS

- The Tourism and Economic Development Coordinator has submitted an EOI application for the EV Charging Station grant for Crookwell, Taralga and Gunning.

- The Tourism and Economic Development Coordinator submitted a grant application for Seniors Week 2026.
- The Tourism and Economic Development Coordinator submitted a grant application for Australia Day 2026.

EVENTS AND PROMOTION

- Upper Lachlan Shire Council were nominated for an award from Local Government (LGNSW) for the Roving Art Exhibition.
- The Tourism and Economic Development Coordinator met with Bigga residents to complete a Heritage Walk for Bigga in July and August 2025, this is currently under construction.
- Upper Lachlan Shire assisted with the HumeLink East Community drop-in sessions.
- The Tourism and Economic Development Coordinator attended the Southern Tablelands Steering Committee Tourism and Marketing planning day in Boorowa in June and via zoom in July 2025.
- The Tourism and Economic Development Coordinator attended the Regional Development Australia – Practical tools to be prepared for a changing future event in August.
- The Tourism and Economic Development Coordinator and Visitor Information Officer attended Gullen Range Wind and Solar Farm Tour.

ECONOMIC DEVELOPMENT

- The Tourism and Economic Development Coordinator participated in Destination NSW – Inclusive Marketing and Communications via zoom in June 2025.
- The Tourism and Economic Development Coordinator attended the Canberra Region Joint Organisation Economic Development meeting in Canberra in June.
- The Tourism and Economic Development Coordinator met with Regional Development Australia via zoom in July 2025.

COMMITTEE MEETINGS

- A meeting of the Tourism and Economic Development Section 355 Advisory Committee was attended by the Coordinator in July 2025.
- The Tourism and Economic Development Coordinator attended the Railway Committee Meeting in July 2025.
- The Tourism and Economic Development Coordinator attended the Upper Lachlan Liquor Accord meeting in August 2025.
- The Tourism and Economic Development Coordinator attended Crookwell Interagency meeting via teams in August 2025.
- The Tourism and Economic Development Coordinator attended the Regional Youth Organisation Network (RYON) meeting in August 2025.
- The Tourism and Economic Development Coordinator attended the Southern Tablelands Arts Regional Advisory Panel Meeting in August 2025.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Information Only - 18 September 2025

ITEM 10.7 **Action Summary - Council Decisions**

FILE REFERENCE **I25/248**

AUTHOR **Chief Executive Officer**

ISSUE

Details are provided of implementation action taken with respect to Council decisions.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Details are provided of action taken with respect to Council decisions.

REPORT

Summary sheet includes the following Council Resolutions:-

Council Meeting: 15 August 2024

130/24	<ol style="list-style-type: none">1. Council resolve to investigate the closure of Road Reserve bounded by Wilton Lane, Grosvenor Street and the rail corridor at Gunning.2. Council authorises the Chief Executive Officer to sign all necessary documents for closure of the Road Reserve bounded by Wilton Lane, Grosvenor Street and the rail corridor at Gunning should this be feasible.	DOI	Survey Completed. Linen Plan has been prepared and is currently with Council solicitors for progression with Crown Land Section.
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Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd****Council Meeting: 20 March 2025**

37/25	<ol style="list-style-type: none"> 1. Council endorse the planning proposal to amend the Upper Lachlan Local Environmental Plan 2010: <ol style="list-style-type: none"> a. Amend land use zoning of Lot 1 DP 1064795, 39 Redground Road, Crookwell from RU1 Primary Production to R2 Low Density Residential. b. Amend the minimum lot size of Lot 1 DP 1064795, 39 Redground Road, Crookwell from 100ha to 800m2. 2. Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination. 3. Request delegation of Plan Making Authority, for this planning proposal. 4. Undertake agency consultation and public exhibition according to the requirements of the Gateway determination. 5. Should no objections be received, undertake the necessary actions to finalise the making of the Upper Lachlan Environmental Plan 2010. 	DEP	<p>The Gateway Determination was made on 19 May 2025.</p> <p>Public Exhibition has occurred between 6 June 2025 – 18 July 2025.</p> <p>To come back to future Council meeting for consideration.</p>
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Council Meeting: 17 July 2025

107/25	<ol style="list-style-type: none"> 1. Council commence a review of the existing Development Control Plan (DCP), including the section concerning the windfarm developments in line with the development of the Upper Lachlan Shire Housing Strategy. 2. Any amendments made to the Upper Lachlan Shire Development Control Plan 2010 be publicly notified in accordance with Council's Community Participation Plan 2020. 3. The review will include, but not be limited to, an examination and evaluation of the impact on the amenity of residents in the Upper Lachlan Shire resulting from the existing proliferation and density of wind turbines within our shire with a 	DEP	Ongoing process, to come back to a future Council meeting.
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Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd**

	view to recommending how best to preserve the lifestyle and rural characteristics our shire has always enjoyed and is so valued by our residents.		
114/25	1. Council in accordance with Section 361, of the Local Government Act 1993, Council gives public notice of its intention to adopt the Code of Meeting Practice after allowing 28 days public exhibition consultation period and provides members of the community 42 days in which to make a submission.	CEO/EA	Code of Meeting Practice tabled to 18 September 2025 Council Meeting for adoption.

Council Meeting: 21 August 2025

129/25	1. Council adopt the reviewed Enforcement Policy.	DEP/EA	Policy placed on Council's website.
130/25	1. Council receives the report on the tabling of the Disclosure of Interests Returns by Councillors and Designated Persons for year ending 30 June 2025, and notes they are made publicly available to view on Council's website.	DFA/EA	Disclosure of Interest Returns placed on Council's website and in a public register.
131/25	1. Council in accordance with Sections 252-254, of the Local Government Act 1993 adopts the Payment of Expenses and Provision of Facilities Policy. 2. Council respond to the public submission received.	DFA/EA	Policy placed on Council's website. Council letter of response provided to submission on 25 August 2025.
132/25	1. Council approves the 2024/2025 transfers to the Council internal restricted reserve fund totalling \$5,008,128 including revote of uncompleted works projects and prepayment of the 2025/2026 Financial Assistance Grants.	DFA	Reserve transfers processed and included in 2024/2025 Financial Statements.
133/25	1. Council adopt the reviewed Pre-Placement Health Assessment Policy.	DFA/EA	Policy placed on Council's website.
134/25	1. Council adopt the reviewed Alcohol and Other Drugs Policy.	DFA/EA	Policy placed on Council's website.
135/25	1. Council adopts the Audit, Risk and Improvement Committee (ARIC) Strategic Plan 2025-2029 in	DFA	ARIC Strategic Plan shared with ARIC Committee

Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd**

	accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.		on 22 August 2025 and will be tabled at 29 September 2025 ARIC Meeting.
137/25	1. Council accepts the resignation of Cristy O'Sullivan from The Tourism and Economic Development Section 355 Committee and a letter of thanks be provided to her.	Acting CEO/EA	Letter of thanks sent on 22 August 2025.
138/25	2. Council notes community concerns regarding the lack of transparency and notification surrounding large-scale renewable energy developments, including the Limerick Windfarm, within the Upper Lachlan Shire. 3. Council supports ongoing state and federal efforts to improve community engagement and transparency in renewable energy projects, including those led by the Australian Energy Infrastructure Commissioner. 4. Council write to NSW and Federal members of Parliament representing the shire to encourage policies promoting early notification and consultation by renewable energy companies with affected communities. 5. Council calls for a review of mechanisms, such as the renewable energy target, to ensure they foster fair market conditions and uphold landowner rights	Acting CEO/EA	Letter sent to State and federal members on 1 September 2025.
139/25	1. Council writes to Planning NSW seeking an urgent amendment to State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 - 2.42 (1) & (2) to expand exclusions from consent where an LGA has an excessive accumulation of windfarm developments, including Upper Lachlan Shire Council LGA.	Acting CEO/EA	Letter sent on 1 September 2025 to Planning NSW.
140/25	Upper Lachlan Shire Council resolves to enhance the transparency, inclusivity, and public engagement of its public forums, held prior to ordinary meetings under Clause 4 of the Code of Meeting Practice, by implementing the following measures effective from the next scheduled public forum:	CEO	Awaiting adopting of Council Code of Meeting Practice. Implementation of motion to occur at 16 October 2025 Council Meeting.

	<ol style="list-style-type: none">1. Webcasting and Recording of Public Forums:<ol style="list-style-type: none">a. All public forums shall be recorded by means of an audio-visual device, consistent with the principles and practices applied to council meetings under Clauses 5.34–5.39 of the Code of Meeting Practice.b. The recording shall be made publicly available on the Council's website as soon as practicable after the forum (ideally at the same time if live-streamed, or within 24 hours if not), and retained for at least 12 months.c. Where feasible, public forums shall be live webcast on the Council's website.d. At the start of each public forum, the Chairperson shall inform attendees that the forum is being recorded and/or webcast, and that participants should refrain from making defamatory statements, per Clause 5.35.2. Sharing of Links on Social Media:<ol style="list-style-type: none">a. Links to the webcast (live or recorded) of each public forum shall be shared on Council's website no later than the commencement of the forum or as soon as the recording is available, with a brief description of the forum's purpose and agenda items.3. Notification of Rejected Requests to Speak:<ol style="list-style-type: none">a. The Chief Executive Officer (CEO) (or their delegate) shall provide a written report to all Councillors, via email detailing any applications to speak at a public forum that were rejected or not selected (per Clauses 4.5–4.10), including the applicant's name (if not confidential), the agenda item, their stance ('for' or 'against'), the reason for rejection, and applicable guidelines.b. This notification shall be provided within 48 hours after the public forum.4. Implementation and Funding:<ol style="list-style-type: none">a. The CEO is directed to implement these measures under their delegated authority per section 335 of the Local Government Act 1993 and Clause 19.12 of the Code of Meeting Practice,	
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Information Only**ACTION SUMMARY - COUNCIL DECISIONS cont'd**

	<ul style="list-style-type: none"> b. utilising existing resources for meeting recordings and communications. b. If implementation requires expenditure beyond the Council's current operational plan, the CEO is to prepare a report under Clause 3.13, to be included in the business papers for the next ordinary meeting, identifying available funding sources or recommending budget adjustments. 		
142/25	<ol style="list-style-type: none"> 1. All meetings — formal or informal — between Council representatives, specifically the Mayor and /or Chief Executive Officer, and developers regarding current or proposed State Significant Project, be accurately reported. 2. These reports shall be made accessible to all Councillors to ensure transparency and accountability. 3. Such meetings must be disclosed within the reports of the relevant Council representative, in accordance with current local government policy on transparency and documentation. 	CEO	Noted for implementation commencing from 25 August 2025.
146/25	<ol style="list-style-type: none"> 1. Council accepts the appointment of three community representatives to the Tourism and Economic Development Section 355 Advisory Committee being Mr Russ Plummer, Mr Peter Cottrell and Ms Dianna Nixon. 	DFA/EA	Council letter sent advising acceptance of Committee members on 25 August 2025.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

11 ENVIRONMENT AND PLANNING

The following items are submitted for consideration -

11.1	Gunning Sewer and Water Plant	94
11.2	Planning Proposal - Lot 1 DP 1022597 and Lots 168, 169, 193, 194 and 195 DP 752042 - 43 Harley Road, Crookwell	96
11.3	Planning Proposal - Lot 4 DP 1198749 - 18 Boureong Drive, Gunning	108

Environment and Planning - 18 September 2025

ITEM 11.1 **Gunning Sewer and Water Plant**

FILE REFERENCE **I25/237**

AUTHOR **Manager Water, Waste and Sewer**

ISSUE

This report provides Council with details regarding potential growth and infrastructure constraints to the Gunning Village.

RECOMMENDATION That -

1. Council receive and note the report as information.

BACKGROUND

Gunning is experiencing growth at a rate which is likely to exceed Council's ability to service the increase in the capacity requirements on Council's Water & Sewer Plants and Water & Sewer Network. Council staff are in the process of working on strategic documents and undertaking minor changes to Council's infrastructure to ensure theoretical capacity of the Plants and Network can be achieved. Despite these works, if the current growth rate continues, Council staff will need to introduce protective measures they may see a pause in certain development proposals.

REPORT

Council is currently working towards finalisation of the IWCM – Integrated Water Cycle Management Plan, the intention of the IWCM Framework is to coordinate management of water, land, infrastructure and related resources. Through undertaking the IWCM review, Gunning's Sewer Treatment Plant (STP) and Water Treatment Plant (WTP) have been assessed on measures including optimal performance, capacity and sustainability.

Through undertaking this review, it has been identified that there are issues with the ability for capacity level of the plants and network to sustain current growth rates. The Sewer Treatment Plant (STP) located on the eastern end of Biala Street originally designed as a 1000 EP (Equivalent Persons) plant is on the verge of capacity based on the current infill growth potential and residential zoned land.

A 72-hour wastewater testing and flow monitoring study was conducted in May 2025 by the NSW Public Works. These works were completed during ADWF – (Average Dry Weather Flows) with no rainfall in the five days before trial.

The 72-hour testing has revealed that the plant is not operating at its theoretical capacity rate, and further minor augmentations are required to treat and manage flow

Environment and Planning
GUNNING SEWER AND WATER PLANT cont'd

volumes and Biological Oxygen Demand (BOD) to achieve optimal performance of 1000EP.

Estimates for the remaining capacity as of May 2025 would be approximately 290EP's remaining subject to the plant functioning as a 1000EP Plant. In addition to Gunning STP constraints, the existing sewer network is also nearing capacity in some sections resulting in the need for upgrades to the sewer network and sewer pump stations to support additional development proposals.

In relation to the WTP and the IWMC review draft findings, groundwater studies have been conducted and have highlighted there is insufficient water for future growth to support the medium growth model used in the IWCM. Current water access license (WAL) allows for 110ML per year of water supplied from the Lachlan River raw water well. The projected requirements at a medium growth rate of 226ML per year by the year 2051 currently are projected to be unsustainable with Council's current water licence. To overcome these issues alternate options are being assessed as part of the IWCM review for town water raw water supply from additional off river storage dam or dams.

It should also be noted the Gunning WTP can be upgraded to double the capacity of output, however, the water network servicing the Gunning village is insufficient in size to handle the proposed additional output. Therefore, new mains and additional pumping stations and water storage reservoirs will be required in some areas of the network to allow for additional growth and to support vacant residential land.

Following the completion of the IWMC review, Council will be able to understand capacity rates and servicing options for the Gunning Village. This review in addition to the forthcoming Housing Strategy, will then be used in support for applying for Federal and State grants for further augmentation and or upgrades to the Plants and Networks to help sustain Gunning population growth rates.

POLICY IMPACT

Nil

OPTIONS

RECOMMENDATION That -

1. Council receive and note the report as information.

ATTACHMENTS

Nil

Environment and Planning - 18 September 2025

ITEM 11.2

Planning Proposal - Lot 1 DP 1022597 and Lots 168, 169, 193, 194 and 195 DP 752042 - 43 Harley Road, Crookwell

FILE REFERENCE I25/251**AUTHOR**

Development Control Officer

ISSUE

The Planning Proposal received by Council in February 2025 aims to rezone and amend the minimum lot size of the land being identified as Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell.

The proposal seeks to amend the Upper Lachlan Local Environmental Plan 2010 to partially rezone land from R5 Large Lot Residential to R2 Low Density Residential, rezone SP2 Rail Infrastructure Facility zone to R5 Large Lot Residential, partially amend the minimum lot size from 2ha to 1000m2. This proposal will enable future residential development to be created under the *Upper Lachlan Local Environmental Plan 2010* (LEP 2010).

RECOMMENDATION That -

1. Council endorse the planning proposal to amend the Upper Lachlan Local Environmental Plan 2010:
 - a. Partially amend land use zoning of Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell from R5 Large Lot Residential to R2 Low Density Residential, rezone SP2 Rail Infrastructure Facility zone to R5 Large Lot Residential
 - b. Partially amend the minimum lot size of Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell from 2ha to 1000m2.
2. Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.
3. Request delegation of Plan Making Authority, for this planning proposal.
4. Undertake agency consultation and public exhibition according to the requirements of the Gateway determination.
5. Should no objections be received, undertake the necessary actions to finalise the making of the Upper Lachlan Environmental Plan 2010.

BACKGROUND

On 30 June 2023 a scoping proposal was submitted to Council for rezoning of Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell. The proposal was subject to the scoping process, which incorporated agency consultation with Council informing the applicant of the matters to be addressed and further technical advice required to inform the preparation of a future planning proposal.

A Planning Proposal was prepared by Lateralis Planning (February 2025) to support rezoning for Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road,

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

Crookwell. The Planning Proposal considered the site for future low density residential development.

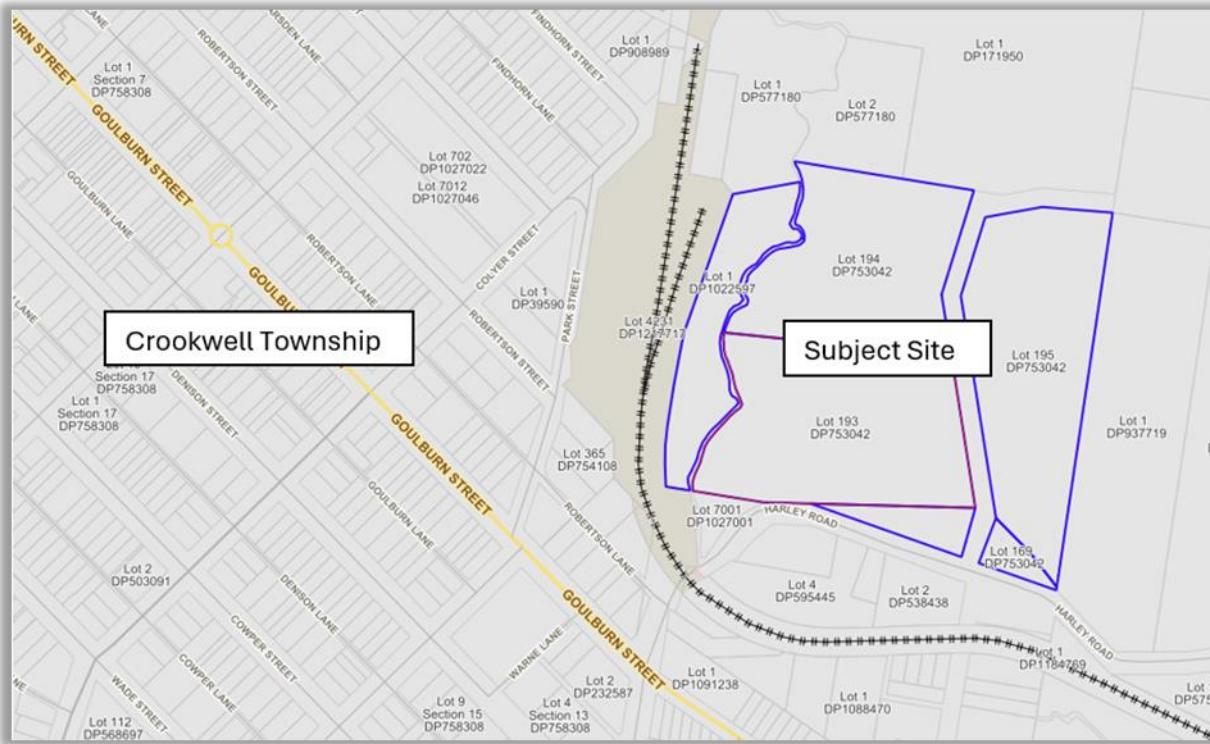
The subject land is approximately 16.2ha, is generally square in shape and consists of 6 lots. The land is currently zoned R5 Large Lot Residential and is currently managed for grazing purposes and supports a dwelling and associated structures with access via the southern boundary. The site is located adjacent to existing low density residential development to the south, rural development to the south-east, large lot residential to the north and east, and residential and mixed use to the west.

The subject site is identified in the Upper Lachlan Local Strategic Planning Statement 2020 ('LSPS') for potential future development of Crookwell. The LSPS was amended on 17 February 2022 to incorporate the subject land.

REPORT

The planning proposal submitted by Laterals Planning (February 2025) on behalf of the property owners to rezone and amend the minimum lot size of the land to the east of the township of Crookwell. The land being identified as Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell, is proposed to be partially rezoned from R5 Large Lot Residential to R2 Low Density Residential, rezone SP2 Rail Infrastructure Facility zone to R5 Large Lot Residential, partially amend the minimum lot size from 2ha to 1000m² and part to remain at 2ha. The following maps detail Crookwell and surrounds and the existing and proposed zoning and minimum lot sizes.

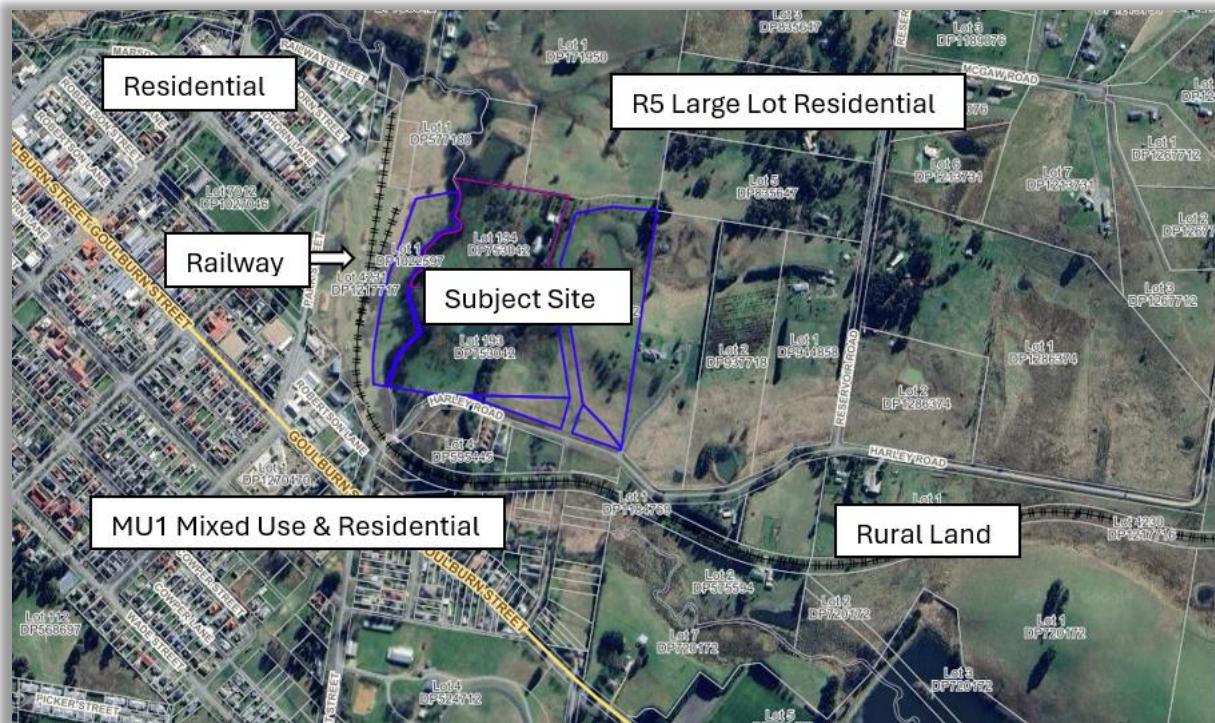
Figure 1 - Site Location in context with Crookwell township (Source: IntraMaps 2025)



Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

Figure 2: Aerial site location in context with Crookwell township (Source: IntraMaps 2025).



The proposal is to rezone land and amend the minimum lot size to enable subdivision for residential purposes. The land has an area of 16.2ha and by creating a minimum lot size of 2ha and 1000m² the applicant has provided a concept subdivision plan that consists of approximately 26 lots.

The following figures outline the current and proposed zonings, minimum lots size and conceptual lot layout (as submitted with the planning proposal).

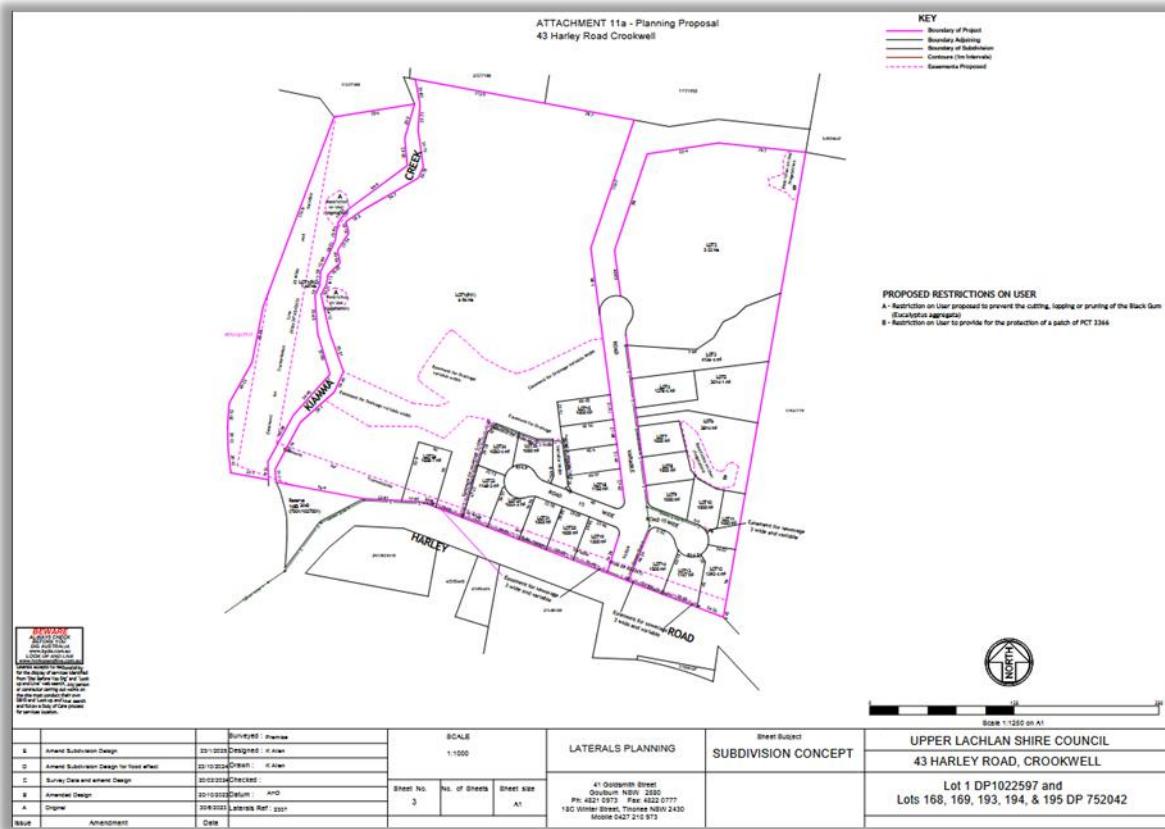
Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

Existing and proposed land zoning and minimum lot size maps (Source: Lateral Planning 2025)



Figure 7: Conceptual lot layout. (Source: Lateral Planning 2025)



Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

In support of the planning proposal, the applicant has submitted the following studies / reports on the NSW Planning Portal

- Planning proposal
- Biodiversity Assessment Report
- Flood Impact Risk Assessment
- Agricultural Land Assessment Report
- Traffic and Parking Impact Assessment
- Preliminary Site Investigation Report (Contamination)
- Aboriginal and Historical Cultural Heritage Due Diligence Assessment

These studies / reports are incorporated into the exhibition and assessment process. Please see attachments. It should be noted that the attachments have been referenced as per the submitted planning proposal.

The planning proposal was forwarded onto the relevant Government Agencies for consideration as part of the scoping process. Extracts of the responses and associated comments are provided:

Department of Planning and Environment – Biodiversity and Conservation Division DPE – BCD comments provided 18 August 2023

We have reviewed the proposal and conclude there is insufficient information in the scoping report to adequately address the following Section 9.1 Ministerial local planning directions at this stage:

- 1.1 – Implementation of Regional Plans
- 3.1 – Conservation Zones
- 4.1 – Flooding

In summary:

- An assessment in accordance with Stage 1 of the Biodiversity Assessment Method (BAM) is recommended as a minimum to support this planning proposal, as the use of online mapping tools alone is not appropriate to determine the presence or absence of threatened species and their habitats.
- The proposal seeks to rezone land that is flood prone and therefore should be consistent with Section 9.1(2) Direction 4.1 of the Local Planning Direction, the NSW Government's Flood Prone Land Policy and the Flood Risk Management Manual. Council should prepare a Flood Impact and Risk Assessment (FIRA) to address all the local planning direction requirements including adverse flood impacts and public safety.

Council staff comment: To address the concerns, the applicant has submitted a Biodiversity Assessment Report, which was completed by Macrozamia Environmental Consulting on 8 December 2023. The report concluded the following;

This report has assessed the flora and fauna associated with this site and the possible nature of impacts on biodiversity of subsequent development.

Any future development of the site must be designed and sited so as to avoid and minimise impacts to biodiversity values and any residual impacts offset.

The subject land is generally highly modified through agricultural practices including routine cultivation and grazing. It also supports native woodland trees and grassland including the threatened Black Gum.

These biodiversity sensitivities do not preclude the site from being considered suitable for a change in minimum lot size and subsequent development. These sensitivities however, must be considered in the design of any future development and the impacts of such a development

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PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

on grassland species adequately assessed in the context of the proposal and planning environment at the time. The biodiversity constraints on the site do not preclude the development of a residential subdivision such as that which conceptually proposed. If the recommendations at Section 9 of this report are implemented, biodiversity matters should not prevent the proposed lot size adjustment as proposed for the subject land.

Council staff comment: A Flood Impact Risk Assessment was completed for the site by Strategic Environmental & Engineering Consulting (SEEC) dated 21 February 2025. The report concluded that;

The base case (pre-development) and proposed case (post-development) scenarios have been modelled as outlined in Section 3. The plans in Appendix A illustrate the flood extents within and around the site, for the 5%, and 1% AEP and PMF flood events.

Flood mapping shows that predicted flood level increases within Kiamma Creek are limited to 1mm upstream and downstream of the site for the 5% and 1% AEP and PMF flood events. An increase of approximately 117mm is observed within Harley Road, however, this location is categorised as flood hazard category H1, generally safe for people, vehicles and buildings.

Based on these findings, the proposed development is expected to have negligible impacts to the existing flood regime calculated by the updated Village of Crookwell Flood Study model, for the 5%, and 1% AEP and PMF flood events.

We note that the majority of flood level changes are predicted to occur within the boundaries of the subject site, with very little change in flood behaviour expected over surrounding properties. Accordingly, we are of the opinion that these estimated changes to flood levels are not expected to cause any actionable nuisance to adjacent property owners or to the existing environment.

NSW State Emergency Services (SES)

SES comments provided 9 October 2023

The SES recommends:

Recommend preparing a Flood Impact Risk Assessment (FIRA) to examine the impact of flooding from any source (including overland flows and local creek flooding) for flood events up to, and including, the PMF. The assessment should include:

- Flood risk at the site, access/egress routes (including proposed internal roads and the broader road network), neighbouring and downstream properties;
- Climate change considerations, in line with the NSW Government Guidelines;
- Time to onset, duration of inundation, depth, velocity and hydraulic hazard of any flooding;
- The impact of the proposed development on flood behaviour;
- Time to overtopping of the existing dams.

Recommend seeking advice from the Department of Climate Change, Energy, the Environment and Water (DCCEEW) regarding the proposal and any impacts of the proposal on flood behaviour for adjacent and downstream areas, particularly considering that the area is prone to flash flooding.

Council staff comment: As per above comments, the applicant has provided a Flood Impact Risk Assessment that was completed by Strategic Environmental & Engineering Consulting (SEEC) dated 21 February 2025. All additional information that has been provided with the planning proposal application will be forwarded to the relevant Government agencies as part of the exhibition process.

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

Department of Planning and Environment – Crown Lands

Crown Lands provided comments 27 July 2023

While the proposal does not directly impact on the Crown estate it does appear that there may be indirect impacts on the adjoining Crown waterway. As such measures should be taken to ensure there is no direct or indirect impacts from the dispersion of ground / storm water to the adjoining crown waterway and appropriate control measures are provided for the duration of the works to negate sediment and nutrient run-off into nearby waterways.

In addition to the crown waterway, Crown Lands does not have an interest in the land but it is suggested that the applicant conducts a status search for other potential interested parties.

Council staff comment: To be assessed and notified with any future development of the land.

Department of Primary Industries Agriculture

DPI provided comments on 8 August 2023

While the DPI Agriculture does not have any regulatory involvement, we have undertaken a review and advise the following.

The proposal appears to have strategic merit, both from its general consistency with the Southeast and Tablelands Regional Plan 2041 and the Upper Lachlan Growth Strategy. It is noted that the proposal is not included in the Upper Lachlan Local Strategic Planning Statement (LSPS), but that Council resolved in February 2022 to include the subject land into the LSPS for residential purposes.

NSW DPI also considers that the redevelopment of rural residential land is preferred to the use of greenfield land for the development of housing. This is the case particularly for land located very close to the town centre with available services.

It is also noted that there is no assessment of the potential impacts of the proposal on agriculture or agricultural services. Given the subject land is surrounded by rural residential, residential, and special infrastructure land, it is unlikely to be significant. The scoping proposal stated that an agricultural land assessment will be undertaken as part of the planning proposal to establish the agricultural values of the site and any impacts to agricultural land, businesses, or services. NSW DPI fully supports the development of an agricultural assessment report as part of the proposal.

Council staff comment: The applicant has engaged in PB Ag Consulting Pty Ltd to undertake an Agricultural Land Assessment Report. The report is summarised by the following;

43 Harley Road Crookwell NSW is currently being used for small scale cattle trading with no scope for expending this farming operation. The property is limited by size.

Approval for this proposed subdivision of the property being 43 Harley Road Crookwell - Lot 1 DP1022597, Lots 168, 169, 194, 195, DP 753042 should be granted.

The surrounding land is existing residential, existing rural residential and approval will be inline with existing planning. In relation to impact on agricultural production for the region, the approved subdivision of this property will have no impact on loss of production, no impact in reducing viable agricultural land, and no impact on business or services specifically related to agricultural production.

The property overall has no significant agricultural production benefit, approval of the subdivision will have no adverse impact to the agricultural business and services in the region.

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

In addition a Land Use Conflict Risk Assessment (LUCRA) can be required to support a development application for subdivision.

Transport for NSW

Transport for NSW provided comments on 6 September 2023

The following TfNSW requirements are provided below for Council's consideration:

- *A Traffic Impact Assessment is required to identify the traffic impacts on the state road network, particularly the intersection of Harley Road and Goulburn Street, generated by the development and to identify appropriate upgrades (if required).*
- *Please see **Attachment 2** for requirements set out by UGL regional Linx. Please note there is no Country Rail Network (CRN) infrastructure located within the parcel of land (Lot 1 DP 1217717) east of the rail-line and the proposed rezoning from SP2 to R5 will have no impact on the rail-line when it becomes operational.*

Council staff comment:

Motion Traffic Engineers Pty Ltd were engaged by the applicant and have provided a Traffic and Parking Impact Assessment dated February 2024. The report concludes;

This traffic impact assessment report relates to a Proposed Subdivision at 43 Harley Road in Crookwell. Based on the analysis and discussions presented in this report, the following conclusions

are made:

- *The residential subdivision site is located in a regional area with no convenient access to a public transport network.*
- *The nearby intersection currently operates at good levels of service.*
- *Each lot of the Proposed Subdivision will be subject to separate council approval.*
- *The Proposed Subdivision is expected to generate a moderate number (44) of additional trips in both AM and PM peak hours*
- *According to the Intersection Assessment, the additional trips can be accommodated in the nearby intersection without significantly affecting the performance of any turn movement, approach arm or the overall intersection.*

There are no general traffic engineering reasons why a development consent for the Proposed Subdivision at 43 Harley Road in Crookwell should not be granted.

It should be noted that the comments have been based around the concept subdivision plan within the planning proposal and if the planning proposal is successful, a future development application for a subdivision will be required to be lodged with Council and assessed accordingly. Conditions of consent can be imposed within the development consent addressing any required road upgrades etc.

UGL Regional Linx

UGL comments were provided on 5 September 2023

Contamination of Rail Land – Recommendation:

TfNSW is currently conducting an environmental assessment to identify contamination on the CRN. All railway corridors are generally deemed to be contaminated unless proven otherwise by sample testing. Contamination risk arises from both the construction (e.g., unknown fill used in rail construction) and operations (e.g., transportation of contaminated material, spills) of the railway. Potential contaminants could include, but are not limited to, heavy metals, PAHs, phenolics (boiler ash), Organochlorine Pesticides (OCPs) and Organophosphorus Pesticides (OPPs). TfNSW is committed to ensure the health and wellbeing of the community. As such, TfNSW is obliged to understand whether there are contaminants found in the rail corridor or on the common boundaries with the development site.

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

In accordance with State Environmental Planning Policy (Resilience and Hazards) 2021-Section 4.6 'Contamination and remediation to be considered in determining development application' (Previously State Environmental Planning Policy No. 55 – Remediation of Land) the consent authority (Council) must consider whether Lot 2502 DP 754611 which is in close proximity to the rail corridor is contaminated.

Council staff comment: A Preliminary Site Investigation with Limited Sampling (contamination) report has been undertaken by EI Australia Pty Ltd on 31 January 2024. The report concludes that;

Based on the findings of this PSI with limited sampling, and in accordance with EI's Statement of Limitations (Section 10), it was concluded that there is a low risk of widespread contamination on the site. In accordance with State Environmental Planning Policy – (Resilience and Hazards) (2021), EI considers that the site is suitable for the proposed residential sub-division.

Landowners Consent - Recommendation:

If the proposed easement for electricity lines is in the rail corridor, then the applicant is required to obtain landowner's consent from UGLRL and TfNSW in order to support this application.

Council staff comment: Landowners consent will be required to be obtained prior to any development of the land.

Fencing recommendation:

Appropriate fencing must be placed between Lot 1 DP 1022597, and the rail corridor to prevent unauthorised access. Before installing any fencing work, the applicant must obtain approval from TfNSW.

Council staff comment: A condition of development consent for any future development of the land can be imposed requiring fencing work to be undertaken.

Stormwater Management Recommendation:

It is noted that Lot 1 DP 1022597 is immediately adjacent to the rail corridor. Therefore, the applicant must acquire written approval from UGLRL and TfNSW to its stormwater management plan to confirm post-development flows should be equal or less than that of pre-development flows (or post-development flows should not exceed pre-development flows) and to ensure that the development is not directed to railway land and had no adverse impact on the rail corridor.

Council staff comment: Stormwater management will be assessed for any proposed development of the land and will be conditioned accordingly.

Excavation in, above, below, or adjacent to rail corridors recommendation:

If there are any excavation activities, then the applicant must undertake further geotechnical analysis or assessment on excavation activities outlining the risks and mitigation strategies for all phases of the project demonstrating that there will be no adverse impact on the stability integrity of the rail corridor and rail infrastructure contained in the CRN. The applicant must consult and obtain written approval from UGLRL and TfNSW regarding the works involving penetration of ground if the excavation depth is greater than 2m in depth within 25m of the rail corridor.

Council staff comment: Any future development of the land will be conditioned accordingly within the development consent.

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

Survey Recommendation:

The applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of UGLRL on behalf of TfNSW.

Council staff comment: Accurate surveys will be required for any future development of the land.

Noise, vibration and air quality recommendation:

The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and busy Roads – Interim Guidelines".

Council staff comment: Any future development of the land will be conditioned to comply with the above guidelines and appropriate conditions of consent will be imposed if consent is granted.

Application of SEPP 2021 and the Guideline recommendation:

It is strongly recommended that the Planning Proposal should reflect the relevant provisions of including but not limited to Sections 2.97, 2.98, 2.99 and 2.100 of State Environmental Planning Policy (SEPP) (Transport & Infrastructure) 2021.

Council staff comment: Any future development of the land will be required to comply with the above SEPP and appropriate conditions of consent can be imposed if consent is granted.

It should be noted that if the Planning Proposal is supported, the proposal will be required to be on public exhibition and referred to relevant government agencies in accordance with the Gateway Determination and Council's Community Participation Plan.

The subject land can be serviced by Council's existing water and sewer infrastructure systems. The road network is considered to be adequate and new access roads linking the existing infrastructure will be constructed with any future development of the site.

The planning proposal is consistent with the actions and objectives contained within the South East and Tablelands Regional Plan 2036 and The Tablelands Regional Community Strategic Plan 2016-2036. The proposal is also consistent with the growth and planning priorities and principles within the Local Strategic Planning Statement 2040 and Council's Local Strategic Planning Statement.

POLICY IMPACT

The public exhibition of the planning proposal will be completed in accordance with the Gateway Determination and Council's Community Participation Plan.

OPTIONS

The Council may:

- Support the planning proposal as submitted.
- Reject the planning proposal as submitted. If this option is adopted reasoning will be required to be provided to the applicant.

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

Environment and Planning

PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND 195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd

RECOMMENDATION That -

1. Council endorse the planning proposal to amend the Upper Lachlan Local Environmental Plan 2010:
 - a. Partially amend land use zoning of Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell from R5 Large Lot Residential to R2 Low Density Residential, rezone SP2 Rail Infrastructure Facility zone to R5 Large Lot Residential
 - b. Partially amend the minimum lot size of Lot 1 DP1022597 and Lots 168, 169, 193, 194, & 195 DP 752042 – 43 Harley Road, Crookwell from 2ha to 1000m2.
2. Forward the planning proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) requesting a Gateway determination.
3. Request delegation of Plan Making Authority, for this planning proposal.
4. Undertake agency consultation and public exhibition according to the requirements of the Gateway determination.
5. Should no objections be received, undertake the necessary actions to finalise the making of the Upper Lachlan Environmental Plan 2010.

ATTACHMENTS

1. ↗	Attachment 1 Planning Proposal - 43 Harley Road, Crookwell	Appendix
2. ↗	Attachment 1a - District Plan	Appendix
3. ↗	Attachment 1b - Locality Plan	Appendix
4. ↗	Attachment 1c - Sheet 1 Existing Site Plan Topographic Details	Appendix
5. ↗	Attachment 1d - Sheet 2 Existing Site Plan Aerial Photograph	Appendix
6. ↗	Attachment 1e - Services Existing Plan	Appendix
7. ↗	Attachment 1f - Bush Fire Prone Land map	Appendix
8. ↗	Attachment 2 - Detail Survey & Contours	Appendix
9. ↗	Attachment 3 - Aboriginal and Historical Cultural Heritage Due Diligence Assessment	Appendix
10. ↗	Attachment 4 - Agricultural Land Assessment Report April 2024	Appendix
11. ↗	Attachment 5a - Biodiversity Assessment Report 2023	Appendix
12. ↗	Attachment 5b - Vegetation Conservation Proposed	Appendix
13. ↗	Attachment 6 - Preliminary Site Investigation	Appendix
14. ↗	Attachment 7a - Traffic & Parking Impact Assessment	Appendix
15. ↗	Attachment 7b - Harley Road Sight Distance	Appendix
16. ↗	Attachment 7c - Goulburn Street Sight Distance	Appendix
17. ↗	Attachment 8a - Flood Impact Risk Assessment	Appendix
18. ↗	Attachment 8b - Subdivision Concept showing Floodplain Hazard Map	Appendix
19. ↗	Attachment 8c - Subdivision Concept showing FPA & PMF	Appendix
20. ↗	Attachment 9a - Engineering Design Plans	Appendix
21. ↗	Attachment 9b - Services Plan Topographic Detail	Appendix
22. ↗	Attachment 9c - Sewerage Longitudinal Section	Appendix
23. ↗	Attachment 10a - ULSC Current ULLEP LZN Map	Appendix
24. ↗	Attachment 10b - Proposed Land Zone Plan - No Concept Subdivision	Appendix

Environment and Planning

**PLANNING PROPOSAL - LOT 1 DP 1022597 AND LOTS 168, 169, 193, 194 AND
195 DP 752042 - 43 HARLEY ROAD, CROOKWELL cont'd**

25. »	Attachment 10c - Proposed Land Zone Plan with Concept Subdivision	Appendix
26. »	Attachment 10d - ULSC Current ULLEP LSZ Map	Appendix
27. »	Attachment 10e - Proposed Minimum Lot Size Plan - No Concept Subdivision	Appendix
28. »	Attachment 10f - Proposed Minimum Lot Size Plan with Concept Subdivision	Appendix
29. »	Attachment 11a - Sheet 3 Concept Subdivision Plan	Appendix
30. »	Attachment 11b - Sheet 4 Subn Plan Topographic Details	Appendix
31. »	Attachment 11c - Sheet 5 Subdivision Plan Aerial Photograph	Appendix
32. »	Attachment 12 - Biodiversity & Conservation Response	Appendix
33. »	Attachment 13 - Crown Land Response	Appendix
34. »	Attachment 14 - DPI - Agriculture Response	Appendix
35. »	Attachment 15a - TfNSW Attachment	Appendix
36. »	Attachment 15b - TfNSW Attachment 2	Appendix
37. »	Attachment 16 - SES Response	Appendix

Environment and Planning - 18 September 2025

ITEM 11.3 **Planning Proposal - Lot 4 DP 1198749 - 18 Boureong Drive, Gunning**

FILE REFERENCE **I25/252**

AUTHOR **Development Control Officer**

ISSUE

At its meeting of 20 February 2025 Council considered and supported the amendments to a planning proposal for Lot 4 DP 1198749, 18 Boureong Drive, Gunning, which permitted the proposal to be altered at Gateway and referred to Government Agencies for consideration.

The Planning Proposal was on public exhibition and an assessment has been carried out by Council staff.

Council is required to consider the assessment of the proposal prior to the Planning Proposal proceeding to be finalised.

RECOMMENDATION **That -**

1. Request delegation of Plan Making Authority for the Planning Proposal
2. Undertake the necessary actions to finalise the making of the Upper Lachlan Local Environmental Plan 2010.

BACKGROUND

Council has previously considered and supported a planning proposal to amend the zoning and lot size for Lot 4 DP 1198749, 18 Boureong Drive, Gunning. The original proposal was to alter the zone from RU4 Primary Production Small Lot to RU5 Village zone and reduce the minimum lot size from 10ha to 1,000m² for residential purposes.

The original planning proposal was publicly exhibited and referred to relevant government agencies for consideration. To address the comments received from the Government Agencies, additional independent studies were completed by the applicant which resulted in the original planning proposal being refined to incorporate in addition to the RU5 - Village zone a MU1- Mixed Use, RE1 – Public Recreation and C3 – Environment Management zones. The amendments also incorporated the minimum lots size requirements that will reflect the proposed land use/zone.

Council supported these amendments on 20 February 2025 and an Alteration of Gateway Determination was received on 31 March 2025. The timeframe for completing the LEP was required to be finalised by 11 July 2025 but an extension of time was requested and an additional Alteration of Gateway Determination was received on 15 August 2025 which requires the LEP to be completed on or before the 31 October 2025.

REPORT

Laterals Planning submitted a proposal on behalf of the land owner to change the zone and the minimum lot size provisions of land to the north of the existing village. The following maps show Gunning and surrounds, the proposed area for discussion and the proposed zones.

Figure 1: Property location in context with the Gunning town and surrounds
(Source: Council's IntraMaps 2025)

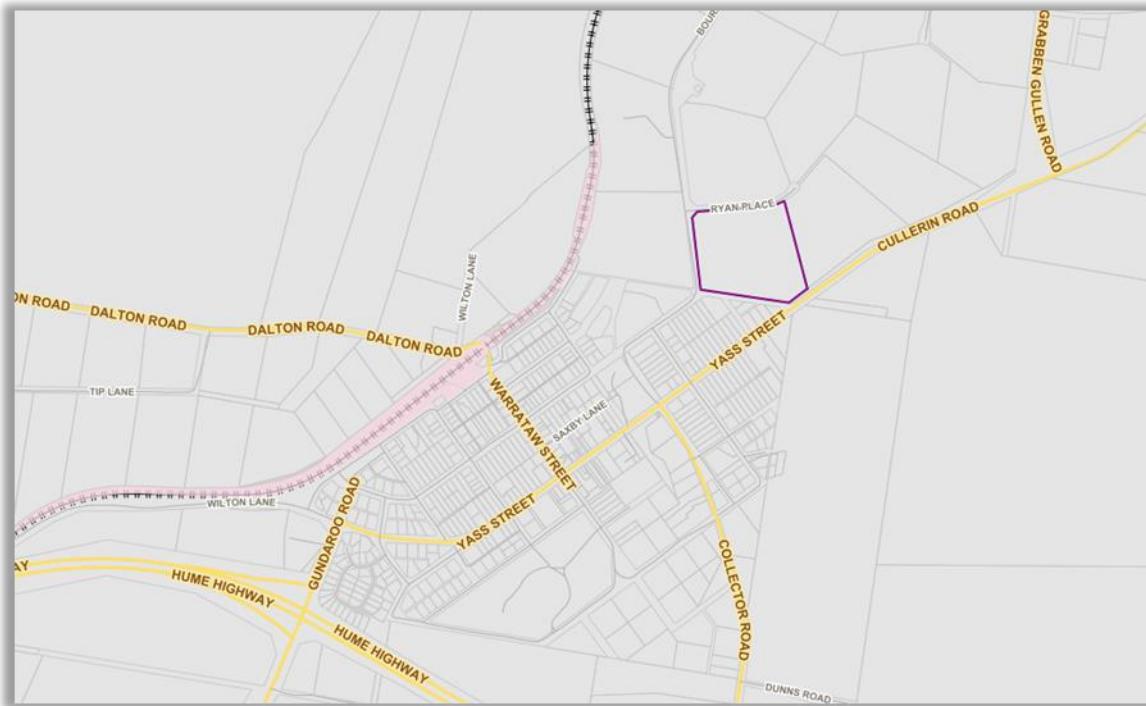


Figure 2: Existing Gunning and surrounding land use zones (Source: Council's IntraMaps 2025)

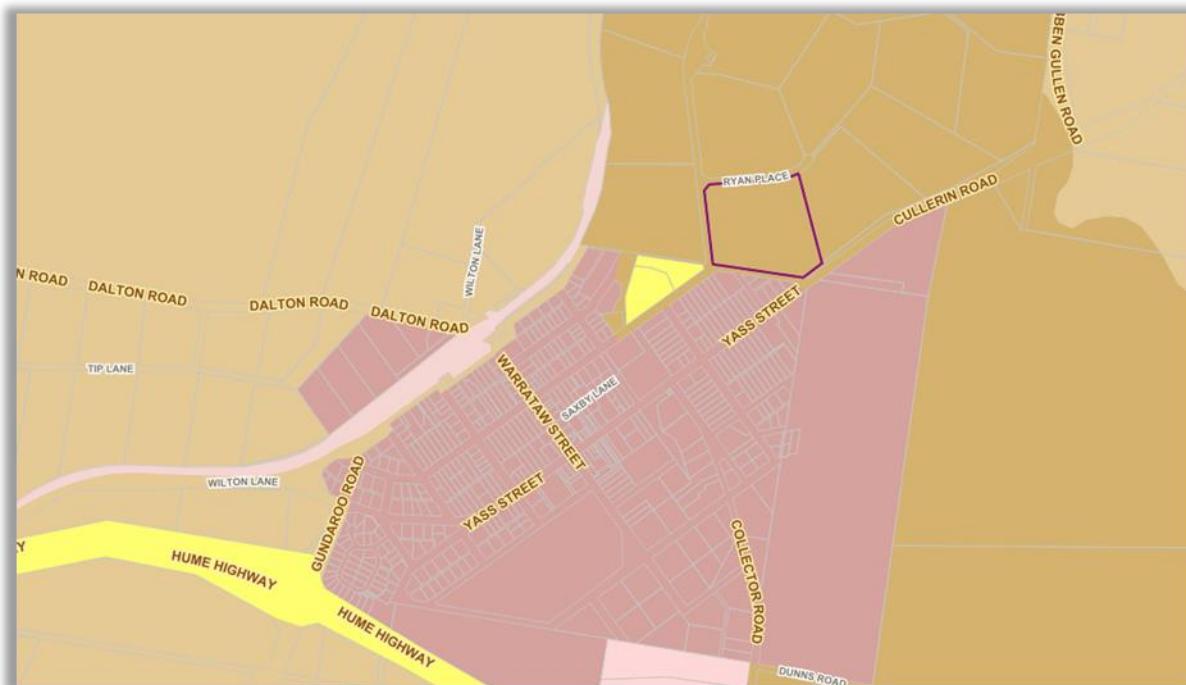
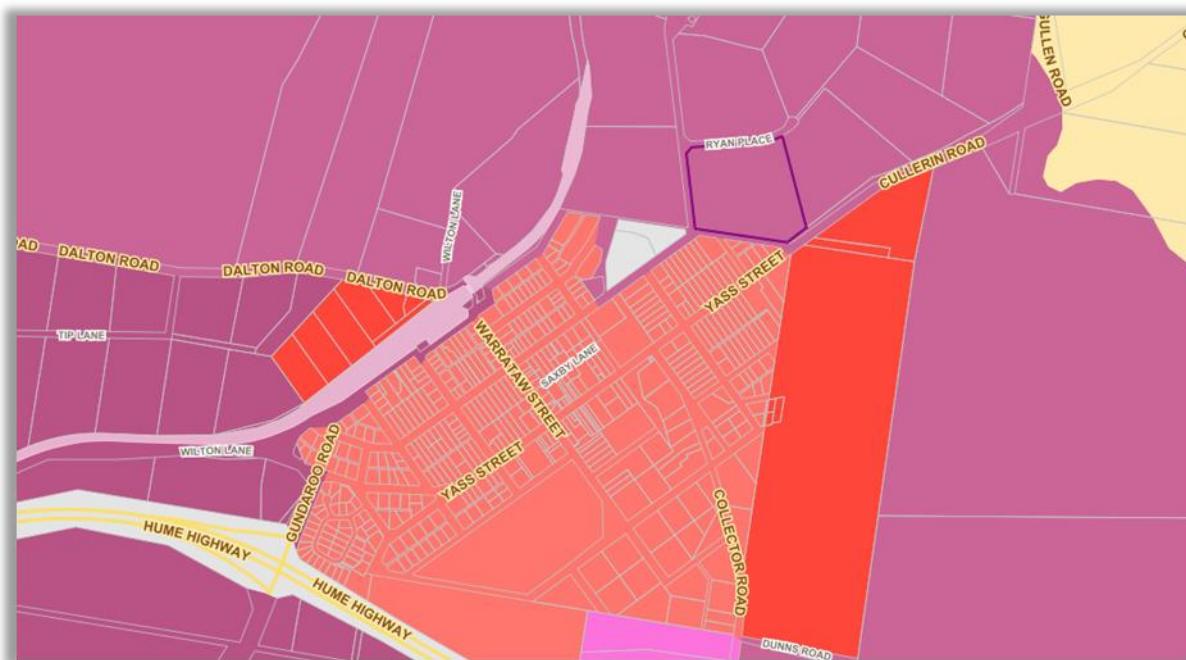


Figure 3: Existing minimum lot size mapping for context only (Source: Council's IntraMaps 2025)



The area is approximately 10ha and located immediately to the north of the town and has good connectivity to the urban and rural hinterland. The land rises quickly away from the village providing properties with good north-easterly southerly and north-westerly views. The property is relatively well drained but part of it has a large intermittent watercourse or gully running through the south-east corner.

Environment and Planning

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

cont'd

The Council previously considered this planning proposal at its meetings of 21 October 2021, 14 December 2023 and 20 February 2025 with the following resolutions being adopted:

21 October 2021

ITEM 11.5

174/21 PLANNING PROPOSAL GUNNING HEIGHTS ESTATE 18 BOUREONG DRIVE, GUNNING LOT 4 DP 1198749.

1. *The Council submit 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 1,000m2.*
2. *The Council requests the Department of Planning Industry and Environment to authorise Council to exercise delegation of plan making functions in accordance with the Environmental Planning and Assessment Act 1979.*
3. *The Council delegate authority to the General Manager to undertake any required changes.*
4. *The Council notify the community of the proposed changes to the local environmental plan through appropriate processes at the time.*

16 March 2023

ITEM 11.2

36/23 AMENDMENT TO THE UPPER LACHLAN SHIRE COUNCIL LOCAL STRATEGIC PLANNING STATEMENT

1. *Council not support the amendments to the Local Strategic Planning Statement until:*
 - *the applicant provides further supporting documentation to address the STP buffer zone based on the NSW Water Directorate STP Buffer Zone Land Use Planning guidelines; and*
 - *the additional information be forwarded to the relevant Government Agency for consideration and comment.*
2. *A further report be provided to Council for consideration to amend the Local Strategic Planning Statement on completion of the above actions.*

14 December 2023

ITEM 11.1

239/23 PLANNING PROPOSAL - LOT 4 DP 1198749 - 18 BOUREONG DRIVE, GUNNING

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*

Environment and Planning

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

cont'd

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.*

20 February 2025

ITEM 11.2

07/25 PLANNING PROPOSAL – LOT 4 DP 1198749 18 BOUREONG DRIVE, GUNNING

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.*

A copy of the associated reports has been included in the Attachments for Council's information. This report will not incorporate this previous information as it is seeking Council support for the Planning Proposal to be finalised.

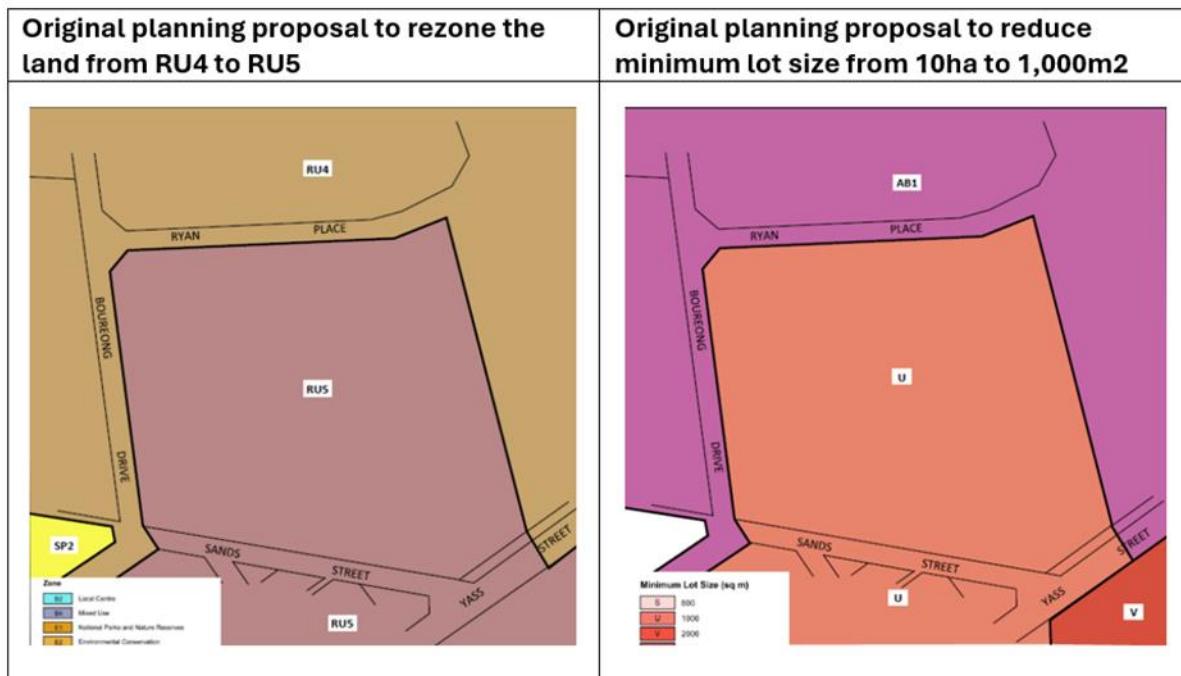
The original planning proposal incorporated a new zone and alternate lot size for Lot 4 DP 1198749. The original proposal was to change the zone from RU4 Primary Production Small Lot zone to RU5 Village zone and reduce the minimum lot size from 10ha to 1,000m².

Environment and Planning

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

cont'd

Figure 4: Original planning proposal to rezone the land from RU4 to RU5



The current planning proposal was amended to address the comments received from the Government Agencies, additional independent studies were completed by the applicant which resulted in the the planning proposal being refined to incorporate in addition to the RU5 - Village zone a MU1- Mixed Use, RE1 – Public Recreation and C3 – Environment Management zones. The amendments also incorporated the minimum lots size requirements that will reflect the proposed land use/zone.

Environment and Planning

PLANNING PROPOSAL - LOT 4 DP 1198749 - 18 BOUREONG DRIVE, GUNNING cont'd

Figure 5: Amended Planning Proposal to rezone from RU4 to RU5 Village, MU1 Mixed Use, RE1 Public Recreation and C3 Environmental Management zones with concept subdivision overlay

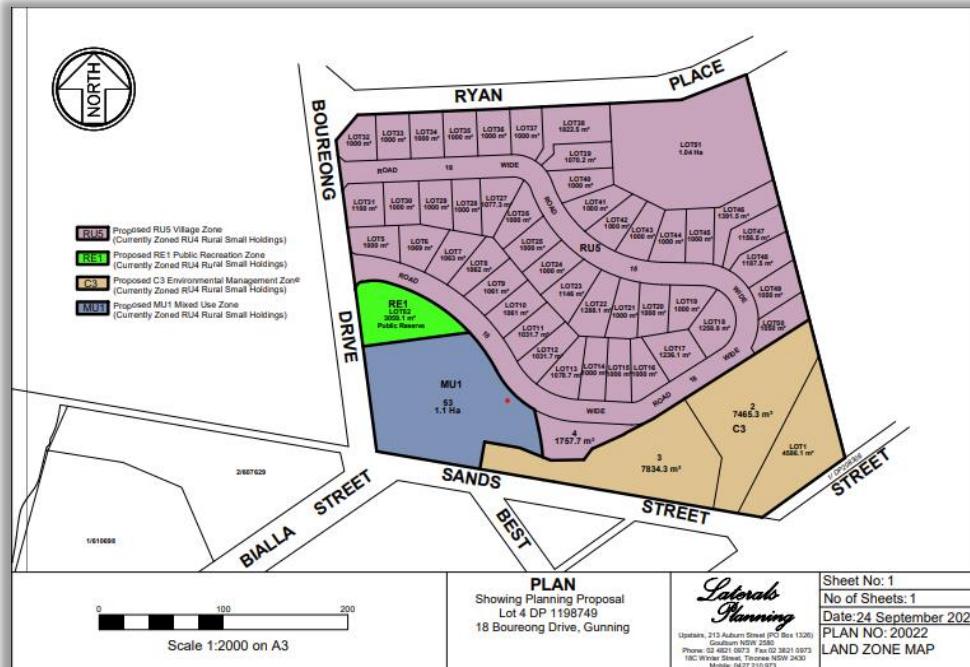
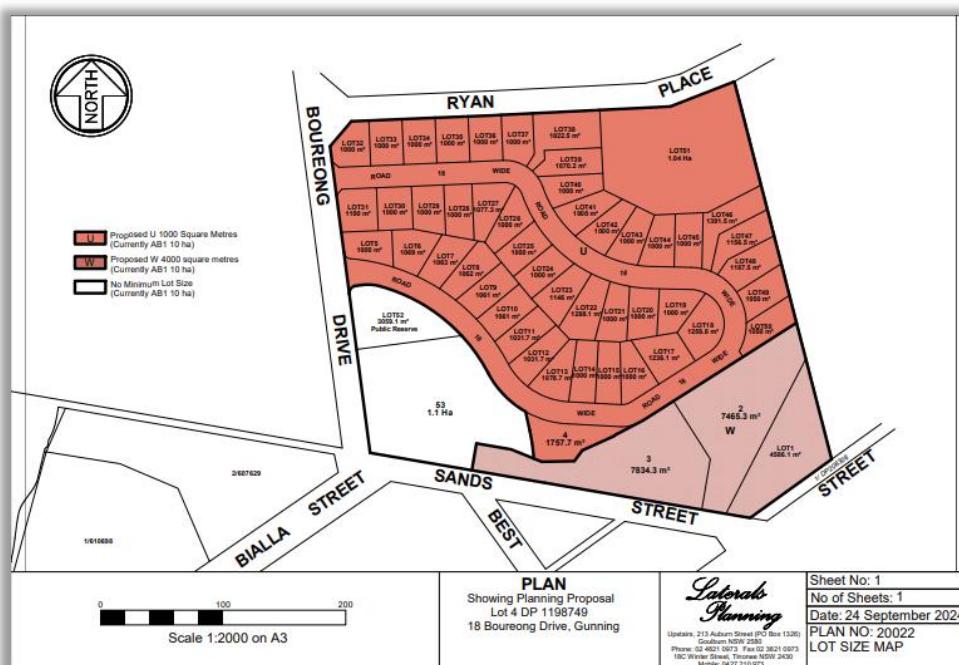


Figure 6: Amended Planning Proposal to incorporate a minimum lot size 1,000m² in the RU5 zone, 4,000m² in the C3 zone and no minimum lot size in the MU1 and RE1 zones with concept subdivision overlay



Environment and Planning

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

cont'd

In support of the planning proposal, the applicant has submitted the following studies / reports on the NSW Planning Portal

- Planning proposal
- Biodiversity Assessment Report
- Flood Impact Risk Assessment
- Land Use Conflict Risk Assessment
- Traffic Impact Assessment
- Preliminary Site Investigation Report (Contamination)
- Aboriginal Cultural Heritage Due Diligence Assessment
- Odour Impact Assessment

The alteration gateway determination required the planning proposal to be referred to relevant referenced Government Agencies and to be publicly exhibited for a period of 20 working days. Agency responses were received from NSW EPA only and relevant details have been extracted and detailed below.

NSW EPA: comments received 3 July 2025

Based on our review of these documents, the EPA provides the following comments for consideration by the consent authority as part of its determination.

The EPA recommends that the consent authority consider:

Gunning Sewage Treatment Plant

- *Sewage network capacity - in consultation with Council's Water, Sewer and Waste Management section, assess if the existing sewage network in Gunning has the capacity to receive additional flows generated by this rezoning proposal. This assessment should consider:*
 - *cumulative impacts from other residential developments already approved or rezoned within Gunning.*
 - *potential risks to air and water quality associated with increased effluent volumes.*
- *EPA consultation - consultation with the EPA is required, if an upgrade to the existing Gunning STP or a new sewage treatment system with a processing capacity of greater than 2,500 persons or 750 kilolitres a day is proposed.*

Council staff comment: Council's recent water sampling and flow monitoring of the Gunning Sewage Treatment Plant in May 2025 has determined there is approximately 290EP remaining out of the 1000EP for the Gunning Sewage Treatment Plant. Testing was completed during a dry period with no rainfall in the 5 days before testing or during the testing period. It is considered that there is availability to service a potential additional 290EP in the township of Gunning.

Odour assessment

The Odour Assessment prepared for the Proposal, concludes that odour emissions from Gunning STP are not expected to impact the Proposal or existing residential receivers.

To note, the odour dispersion modelling was based on emission sampling conducted on 15 October 2024, reflecting the STP's existing operating conditions. The modelling

Environment and Planning

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

cont'd

did not account for potential changes in odour emissions resulting from increased effluent flows associated with future population growth for Gunning.

Council staff comment: An Odour Impact Assessment was prepared by SLR Consulting Australia (June 2021 and November 2024) focussed on any potential odour impacts on a residential land use. The studies were completed in accordance with the EPA document 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales.'

To manage any potential impact of odour generated from the GSTP on future residential development the applicant incorporated a 160m buffer (approximate) that will exclude residential development. Within this buffer area it is proposed to incorporate both a public recreation zone and mixed use zone.

In considering the conservative approach taken by SLR, it is considered that an allowance has been made for an increase in population.

Contamination

The Preliminary Site Investigation (PSI) provided with the Proposal concludes the site is suitable for the proposed development and that no further detailed investigation is required.

In accordance with best practice and regulatory guidance, the EPA recommends the development of an Unexpected Finds Protocol (UFP) for the site. This protocol should outline procedures to be followed if any unexpected contamination is found during development works at the site.

It is the responsibility of the consent authority to ensure the Proposal is supported by information demonstrating the land is suitable for the proposed use or can be made suitable by remediation or by the way the land is used, as per the Resilience and Hazards SEPP 2021 and the Managing Land Contamination: Planning Guidelines (DUAP and EPA, 1998).

Council staff comment: Any development consent that is issued for a future development of the site will be imposed with a condition of consent requiring works to cease if any suspicious materials or objects are discovered.

Public Submissions

The planning proposal was on public exhibition from 16 June 2025 to 18 July 2025 and a total of 10 submissions were received during this period. In summary all submitters objected to the proposal and their concerns have been grouped and responses are outlined below. Laterals Planning have also addressed the concerns raised and is detailed in Attachment 17.

Submitter Objection	Council Comments
Insufficient existing infrastructure	The applicant has provided a conceptual subdivision plan and any future development of the land will be subject to a development application. Any future application is required to justify and/or upgrade existing infrastructure including;

	roads, footpaths, water, sewer, stormwater, street lighting, telecommunications and the like to service any proposal for subdivision. Any costs associated with the proposal will be at the cost of the developer.
Increase in traffic	A Traffic Impact Assessment has been submitted with the application and any upgrades will be required for any future development of the site.
Economic Growth	<p>Whilst some submissions are positive about Gunning's population growth, they believe the growth is in the wrong area and there is other land that can be development prior to this.</p> <p>Council can't make someone develop their land even though it is zoned for residential use.</p> <p>Concerns were also raised that the school and childcare are at capacity. The Department of Education were notified during the process with no responses received. Given no response was provided in an objection, it is considered the Department of Education raises no concerns.</p>
Streetscape and Character	Council is in the process of completing a new Development Control Plan which has controls for all new developments. This includes provisions for landscaping, public open space etc. The inclusion of the C3 zone encourages minimal impact activities that support the conservation of biodiversity
Design Elements of future development	As mentioned above, Council is in the process of completing a new Development Control Plan which has controls for all new development. This includes provisions for landscaping, public open space and subdivision design elements that will be required to be justified with a future development application.
Community Consultation	Community Consultation is a statutory requirement in accordance with the Upper Lachlan Community Participation Plan. In this regard the Gateway Determination details how long the

Environment and Planning

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

cont'd

	<p>Planning Proposal is required to be exhibited.</p>
Biodiversity and Conservation Concerns	<p>A Biodiversity Assessment Report was provided with the Planning Proposal and report has been summarised below;</p> <p><i>The biodiversity of the site has been assessed and areas of conservation value identified. This information has contributed to the design of the proposal as well as a conceptual subdivision of the site as an example of likely future land use. Through this design process the proposals potential impacts to biodiversity have been avoided and minimised and resulted in a design that improves biodiversity outcomes. The current Zoning of RU4 Primary Production Small Lots promotes agricultural uses that are not conducive to conservation of biodiversity. By changing the land zoning to C3 Environmental Management, in the parts of the site of greatest biodiversity value, land uses will encourage minimal impact activities that support the conservation of biodiversity. Additionally, by applying a minimum lot size of 4000m² and Restriction on User to this area, land management resources of land owners are concentrated in a smaller area improving the likelihood of weed management and native vegetation promotion along the creek line which is the greatest biodiversity asset on the land protecting several <i>Eucalyptus rubida</i> trees.</i></p> <p><i>On the upper slope there is also a <i>Eucalyptus melliodora</i> tree with some young regeneration. This tree is to be retained and it is proposed it will be protected through the provisions of Clause 6.2 Biodiversity of Upper Lachlan Local Environmental Plan 2010.</i></p> <p><i>There are no other biodiversity issues associated with this proposal and the net negative impact of this proposal on flora</i></p>

	<p><i>and fauna and biodiversity generally will be negligible.</i></p>
Riparian Concerns - Flooding	<p>A Flood Impact and Risk Assessment (FIRA) was submitted with the application and is summarised below; <i>The outcomes of the existing conditions assessment showed that there would be no interaction of floodwater in any event with the development that will result from the planning proposal, with all flood prone land contained within the proposed C3 zoning. Local runoff generated within the site will be managed by a stormwater management plan that will be prepared as part of the development application stage.</i></p> <p><i>Overall, the rezoning and development of the land is considered to adhere to the principles of the Floodplain Development Manual 2005, NSW Government's Flood Prone Land Policy, and Considering Flooding in Land Use Planning Guideline 2021. It also demonstrates compliance with the Upper Lachlan Shire Local Environment Plan 2010 and Upper Lachlan Shire Development Control Plan 2010. All specific guidance provided by the NSW Government's Biodiversity, Conservation and Science, Regional Delivery (BCS) department and the NSW SES has also been addressed, which includes Ministerial Direction 4.1.</i></p>
Zoning concerns	<p>It is envisaged that the public recreation zone will be utilised for passive recreational purposes by the community and has the potential to be linked to other public parks and reserves within Gunning.</p> <p>The MU1 – Mixed Use zone will create an opportunity for permitted land uses that could compliment the adjoining future residential development. Types of development that would be permitted within this zone currently include centre-based childcare facilities, education facilities, medical centres, places of public worship or similar. (Note that the land uses provided above are examples</p>

	<p>that are currently permitted under the ULLEP 2010 and as such is not exhaustive.)</p>
Lot size concerns	<p>The proposal has a minimum lot size 1,000m² in the RU5 zone which is consistent with the existing village of Gunning, 4,000m² in the C3 zone and no minimum lot size in the MU1 and RE1 zones. There is no requirement for a minimum lot size for the MU1 zone. Any future subdivision of the allotment(s) will be required to justify the minimum lot size.</p>
Negative for surrounding Agricultural Land	<p>A Land Use Conflict Risk Assessment (LUCRA) was provided with the proposal and has assessed conflicts. The report concludes;</p> <p><i>The proposed planning proposal is therefore consistent with the intent and relevant legislation and it is noted that a number of factors have led to this conclusion, including:</i></p> <ul style="list-style-type: none"><i>Low intensity cattle grazing generally presents low potential risk of conflict with such activities generally tolerable even though they can be subjective, noting that future residents should recognise they are purchasing in a broader rural context.</i><i>Nearby agricultural spraying is done periodically by spot/targeted spraying. Given the use of a targeted application, it is assumed that spray drift would generally be limited.</i><i>Noise associated with rural activity which may lead to potential land use conflict in the locality would be intermittent background noise from animals, tractors and other machinery.</i><i>The subdivision design incorporates measures that are appropriate to mitigate any potential impacts from odour from adjoining rural operations given the scale and intensity of activities. This, combined with soft landscaping of the residential lots</i>

	<p><i>is sufficient considering the nature and scale of activities at this site. The GSTP will not impact the site as noted in the Odour Impact Assessment.</i></p> <ul style="list-style-type: none"><i>The conflict risk ranking of 6.25 indicates that the proposed development as assessed would have a very low risk of conflict.</i>
Connectivity	Any future development of the land will require connectivity to the township. This may include footpaths and public open space. Connectivity will be required to be justified with any future development application.
Noise	It is accepted that there will be an increase in noise associated with any residential development. It is considered that the increase in noise will be acceptable based on the proposed development being an extension to the existing village.
Emergency Services	There are no 'requirements' for police, ambulance or fire brigade services to be provided for villages. It is a decision made by the specified government agencies and is based on a number of factors.

Conclusion

The Council previously considered and supported the planning proposal to amend the land use zone and minimum lot size for Lot 4 DP1198479, 18 Boureong Drive, Gunning. Through the consultative process additional information was required to address the concerns of a number of Government Agencies, which ultimately resulted in the refinement of the original planning proposal.

The proposed alterations were also considered and supported by Council. The relevant government agencies were notified and concerns have been addressed throughout the report.

It is considered that the Planning Proposal is consistent with the Local Strategic Planning Statement, the Draft South East and Tablelands Regional Plan 2041, The Tablelands Regional Community Strategic Plan 2016-2036 and the relevant Ministerial Directions.

POLICY IMPACT

The Planning Proposal will amend the ULLEP 2010 by changing the zone and minimum lot size provisions of the locality within the Gunning community.

Environment and Planning

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

cont'd

The local strategic planning statements (LSPS) focus development adjacent to existing villages. The purpose is to protect agricultural land and minimise rural residential development. Gunning has some potential to grow, but infill opportunities are limited.

The property owner has prepared this planning proposal in response to the Upper Lachlan 2040 Local Strategic Planning Statement. The planning proposal is consistent with the Statement.

OPTIONS

The Council may:

- Support the proposed amendments to the existing planning proposal as submitted.
- Reject the proposed amendments to the existing planning proposal as submitted.

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Request delegation of Plan Making Authority for the Planning Proposal
2. Undertake the necessary actions to finalise the making of the Upper Lachlan Local Environmental Plan 2010.

ATTACHMENTS

1. »	Council Report - 21 October 2021	Appendix
2. »	Council Report - 16 March 2023	Appendix
3. »	Council Report - 14 December 2023	Appendix
4. »	Council Report - 20 February 2025	Appendix
5. »	Planning Proposal	Appendix
6. »	Biodiversity Assessment Report	Appendix
7. »	Flood Impact Risk Assessment	Appendix
8. »	LUCRA Assessment	Appendix
9. »	Traffic Impact Assessment	Appendix
10. »	Preliminary Site Investigation (Contamination)	Appendix
11. »	Aboriginal Cultural Heritage Due Diligence Assessment	Appendix
12. »	Odour Impact Assessment	Appendix
13. »	Alteration 1 of Gateway Determination	Appendix
14. »	Alteration 2 of Gateway Determination	Appendix
15. »	EPA Response	Appendix
16. »	Public Submissions Collated (Names Redacted)	Appendix
17. »	Lateral Planning Submission Response	Appendix

12 INFRASTRUCTURE DEPARTMENT

There were no items submitted for this section at the time the Agenda was compiled.

13 FINANCE AND ADMINISTRATION

The following items are submitted for consideration -

13.1	Review of Council Internal Audit Charter	126
13.2	Adoption of Code of Meeting Practice	140

Finance and Administration - 18 September 2025

ITEM 13.1 **Review of Council Internal Audit Charter**

FILE REFERENCE **I25/246**

AUTHOR **Director of Finance and Administration**

ISSUE

Council is requested to endorse the revised Internal Audit Charter.

RECOMMENDATION **That -**

1. Council adopts the reviewed Internal Audit Charter.

BACKGROUND

At the 9 May 2024 Ordinary Council Meeting the Upper Lachlan Shire Council resolved as follows:-

- Council Resolution Number 66/24: "That Council adopts the Internal Audit Charter"

The Council Internal Audit Function was previously a shared service model servicing Goulburn Mulwaree Council, Yass Valley Council, Snowy Monaro Council and the Canberra Region Joint Organisation (CRJO). The function was previously led by the Manager Internal Audit employed by the CRJO and reported directly to the Chair of the Audit, Risk and Improvement Committee (ARIC). The Manager position concluded on 20 June 2025.

REPORT

Council is required to establish an Internal Audit Function as a key component of Council's governance and assurance framework, in compliance with the *Local Government (General) Regulation 2021* as amended by the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* and the Office of Local Government's (OLG) Guidelines for risk management and internal audit for local government in NSW.

The Manager Internal Audit role has concluded and Council CEO and senior management has decided to utilise a shared arrangement for an outsourced internal audit function. The CRJO CEO, has developed roles and responsibilities matrix for the ARIC members, Council CEO, Directors and Internal Audit Coordinator under the new shared arrangement for an external agency outsourced internal audit function.

There will be a request for quotation (RFQ) conducted by CRJO via the Local Government Procurement (LGP) Vendor Panel for provision of an external agency supplier of internal audit services functions to Upper Lachlan Shire Council, Goulburn

Finance and Administration

REVIEW OF COUNCIL INTERNAL AUDIT CHARTER cont'd

Mulwaree Council, Yass Valley Council and the Canberra Region Joint Organisation (CRJO).

The Internal Audit Charter provides the framework for the conduct of the Council's Internal Audit Function taking into account the expert advice of the Council's independent members forming the Audit, Risk and Improvement Committee (ARIC).

The attached reviewed Internal Audit Charter is based on the OLG Model Internal Audit Charter and is required to be endorsed by Council after the changes made since adoption on 9 May 2024.

The CEO has delegated and nominated the Internal Audit Coordinator to the position of Council's Chief Financial Officer (CFO).

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

The funding for the internal audit function is included annually within the Council Operational Plan and the allocation is \$62,790 in 2025/2026.

RECOMMENDATION That -

1. Council adopts the reviewed Internal Audit Charter.

ATTACHMENTS

1. <u>ULSC Internal Audit Charter - Adoption - 18 September 2025</u>	Attachment
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CANBERRA REGION
JOINT ORGANISATION
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Upper Lachlan Shire Council Internal Audit Charter

Upper Lachlan Shire Council's internal audit function has been established as a key component of Upper Lachlan Shire Council's governance and assurance framework, in compliance with the *Local Government (General) Regulation 2021* as amended by the *Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023* (the regulation), and the Office of Local Government's *Guidelines for risk management and internal audit for local government in NSW* (the guidelines).

A shared arrangement for an internal audit function has been entered into between Upper Lachlan Shire Council, Goulburn Mulwaree Council, Yass Valley Council (the participating councils) and Canberra Region Joint Organisation (CRJO) since October 2022 and was an in-house internal audit function until June 2025.

The shared internal audit function from 2025/26 financial year onwards is an outsourced internal audit function with internal audits to be conducted by an external provider shared across CRJO and the participating councils (the shared external IA provider).

Upper Lachlan Shire Council's internal audit function is to be made up of the shared external IA provider, to be engaged and contract managed by CRJO on behalf of the participating councils (CRJO shared contract manager), and the internal audit coordinator appointed by Upper Lachlan Shire Council's CEO. Hereafter in this document referred to as the Upper Lachlan Shire Council internal audit function.

The shared arrangement is to be articulated in a shared arrangements agreement between CRJO and Upper Lachlan Shire Council and must comply with this charter.

This charter provides the framework for the conduct of the Upper Lachlan Shire Council internal audit function and has been approved by the Upper Lachlan Shire Council taking into account advice of Upper Lachlan Shire Council's Audit, Risk and Improvement Committee (the ARIC).

Purpose of internal audit

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve Upper Lachlan Shire Council's operations. It helps Upper Lachlan Shire Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes¹.

Internal audit provides an independent and objective review and advisory service to provide advice to Upper Lachlan Shire Council, its CEO and the ARIC about Upper Lachlan Shire Council's governance processes, risk management and control frameworks and its external accountability obligations. It also assists Upper Lachlan Shire Council to improve its business performance.

¹ As defined by the International Standards for the Professional Practice of Internal Auditing (2017)
Adopted – 18 September 2025



Independence

Upper Lachlan Shire Council's internal audit function is to be independent of the Upper Lachlan Shire Council so it can provide an unbiased assessment of the Upper Lachlan Shire Council's operations and risk and control activities.

The Upper Lachlan Shire Council internal audit function reports functionally to the ARIC on the results of completed audits and for strategic direction and accountability purposes, and reports administratively to the Upper Lachlan Shire Council CEO to facilitate day-to-day operations.

Internal audit activities are not subject to direction by the Upper Lachlan Shire Council and Upper Lachlan Shire Council's management has no role in the exercise of the Upper Lachlan Shire Council's internal audit activities.

The ARIC is responsible for communicating any internal audit issues or information to the Upper Lachlan Shire Council. Should the Upper Lachlan Shire Council require additional information, a request for the information may be made to the ARIC chairperson. The ARIC chairperson is only required to provide the information requested by the Upper Lachlan Shire Council where the ARIC chairperson is satisfied that it is reasonably necessary for the Upper Lachlan Shire Council to receive the information for the purposes of performing its functions under the Local Government Act. Individual Upper Lachlan Shire Council councillors are not entitled to request or receive information from the ARIC.

The Upper Lachlan Shire Council CEO has appointed the Chief Financial Officer as its internal audit coordinator, as generally described in the regulation (internal audit coordinator). Some functions of the internal audit coordinator, relating to engagement and contract management of the shared external IA provider, are to be undertaken by the CRJO shared contract manager as set out in the shared arrangements agreement.

The Upper Lachlan Shire Council CEO must consult with the ARIC chairperson before appointing or making decisions affecting the employment of the internal audit coordinator. If the internal audit coordinator is dismissed, the Upper Lachlan Shire Council CEO must report the reason(s) for the dismissal to the Upper Lachlan Shire Council.

Where the ARIC chairperson has any concerns about the treatment of the internal audit coordinator, or any action taken that may compromise their ability to undertake their functions independently, they can report their concerns to the Upper Lachlan Shire Council.

The internal audit coordinator is to confirm at least annually to the ARIC the independence of internal audit activities from Upper Lachlan Shire Council.

Authority

The Upper Lachlan Shire Council authorises the Upper Lachlan Shire Council internal audit function, including the external IA provider managed by the CRJO shared contract manager to have full, free and unrestricted

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access to all functions, premises, assets, personnel, records and other documentation and information that the internal audit coordinator considers necessary for the Upper Lachlan Shire Council internal audit function to undertake its responsibilities.

All records, documentation and information accessed while undertaking internal audit activities are to be used solely for the conduct of those activities. The internal audit coordinator, shared external IA provider and CRJO shared contract manager are responsible and accountable for maintaining the confidentiality of the information they receive or view when undertaking their work.

All internal audit documentation is to remain the property of Upper Lachlan Shire Council, including where internal audit services are performed by an external third-party provider.

Information and documents pertaining to the Upper Lachlan Shire Council internal audit function are not to be made publicly available. The Upper Lachlan Shire Council internal audit function may only release Upper Lachlan Shire Council information to external parties that are assisting the Upper Lachlan Shire Council internal audit function to undertake its responsibilities with the approval of the Upper Lachlan Shire Council CEO, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

Role

The Upper Lachlan Shire Council internal audit function is to support the ARIC to review and provide independent advice to the Upper Lachlan Shire Council in accordance with section 428A of the Local Government Act 1993. This includes conducting internal audits of Upper Lachlan Shire Council and monitoring the implementation of corrective actions.

The Upper Lachlan Shire Council internal audit function is to also play an active role in:

- developing and maintaining a culture of accountability and integrity
- facilitating the integration of risk management into day-to-day business activities and processes, and
- promoting a culture of high ethical standards.

The Upper Lachlan Shire Council internal audit function has no direct authority or responsibility for the activities it reviews. The Upper Lachlan Shire Council internal audit function has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in Upper Lachlan Shire Council functions or activities (except in carrying out its own functions).

Internal Audit Coordinator

Outsourced internal audit function

The Upper Lachlan Shire Council internal audit function is to be led by a member of council's staff, appointed as internal audit coordinator, with sufficient skills, knowledge and experience to ensure it fulfils its role and responsibilities to Upper Lachlan Shire Council and the ARIC.

The internal audit coordinator must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

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Responsibilities of the internal audit coordinator generally include the following with aspects of the role to be undertaken by the CRJO shared contract manager as set out in the shared arrangements agreement:

- contract management
- managing the internal audit budget
- ensuring the external IA provider completes internal audits in line with the ARIC's annual work plan and four-year strategic work plan
- forwarding audit reports by the external IA provider to the ARIC
- acting as a liaison between the external IA provider and the ARIC
- monitoring Upper Lachlan Shire Council's implementation of corrective actions that arise from the findings of audits and reporting progress to the ARIC, and
- assisting the ARIC to ensure Upper Lachlan Shire Council's internal audit activities comply with the guidelines.

Dual Responsibilities of the Internal Audit Coordinator

The internal audit coordinator can be assigned other roles and responsibilities in the council provided adequate safeguards are put in place by the council to limit conflicts of interest.

The Chief Financial Officer, as internal audit coordinator, is to remain independent and report functionally to the ARIC in relation to their internal audit responsibilities.

For council responsibilities other than internal audit coordinator responsibilities, the Chief Financial Officer reports functionally through normal reporting lines to the CEO.

Depending on the specific needs and circumstances of the council, safeguards could include:

- any potential issues or conflicts of interest arising from a dual role being formally documented in the ARIC's meeting minutes
- the ARIC endorsing the dual roles
- the CRJO shared contract manager being independent of Upper Lachlan Shire Council
- the internal audit coordinator declaring, to the ARIC, a conflict of interest whenever internal audits are to be conducted by the shared external IA provider in relation to the internal audit coordinator's other roles and responsibilities (i.e. that of the Chief Financial Officer) and the ARIC approving the method/s of managing the conflict of interest, and
- the ARIC including an assessment of the independence and objectivity (for internal audit purposes) of the coordinator of the outsourced internal audit function in their annual assessment report to the Upper Lachlan Shire Council.

Shared Arrangements

Upper Lachlan Shire Council is part of a shared internal audit arrangement with CRJO and the participating councils.

The independent chair and committee members of Upper Lachlan Shire Council's ARIC are also shared with CRJO, Yass Valley Council and Goulburn Mulwaree Council.

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The shared arrangement agreement in place for the ARIC shared membership and previous shared in-house internal audit function will be updated to reflect the new, shared outsourced internal audit function with the participating councils as set out in this charter.

The CRJO shared contract manager needs to be able to:

- manage the contract with the shared external IA provider on behalf of all councils in the shared arrangement
- liaise with the ARIC, internal audit coordinator and CEO
- coordinate the completion of audits by the shared external IA provider in line with the participating councils' ARICs' annual and four-year strategic work plans
- provide audit reports by the external IA provider to the ARIC and CEO and obtain coordinate management responses via the internal audit coordinator
- assist the ARIC to ensure Upper Lachlan Shire Council's internal audit activities comply with the regulation and guidelines, and
- maintain separate and confidential information for each of the participating councils in the shared arrangement.

Performing internal audit activities

The work of the Upper Lachlan Shire Council internal audit function is to be thoroughly planned and executed. The ARIC must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the ARIC and considered by the internal audit coordinator and shared external IA provider when developing their risk-based program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The ARIC must also develop an annual work plan to guide the work of the Upper Lachlan Shire Council internal audit function over the forward year.

All internal audit activities are to be performed in a manner that is consistent with relevant professional standards including the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and current Australian risk management standards.

The CRJO shared contract manager is to provide the findings and recommendations of the shared external IA provider's internal audits to the ARIC at the end of each audit. Each internal audit report is to include a response from the relevant senior management, to be collated by the internal audit coordinator.

The internal audit coordinator is to establish an ongoing monitoring system to follow up Upper Lachlan Shire Council's progress in implementing corrective actions.

The Upper Lachlan Shire Council CEO in consultation with the ARIC, is to develop and maintain policies and procedures to guide the operation of the Upper Lachlan Shire Council internal audit function.

The internal audit coordinator is to ensure that the ARIC is advised at each of the ARIC's meetings of the internal audit activities completed during that quarter, progress in implementing the annual work plan and progress made implementing corrective actions.

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Conduct

The internal audit coordinator must comply with Upper Lachlan Shire Council's code of conduct. Complaints about breaches of Upper Lachlan Shire Council's code of conduct by the internal audit coordinator are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The Upper Lachlan Shire Council CEO must consult with the ARIC chairperson before any disciplinary action is taken against the internal audit coordinator in response to a breach of Upper Lachlan Shire Council's Code of Conduct.

External IA providers must comply with the Code of Ethics for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

Administrative arrangements

Audit, risk and improvement committee meetings

The internal audit coordinator will attend the ARIC's meetings as an independent non-voting observer and the internal audit coordinator can be excluded from meetings by the ARIC at any time.

The CRJO shared contract manager will attend the participating councils' ARICs, internal audit section, as an independent non-voting observer. The CRJO shared contract manager can be excluded from meetings by the ARIC at any time.

The internal audit coordinator must meet separately with the ARIC at least once per year.

The internal audit coordinator can meet with the ARIC chairperson at any time, as necessary, between ARIC meetings.

External audit

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

Periodic meetings and contact between internal and external audit shall be held to discuss matters of mutual interest and to facilitate coordination.

External audit will have full and free access to all internal audit plans, working papers and reports.

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Dispute resolution

The Upper Lachlan Shire Council internal audit function should maintain an effective working relationship with the Upper Lachlan Shire Council and the ARIC and seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the Upper Lachlan Shire Council internal audit function and the Upper Lachlan Shire Council, the dispute is to be resolved by the Upper Lachlan Shire Council CEO in conjunction with CRJO shared contract manager and/or the ARIC. Disputes between the Upper Lachlan Shire Council internal audit function and the ARIC are to be resolved by the Upper Lachlan Shire Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive of the NSW Office for Local Government in writing.

Review arrangements

The ARIC must review the performance of the internal audit function each year and report its findings to the Upper Lachlan Shire Council. A strategic review of the performance of the Upper Lachlan Shire Council internal audit function must be conducted each Upper Lachlan Shire Council term that considers the views of an external party with a strong knowledge of internal audit and reported to the Upper Lachlan Shire Council and the CEO.

This charter is to be reviewed annually by the ARIC and once each Upper Lachlan Shire Council term by the Upper Lachlan Shire Council. Any substantive changes are to be approved by the Upper Lachlan Shire Council.

Further information

For further information on Upper Lachlan Shire Council's internal audit activities, contact the Chief Financial Officer as the appointed internal audit coordinator.

Reviewed by chairperson of Upper Lachlan Shire Council's ARIC

[sign and date]

Reviewed by Upper Lachlan Shire Council Chief Executive Officer

[sign and date]

Reviewed and adopted by Upper Lachlan Shire Council in accordance with a resolution of the Upper Lachlan Shire Council.

[sign and date]

[resolution reference]

Adopted – 18 September 2025



Adopted – 18 September 2025



Schedule 1 – internal audit function responsibilities

The below general internal audit function responsibilities apply across the participating councils' internal audit functions inclusive of the shared external IA provider. For specific roles and responsibilities of the shared outsourced internal audit function, refer to the roles and responsibilities matrix developed by CRJO in conjunction with the participating councils in August 2025.

Audit

Internal audit

- Conduct internal audits as directed by the ARIC.
- Implement Upper Lachlan Shire Council's annual and four-year strategic internal audit work plans.
- Monitor the implementation by Upper Lachlan Shire Council of corrective actions.
- Assist Upper Lachlan Shire Council to develop and maintain a culture of accountability and integrity.
- Facilitate the integration of risk management into day-to-day business activities and processes.
- Promote a culture of high ethical standards.

External audit

- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided.
- Review all external plans and reports in respect of planned or completed audits and monitor Upper Lachlan Shire Council's implementation of audit recommendations.
- Provide advice on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk management

Review and advise:

- if Upper Lachlan Shire Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether Upper Lachlan Shire Council's risk management framework is adequate and effective for identifying and managing the risks Upper Lachlan Shire Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of Upper Lachlan Shire Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, Upper Lachlan Shire Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings

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- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if Upper Lachlan Shire Council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within Upper Lachlan Shire Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how Upper Lachlan Shire Council's risk management approach impacts on Upper Lachlan Shire Council's insurance arrangements
- of the effectiveness of Upper Lachlan Shire Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise:

- whether Upper Lachlan Shire Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether Upper Lachlan Shire Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if Upper Lachlan Shire Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise of the adequacy and effectiveness of the Upper Lachlan Shire Council's compliance framework, including:

- if Upper Lachlan Shire Council has appropriately considered legal and compliance risks as part of Upper Lachlan Shire Council's risk management framework
- how Upper Lachlan Shire Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise of the adequacy and effectiveness of Upper Lachlan Shire Council's fraud and corruption prevention framework and activities, including whether Upper Lachlan Shire Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

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Financial management

Review and advise:

- if Upper Lachlan Shire Council is complying with accounting standards and external accountability requirements
- of the appropriateness of Upper Lachlan Shire Council's accounting policies and disclosures
- of the implications for Upper Lachlan Shire Council of the findings of external audits and performance audits and Upper Lachlan Shire Council's responses and implementation of recommendations
- whether Upper Lachlan Shire Council's financial statement preparation procedures and timelines are sound
- the accuracy of Upper Lachlan Shire Council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the Upper Lachlan Shire Council to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in Upper Lachlan Shire Council's report is consistent with signed financial statements
- if Upper Lachlan Shire Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of Upper Lachlan Shire Council are adequate
- if Upper Lachlan Shire Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise of the adequacy of Upper Lachlan Shire Council governance framework, including the Upper Lachlan Shire Council's:

- decision-making processes
- implementation of governance policies and procedures
- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and

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- management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

Review and advise:

- of the adequacy and effectiveness of Upper Lachlan Shire Council's integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether Upper Lachlan Shire Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

Review and advise:

- if Upper Lachlan Shire Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how Upper Lachlan Shire Council can improve its service delivery and the Upper Lachlan Shire Council's performance of its business and functions generally

Performance data and measurement

Review and advise:

- if Upper Lachlan Shire Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators Upper Lachlan Shire Council uses are effective, and
- of the adequacy of performance data collection and reporting.

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Finance and Administration - 18 September 2025

ITEM 13.2 **Adoption of Code of Meeting Practice**

FILE REFERENCE **I25/250**

AUTHOR **Director of Finance and Administration**

ISSUE

This report provides a recommendation for adoption of Council Code of Meeting Practice after a public exhibition period.

RECOMMENDATION **That -**

1. Council in accordance with Section 362(1)(a) and (2), of the *Local Government Act 1993*, adopts the draft Code of Meeting Practice as publicly exhibited, with inclusion of mandatory provisions and non-mandatory best practice provisions, with the two exceptions by amendment removing Part 3.33 to Part 3.39 - Pre-Meeting Briefing Sessions and amendment to Part 4.2 - Public Forums as outlined in Council Resolution Number 140/25 all public forums will be live webcast by audio-visual recording device on Council website.
2. Council provide a written response to all public submissions to the draft Code of Meeting Practice.

BACKGROUND

A Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) is prescribed under the *Local Government (General) Regulation 2021 (the Regulation)*.

The Office of Local Government (OLG) has completed its assessment of submissions received regarding the consultation draft of the new Model Meeting Code. OLG advises that work is underway to finalise the new Model Meeting Code, however OLG also advise that Council will need to adopt a Meeting Code prior to the new Model Meeting Code being finalised in late 2025.

At the Ordinary Council Meeting held on 17 July 2025 Council Resolution Number 114/25 was adopted that stated “Under Section 361, of the Local Government Act 1993, Council gives public notice of its intention to adopt and amend the Code of Meeting Practice allowing 28 days public exhibition and provide members of the community 42 days in which to make submissions.”

REPORT

A copy of the Model Code of Meeting Practice is attached to this report and the draft code has been publicly exhibited for 42 days, closing on 2 September 2025.

Finance and Administration

ADOPTION OF CODE OF MEETING PRACTICE cont'd

The Model Code of Meeting Practice has two elements:-

1. It contains mandatory provisions (indicated in **black** font) that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.
2. It contains non-mandatory provisions (indicated in **red** font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what Office of Local Government (OLG) sees as being best practice for the relevant area of practice.

The Model Code of Meeting Practice also applies to meetings of the Boards of Joint Organisations and County Councils. The provisions that are specific to meetings of Boards of Joint Organisations are indicated in **blue** font.

Until Council adopts a new Code of Meeting Practice, its existing Code of Meeting Practice will remain in force. As previously advised the Model Code of Meeting Practice contains new provisions that allow Council's to permit individual Councillors to attend meetings by audio-visual link and to hold meetings by audio-visual link only in the event of natural disasters or public health emergencies.

Public Submissions

There were 2 public submissions received with respect to the draft Code of Meeting Practice. The public submissions are attached to this report and relates to pre-meeting briefing sessions. Both submissions request the removal of "Clause 3.33 -3.39 - Pre-meeting briefing sessions are to be held in the absence of the public." Council may determine an appropriate response to the submissions.

It is recommended by senior management that all the **red** font non-mandatory provisions within the Model Code of Meeting Practice be adopted by Upper Lachlan with the exception of two proposed amendments, in accordance with requests by the public submissions.

The amendments would involve the removal in entirety of Part 3.33 to Part 3.39 - Pre-Meeting Briefing Sessions and amendment to Part 4.2 - Public Forums as outlined in Council Resolution Number 140/25 stating that all public forums will be live webcast by audio-visual device on Council website and include public notification on Council website of public forums to be held each month.

POLICY IMPACT

Adoption of a Code of Meeting Practice is a requirement under legislation.

Finance and Administration

ADOPTION OF CODE OF MEETING PRACTICE cont'd

OPTIONS

1. Adopt the draft Model Code of Meeting Practice, as publicly exhibited, without alteration; or alternatively
2. Council resolve to make amendments to the draft Model Code of Meeting Practice as recommended by senior management after consideration of public submissions.

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That -

1. Council in accordance with Section 362(1)(a) and (2), of the *Local Government Act 1993*, adopts the draft Code of Meeting Practice as publicly exhibited, with inclusion of mandatory provisions and non-mandatory best practice provisions, with the two exceptions by amendment removing Part 3.33 to Part 3.39 - Pre-Meeting Briefing Sessions and amendment to Part 4.2 - Public Forums as outlined in Council Resolution Number 140/25 all public forums will be live webcast by audio-visual recording device on Council website.
2. Council provide a written response to all public submissions to the draft Code of Meeting Practice.

ATTACHMENTS

1. <u>↓</u>	Code of Meeting Practice - Upper Lachlan - 18 September 2025 - Resolution XXX-25 - Review 2028	Attachment
2. <u>↓</u>	Crookwell Progress Association - ULSC Closed pre meeting briefing sessions submission 2025	Attachment
3. <u>↓</u>	Dianne and Derek Layden - Submission re pre-meeting briefing sessions 2025 - 31 August 2025	Attachment



Upper Lachlan Shire Council

Policy Update Cover

Date: 18 September 2025	Policy Title: Code of Meeting Practice
<p>This cover sheet provides a summary of the proposed amendments to the attached Meeting Code. Council initially adopted this Meeting Code in September 2012. The Code of Meeting Practice was last updated and adopted by Council on 18 August 2022.</p> <p>In accordance with the post-election checklist Council's must adopt a Meeting Code in the first 12 months of a newly elected Council.</p>	
Sponsor: Director of Finance and Administration	Action required: Approval by Council after public exhibition
<p>Reason for review/update:</p> <p>Council regularly review and update policies to ensure that they are current, fit-for-purpose and relevant to Council's operations. The attached policy has been reviewed and updated in line with this practice and the sponsor is now seeking your approval to implement this Code.</p>	
<p>Summary of the changes:</p> <p>The following amendments have been made to this Policy:-</p> <ul style="list-style-type: none">• The Code of Meeting Practice references to the General Manager shall also mean Chief Executive Officer to describe the head of local government agencies in NSW.• If the CEO recommendation is adopted there will be an amendment for removal of Part 3.33 – 3.39 Pre-Meeting Briefing Sessions will be removed from the Code of Meeting Practice.• Amendments have been made to Part 4.2 Public Forums as outlined in Resolution 140/25 at 21 August 2025 Ordinary Council Meeting.• Two new additions have been made - Part 4.25 and 4.26 Public Forums as outlined in resolution 140/25 at 21 August 2025 Ordinary Council Meeting.	
<p>Consultation(s):</p> <p>Public exhibition has occurred.</p>	
<p>Internally cleared by</p>	
Position: Chief Executive Officer	Position: Director Finance and Administration



MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

September 2025

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1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of Councils and committees of Councils of which all the members are Councillors (committees of Council). Council committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A Council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

A Council and a committee of the Council of which all the members are Councillors must conduct its meetings in accordance with the code of meeting practice adopted by the Council.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county Councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "Council", "Chairperson" for "Mayor", "voting representative" for "Councillor" and "executive officer" for "General Manager".

In adopting the Model Meeting Code, county Councils should adapt it to substitute the term "Chairperson" for "Mayor" and "member" for "Councillor".

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary Council meetings

- 3.1 Ordinary meetings of the Council will be held on the following occasions:
[Ordinary Meetings of Council are held at Crookwell Council Chambers on the third Thursday of each month (excluding January) commencing at 1.30pm (unless otherwise set by resolution of the Council)]
- 3.2 The Council shall, by resolution, set the frequency, time, date and place of its ordinary meetings annually.

Note: Under section 365 of the Act, Councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county Councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Extraordinary meetings

- 3.3 If the Mayor receives a request in writing, signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Mayor can be one of the two Councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of Council meetings

- 3.4 The Council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the Council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the Council and of a committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of ordinary Council meetings

3.7 The General Manager must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to Councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to Councillors of an extraordinary meeting of the Council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at Council meetings

3.10 A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **Ten (10) business days before the meeting is to be held.**

3.11 A Councillor may, in writing to the General Manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

3.12 If the General Manager considers that a notice of motion submitted by a Councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.

3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the General Manager must either:

(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the Council, or

(b) by written notice sent to all Councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the Council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A Councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the General Manager about the performance or operations of the Council.
- 3.15 A Councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the General Manager or a member of staff of the Council, or a question that implies wrongdoing by the General Manager or a member of staff of the Council.
- 3.16 The General Manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The General Manager must cause the agenda for a meeting of the Council or a committee of the Council to be prepared as soon as practicable before the meeting.
- 3.18 The General Manager must ensure that the agenda for an ordinary meeting of the Council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the Mayor to put a Mayoral minute to a meeting under clause 9.6.
- 3.20 The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public, the General Manager must ensure that the agenda of the meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

3.22 The General Manager must ensure that the details of any item of business which, in the opinion of the General Manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

3.23 Business papers for all ordinary and extraordinary meetings of the Council and committees of the Council must contain a statement reminding Councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the Council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

3.25 Clause 3.24 does not apply to the business papers for items of business that the General Manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.28 The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting.

3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the Council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.

3.32 A motion of dissent cannot be moved against a ruling of the Chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

3.33 Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council.

3.34 Pre-meeting briefing sessions are to be held in the absence of the public.

3.35 Pre-meeting briefing sessions may be held by audio-visual link.

3.36 The General Manager or a member of staff nominated by the General Manager is to preside at pre-meeting briefing sessions.

3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.

3.38 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

3.39 Councillors who are unable to attend a pre-meeting briefing session shall receive all information/documents provided to Councillors at the pre-meeting briefing session.

4 PUBLIC FORUMS

- 4.1 The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of committees of the Council.
- 4.2 All Public forums will be held by audio-visual link and will be a live webcast on Council website.
- 4.3 Public forums are to be chaired by the Mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by **three (3) business days** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than **two (2)** items of business on the agenda of the Council meeting.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than **two (2)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than **three (3)** days before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.

- 4.12 The General Manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed **five (5)** minutes to address the Council. This time is to be strictly enforced by the Chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 4.15 A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **two (2)** minutes.
- 4.17 Speakers at public forums cannot ask questions of the Council, Councillors, or Council staff.
- 4.18 The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to **five (5)** minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's code of conduct or making other potentially defamatory statements.
- 4.21 If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.

- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.
- 4.24 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.
- 4.25 Notification of rejected requests to the Public Forum shall be provided within 48 hours after the public forum by the General Manager.
- 4.26 Council will provide public notification on Council website that a Public Forum will be held prior to the date the Public Forum is to be held.

Note: Public forums should not be held as part of a Council or committee meeting. Council or committee meetings should be reserved for decision-making by the Council or committee of Council. Where a public forum is held as part of a Council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of Council and committee meetings.

5 COMING TOGETHER

Attendance by Councillors at meetings

5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of committees of the Council of which they are members.

Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

5.2 A Councillor cannot participate in a meeting of the Council or of a committee of the Council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

5.3 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the Chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.

Note: Clause 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.

5.4 Where a Councillor is unable to attend one or more ordinary meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

5.5 A Councillor's request for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.6 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.

5.7 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

5.8 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.9 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

Note: Clause 5.10 reflects section 368(2) of the Act.

5.11 A meeting of the Council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

5.12 In either case, the meeting must be adjourned to a time, date, and place fixed:

- (a) by the Chairperson, or
- (b) in the Chairperson's absence, by the majority of the Councillors present, or
- (c) failing that, by the General Manager.

5.13 The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.

5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Mayor may, in consultation with the General Manager and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the Council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

5.16 A meeting of the Council or a committee of the Council may be held by audio-visual link where the Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of Councillors and staff at risk. The Mayor must make a determination under this clause in consultation with the General Manager and, as far as is practicable, with each Councillor.

5.17 Where the Mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the General Manager must:

- (a) give written notice to all Councillors that the meeting is to be held by audio-visual link, and
- (b) take all reasonable steps to ensure that all Councillors can participate in the meeting by audio-visual link, and
- (c) cause a notice to be published on the Council's website and in such other manner the General Manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a Council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by Councillors at meetings by audio-visual link

5.19 Councillors may attend and participate in meetings of the Council and committees of the Council by audio-visual link with the approval of the Council or the relevant committee.

5.20 A request by a Councillor for approval to attend a meeting by audio-visual link must be made in writing to the General Manager prior to the meeting in question and must provide reasons why the Councillor will be prevented from attending the meeting in person.

5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a Councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.

- 5.22 The Council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a Councillor to attend a meeting by audio-visual link.
- 5.23 A Councillor who has requested approval to attend a meeting of the Council or a committee of the Council by audio-visual link may participate in the meeting by audio-visual link until the Council or committee determines whether to approve their request and is to be taken as present at the meeting. The Councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a Councillor to attend a meeting of the Council or a committee of the Council by audio-visual link must be made by a resolution of the Council or the committee concerned. The resolution must state:
 - (a) the meetings the resolution applies to, and
 - (b) the reason why the Councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 If the Council or committee refuses a Councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is at the Council's or the relevant committee's discretion. The Council and committees of the Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual link. However, the Council and committees of the Council are under no obligation to approve a Councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the Councillor to attend the meeting by these means.
- 5.27 The Council and committees of the Council may refuse a Councillor's request to attend a meeting by audio-visual link where the Council or committee is satisfied that the Councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the Council or a committee of the Council by audio-visual link.
- 5.28 This code applies to a Councillor attending a meeting by audio-visual link in the same way it would if the Councillor was attending the meeting in person. Where a Councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A Councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.30 A Councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the Council or the committee into disrepute.

Entitlement of the public to attend Council meetings

5.31 Everyone is entitled to attend a meeting of the Council and committees of the Council. The Council must ensure that all meetings of the Council and committees of the Council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.33 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

Note: Clause 15.14 confers a standing authorisation on all Chairpersons of meetings of the Council to expel persons from meetings. Clause 15.14 is adopted by Council and authorises Chairpersons to expel any person, including a Councillor, from a Council or committee meeting.

Webcasting of meetings

5.34 Each meeting of the Council or a committee of the Council is to be recorded by means of an audio or audio-visual device.

5.35 At the start of each meeting of the Council or a committee of the Council, the Chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the Council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

5.36 The recording of a meeting is to be made publicly available on the Council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

5.37 The recording of a meeting is to be made publicly available on the Council's website for at least 12 months after the meeting.

5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.

5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.34–5.39. Joint organisations that choose not to webcast meetings may omit clauses 5.34–5.39.

5.40 Written transcripts of Council meetings procedures are not prepared by Council.

5.41 Recordings of Council meeting proceedings are not an official record of the meeting and they do not convey the official minutes of a Council meeting or the position of Council.

5.42 Members of the public attending a Council meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for two years. By attending a Council meeting, whether as a proponent or objector addressing the Council or as an observer or other interested party, members of the public consent to this use of their image, voice and personal information.

5.43 Speaker addressing the Council do not have absolute privilege in respect of opinions expressed or comments made or material presented. Council accepts no responsibility for any defamatory comments in this regard.

Attendance of the General Manager and other staff at meetings

5.44 The General Manager is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a committee of the Council of which all of the members are Councillors.

Note: Clause 5.44 reflects section 376(1) of the Act.

5.45 The General Manager is entitled to attend a meeting of any other committee of the Council and may, if a member of the committee, exercise a vote.

Note: Clause 5.45 reflects section 376(2) of the Act.

5.46 The General Manager may be excluded from a meeting of the Council or a committee while the Council or committee deals with a matter relating to the standard of performance of the General Manager or the terms of employment of the General Manager.

Note: Clause 5.46 reflects section 376(3) of the Act.

5.47 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the General Manager.

5.48 The General Manager and other Council staff may attend meetings of the Council and committees of the Council by audio-visual-link. Attendance by Council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the General Manager.

6 THE CHAIRPERSON

The Chairperson at meetings

6.1 The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the Mayor and the Deputy Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the Chairperson in the absence of the Mayor and Deputy Mayor

6.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

6.4 The election of a Chairperson must be conducted:

- (a) by the General Manager or, in their absence, an employee of the Council designated by the General Manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the General Manager nor a designated employee is present at the meeting, or if there is no General Manager or designated employee.

6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the Chairperson rises or speaks during a meeting of the Council:

- (a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the Chairperson is the Mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the Chairperson is not the Mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the Council, the general order of business is as fixed by resolution of the Council.

The order of 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 - General Manager
- 15. Late Reports
- 16. Reports from Other Committees, Section 355 Committees and Delegates
- 17. Notices of Motion
- 18. Questions with Notice
- 19. Confidential Session - Closed Council Reports

8.2 The order of business as fixed under clause [8.1] may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows Council to deal with items of business by exception.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council meeting

9.1 The Council must not consider business at a meeting of the Council:

- (a) unless a Councillor has given notice of the business, as required by clause 3.10, and
- (b) unless notice of the business has been sent to the Councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the Council, or
- (b) is the election of a Chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a Mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the Council.

9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).

Mayoral minutes

9.6 Subject to clause 9.9, if the Mayor is the Chairperson at a meeting of the Council, the Mayor may, by minute signed by the Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.

9.7 A Mayoral minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of a Mayoral minute without the motion being seconded.

9.8 A recommendation made in a Mayoral minute put by the Mayor is, so far as it is adopted by the Council, a resolution of the Council.

- 9.9 A Mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled ordinary meeting of the Council.
- 9.10 Where a Mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of committees of Council

- 9.12 The recommendations of a committee of the Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.13 If in a report of a committee of the Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.
- 9.16 A Councillor may, through the General Manager, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the General Manager at the direction of the General Manager.
- 9.17 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.

10 RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

10.2 A Councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a Councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the motion when it is before the Council.

10.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of the Council:

- any other Councillor may, with the leave of the Chairperson, move the motion at the meeting, or
- the Chairperson may defer consideration of the motion until the next meeting of the Council.

Chairperson's duties with respect to motions

10.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The Chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

10.8 Any motion, amendment, or other matter that the Chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the General Manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the Council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the Chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before Council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the Councillor who moved the original motion.

Foreshadowed motions

- 10.17 A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A Councillor who, during a debate at a meeting of the Council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a Councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the motion or amendment and at least two (2) Councillors have spoken against it.
- 10.26 The Chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the Chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this code, remain silent while another Councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings

10.31 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

Note: Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

Note: Joint organisations must adopt clause 10.31. Councils must not adopt clause 10.31.

11 VOTING

Voting entitlements of Councillors

11.1 Each Councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.

Voting at Council meetings

11.5 A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot.

11.11 All voting at Council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

Note: Clause 11.11 is adopted by Council and therefore clauses 11.6 – 11.9 and clause 11.13 have been omitted from the code and left blank.

Voting on planning decisions

- 11.12 The General Manager must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a committee of the Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The Council may resolve itself into a committee to consider any matter before the Council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a committee of Council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the Council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the Chairperson must list the items of business to be adopted and ask Councillors to identify any individual items of business listed by the Chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The Council or committee must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the Council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

14.1 The Council or a committee of the Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than Councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the Council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The Council or a committee of the Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The Council, or a committee of the Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by **[five (5) business days]** before the meeting at which the matter is to be considered.

14.12 The General Manager (or their delegate) may refuse an application made under clause 14.11. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.

14.13 No more than **[two (2)]** speakers are to be permitted to make representations under clause 14.9.

14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the General Manager or their delegate is to determine who will make representations to the Council.

14.15 The General Manager (or their delegate) is to determine the order of speakers.

14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than **[two (2)]** speakers to make representations in such order as determined by the Chairperson.

14.17 Each speaker will be allowed **[five (5)]** minutes to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.

Expulsion of non-Councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the Council or a committee of the Council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of Councillors attending meetings by audio-visual link

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
 - (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson under clause 14.22 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a committee of the Council:

- (a) contravenes the Act, the Regulation or this code, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other Council official, or alleges a breach of the Council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

15.12 The Chairperson may require a Councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from meetings

15.14 All Chairpersons of meetings of the Council and committees of the Council are authorised under this code to expel any person, including any Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act.

Note: Council has adopted to apply clause 15.14 and omit clause 15.15.

15.16 Clause 15.14 does not limit the ability of the Council or a committee of the Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.

15.17 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.

15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by Councillors attending meetings by audio-visual link may be dealt with

15.21 Where a Councillor is attending a meeting by audio-visual link, the Chairperson or a person authorised by the Chairperson may mute the Councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.22 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Chairperson of the meeting or a person authorised by the Chairperson, may terminate the Councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.23 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and committees of the Council.

15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the Council or a committee of the Council without the prior authorisation of the Council or the committee.

15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.

15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and committees of the Council in accordance with the Council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the Council's code of conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting must be suspended or terminated and the Councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the Council or committee, or at any time during which the Council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

Note: Clause 17.1 reflects section 371 of the Act in the case of Councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

17.3 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the General Manager no later than [close of business on the Monday following the Council Meeting at which the resolution was adopted] after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the Council may be moved on the report of a committee of the Council and any such report must be recorded in the minutes of the meeting of the Council.

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three Councillors is submitted to the Chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.12(c).

Recommending resolutions to correct an error

17.15 Despite the provisions of this Part, a Councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the Councillor is to propose alternative wording for the resolution.

- 17.17 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council are to conclude no later than **[4.30pm]**.
- 18.2 If the business of the meeting is unfinished at **[4.30pm]**, the Council may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **[4.30pm]**, and the Council does not resolve to extend the meeting, the Chairperson must either:
 - (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - (b) adjourn the meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the General Manager must:
 - (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the General Manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the General Manager must ensure that the following matters are recorded in the Council's minutes:

- (a) the names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a Council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The Council and committees of the Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the Council

19.12 The General Manager is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the Council whose members are all Councillors.

Council committees whose members are all Councillors

20.2 The Council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a committee of the Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The Council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

20.6 The General Manager must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and Deputy Chairperson of Council committees

20.11 The Chairperson of each committee of the Council must be:

- (a) the Mayor, or
- (b) if the Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
- (c) if the Council does not elect such a member, a member of the committee elected by the committee.

20.12 The Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.

20.13 If neither the Chairperson nor the Deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.

20.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.

20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.17 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.17 and omit clause 20.16. Councils

must not adopt clause 20.17.

20.18 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.

20.20 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council committee meetings

20.23 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.24 All voting at meetings of committees of the Council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.25 The minutes of meetings of each committee of the Council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21 IRREGULARITES

- 21.1 Proceedings at a meeting of a Council or a Council committee are not invalidated because of:
 - (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any Councillor or committee member, or
 - (c) any defect in the election or appointment of a Councillor or committee member, or
 - (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the Council's adopted code of meeting practice
committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two Councillors under clause 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a Councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of Councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June



[REDACTED]
Crookwell NSW 2583
27th August, 2025

Submission regarding Council Code of Meeting Practice, 3.34. Pre-meeting briefing sessions

The NSW Office of Local Government proposed, in November 2024, that councils would no longer be permitted to hold pre-meeting briefing sessions in the absence of the public. This proposal is yet to be finalised.

The discussion paper stated that: *Effective local government comes when councillors are visibly in control of their councils. How councillors act and how appropriately and transparently decisions are made at meetings is critical in demonstrating to the community that their elected representatives understand the consequences of their decisions, and then make the best possible decisions they can for their community as a whole. Unfortunately, the existing councillor conduct framework is not delivering on the need for transparency or the necessary degree of respect in the community for the role that councillors have. Closed council briefing sessions are being used to make decisions away from the public view.*

Section 2.1 of Council's Code of Meeting Practice reads that "Council and committee meetings should be transparent – decisions are made in a way that is open and accountable".

These closed sessions were introduced in 2018 under the title of "workshops" and were closed to the public to allow senior staff and councillors to be more open in their comments and discussions whilst not being "embarrassed" in front of the public by their lack of knowledge or their ignorance of matters being discussed.

It was resolved at the June 2018 meeting, Item 13.5 Pre-meeting Briefing Sessions (Workshop or Briefing) that *The General Manager instigate Pre-meeting Briefing Sessions (Workshop or Briefing) prior to Council Meetings or when required on matters deemed necessary by the General Manager to ensure that Councillors are fully conversant with relevant information.* Councillors Culhane, Kensit, McCormack, O'Brien, Searl and Wheelwright voted for the motion with Councillors Cummins, Opie and Stafford against.

This meant that members of the public had no knowledge of the advice being given by staff nor comments made by councillors.

We believe in the concept of transparency and accountability; as a democracy councils need to hear, consider and debate issues in an open manner. For council to demonstrate transparency and accountability in decision making, these briefing sessions should be open to members of the community, not held behind closed doors. Sensitive matters would still be catered for in the Confidential Session prior to the conclusion of each council meeting.

Prior to the 2021 local government election, prospective councillors put forward a number of issues that they would stand for if elected. These included: meaningful communication and transparency and cooperation with the community; too many behind closed doors meetings – meetings should be open to the public unless the matters are confidential; improve communication channels across the shire.

When elected the councillors then voted in September 2022 to hold closed pre-meeting briefing sessions (workshops), breaking their pre-election promises. Councillors Culhane, Kensit, McDonald M and McDonald N, O'Brien, Reynolds, Searl and Woodbridge were in favour with Cr Marshall voting against the motion.

Prior to the 2024 local government election, prospective candidates again promised to: keep residents informed and not keep them in the dark regarding progress; provide proper communication as current level of professional communication is poor; fix broken communication – "unblock the blockage"; provide accountability for decisions made; to have an open door policy; address the issue of communication and how it is dealt with; disagree with meetings being held behind closed doors.

We urge them to keep their promises.

We strongly disagree with section 3.34 that "pre-meeting briefing sessions are to be held in the absence of the public". We support Cr Cameron's suggestion that pre-meeting briefing sessions not be held, or if they must be held, then they should be open to the public.

Yours sincerely,

[REDACTED]

David Johnson
President
Email: [REDACTED]

[REDACTED]

31st August, 2025

Submission Re: Pre-meeting briefing sessions

We object to Clause 3.34 in the Upper Lachlan Shire Council's Code of Meeting Practice that the pre-meeting briefing sessions be held in the absence of the public.

Discussion at these sessions should be transparent and should give an idea of why decisions are made by councillors at the monthly meetings.

Section 2.1 of Council's Code of Meeting Practice states that "Council and committee meetings should be *transparent* – decisions are made in a way that is open and accountable".

Despite section 3.37 (councillors are instructed not to use pre-briefing sessions to make preliminary decisions about items of council business), opinions would still be formed at the pre-briefing sessions.

The decision to instigate these sessions was made after a "Working Together to Deliver" workshop was held in February, 2018. Six councillors voted in favour of the closed sessions and three councillors voted against.

The time taken to conduct an ordinary meeting of council generally reduced after these sessions were introduced midway through 2018, often with little debate at the council meetings.

If councillors insist that they must have pre-meeting briefing sessions, we believe that residents should be able to hear the information provided by having the briefing sessions, if they are held, open to members of the public.

For council to demonstrate transparency in decision making, these sessions should be open to members of the community, not held behind closed doors. Sensitive matters are catered for in the Confidential Session prior to the conclusion of each council meeting.

Prior to the 2021 election, prospective councillors stated that they stood for transparency, communication, no closed door meetings and meaningful communication, then voted in favour of the closed sessions when they were elected, with only one councillor voting against the motion.

Before the last local government election, prospective councillors put forward a number of issues that they would stand for if elected. These included to: keep residents informed and not keep them in the dark regarding progress; provide proper communication as current level of professional communication is poor; fix broken communication – "unblock the blockage"; provide accountability for decisions made; have an open door policy; address the issue of communication and how it is dealt with; disagree with meetings being held behind closed doors.

Since the 2024 local government election, councillors regularly question items at the monthly meetings, ask for more information on topics on the agenda and there has been robust debate at some of the council meetings.

Therefore, we ask councillors to remember what they promised before the election and support the request that Clause 3.34 be removed from the Code of Meeting Practice for the Upper Lachlan Shire Council.

Yours sincerely,

[REDACTED]

Dianne and Derek Layden

14 CHIEF EXECUTIVE OFFICER

The following items are submitted for consideration -

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Chief Executive Officer - 18 September 2025

ITEM 14.1 **Election of Deputy Mayor**

FILE REFERENCE **I25/208**

AUTHOR **Chief Executive Officer**

ISSUE

The election for the position of Deputy Mayor is to be undertaken in accordance with Schedule 7 of the *Local Government (General) Regulation 2021* and Section 231, of the *Local Government Act 1993*.

RECOMMENDATION That –

1. Council determine the method of election of Deputy Mayor, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Mayor declares the successful Councillor elected as Deputy Mayor.

BACKGROUND

The annual election for the position of Deputy Mayor is to be undertaken in accordance with Schedule 7 and Section 394, of the *Local Government (General) Regulation 2021* and Section 231, of the *Local Government Act 1993*.

REPORT

A nomination form has been provided to all Councillors and should be delivered or sent to the Chief Executive Officer up until the time of the election to be held on Thursday, 18 September 2025, at approximately 1:30pm.

If only one Councillor is nominated, then that Councillor is elected Deputy Mayor.

If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

Clause 3 of Schedule 7 of the *Local Government (General) Regulation 2021* also makes it clear that “ballot” has its normal meaning of secret ballot.

The following recommendation has been prepared on the basis that more than one Councillor is nominated for the position of Deputy Mayor.

POLICY IMPACT

Nil

Chief Executive Officer
ELECTION OF DEPUTY MAYOR cont'd

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council determine the method of election of Deputy Mayor, being either by preferential ballot, by ordinary ballot or by open voting.
2. The Mayor declares the successful Councillor elected as Deputy Mayor.

ATTACHMENTS

Nil

Chief Executive Officer - 18 September 2025

ITEM 14.2 **Organisation Structure Adoption**

FILE REFERENCE **I25/203**

AUTHOR **Chief Executive Officer**

ISSUE

Providing details in relation to Council's Organisation Structure.

RECOMMENDATION **That -**

1. Council resolves to adopt the existing Organisation Structure without amendment.

BACKGROUND

The organisation structure was reviewed in 2024 after consultation with Council, relevant industry unions and Council staff on workplace changes and the amended organisation structure was implemented by Council's CEO on 20 September 2024.

REPORT

In accordance with Section 332, of the *Local Government Act 1993*, Council has previously determined the senior staff positions within the organisation structure at 15 December 2022 Ordinary Council Meeting. These positions included; the Chief Executive Officer, Director Environment and Planning, Director Infrastructure and Director Finance and Administration. Council has allocated resources and determined staff position roles and reporting lines for each Council principal activity as part of the Council Operational Plan, Delivery Program addressing Community Strategic Plan strategic objectives (please see Attachment 2 to this report).

Section 333, of the *Local Government Act 1993*, states a Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of Council. In addition, the organisation structure may be re-determined from time to time.

The current organisation structure accommodates Council's four Departments / directorates including; Chief Executive Officer, Infrastructure, Environment and Planning and Finance and Administration (please see Attachment 1 to this report).

The Chief Executive Office management staff positions includes the following:-

1. Chief Executive Officer.

Chief Executive Officer**ORGANISATION STRUCTURE ADOPTION cont'd**

The Environment and Planning Department management staff positions includes the following:-

1. Director Environment and Planning;
2. Manager Planning and Regulatory Services;
3. Manager Water, Waste and Sewer;
4. Manager IT.

The Infrastructure Department management staff positions includes the following:-

1. Director Infrastructure;
2. Manager Infrastructure Delivery;
3. Manager Assets.

The Finance and Administration Department management staff positions includes the following:-

1. Director Finance and Administration;
2. Chief Financial Officer;
3. Manager Library Services;
4. Manager Human Resources;
5. Manager Governance.

It is not proposed to alter the Council organisation structure at this time. A copy of the organisation structure for senior staff and management positions is attached for the information of Councillors.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

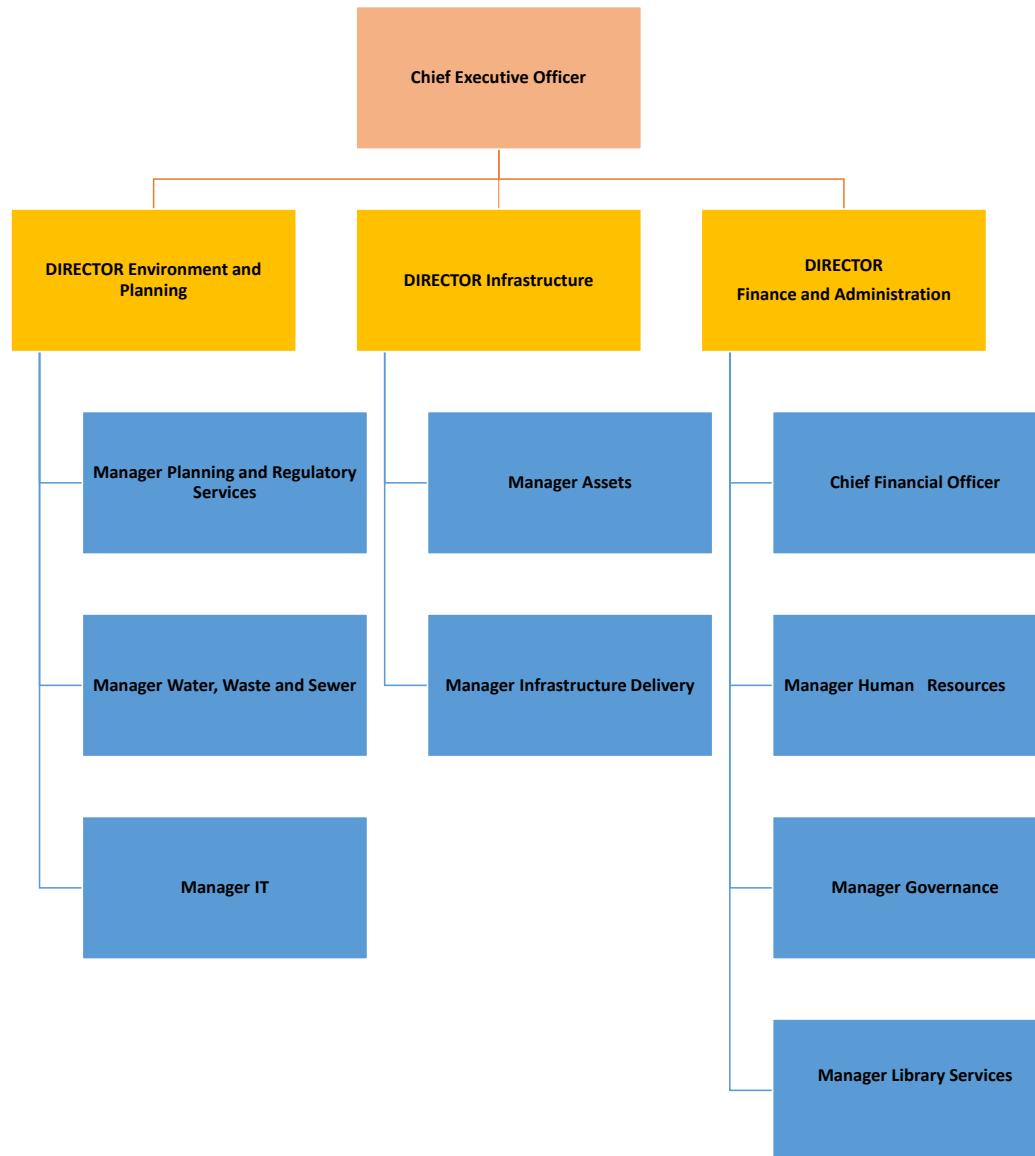
The existing Council organisation structure staffing resources consisting of 140 FTE are fully funded within the adopted 2025/2026 Operational Plan.

RECOMMENDATION That -

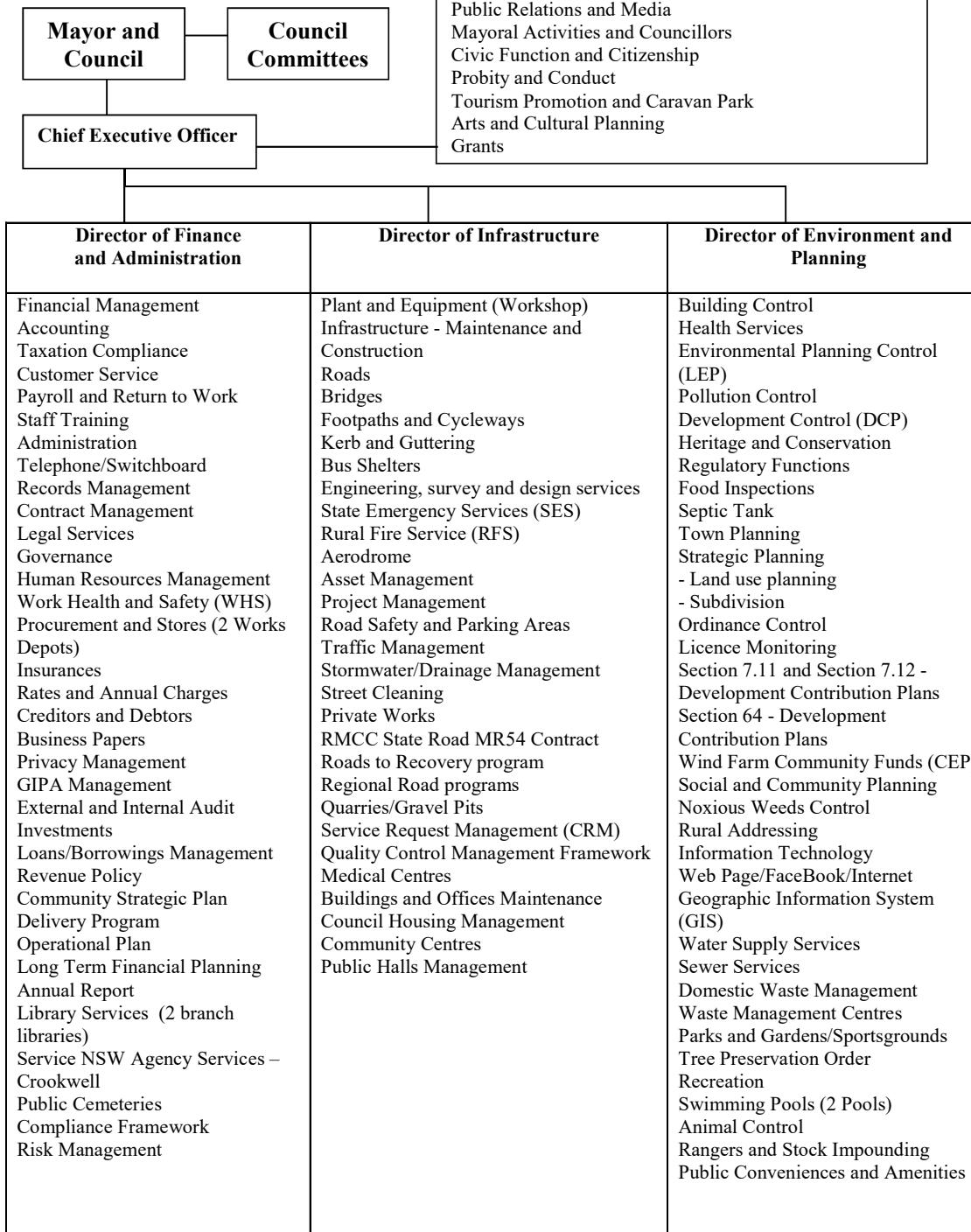
1. Council resolves to adopt the existing Organisation Structure without amendment.

ATTACHMENTS

1. <u>↓</u>	ULSC Organisation Chart - Senior Executive and Managers - 2025	Attachment
2. <u>↓</u>	Organisational Structure	Attachment



Structure of Council



Chief Executive Officer - 18 September 2025

ITEM 14.3 **Committees of Council Structure**

FILE REFERENCE **I25/245**

AUTHOR **Chief Executive Officer**

ISSUE

Providing details regarding a review of the current Committees of Council memberships and representations/delegations.

RECOMMENDATION That –

1. Council determines and approves Schedule A and Schedule B for the Committee of Council structures, committee memberships and appointment of Councillors and staff delegates to committees in accordance with Section 355, of the *Local Government Act 1993*.

BACKGROUND

Providing details regarding a review of the existing Committee Structures, the current Committee memberships and representations/delegations.

REPORT

Council may exercise its functions in accordance with Section 355, of the *Local Government Act 1993*, by appointing a Committee of Council by the Council's powers of delegation in accordance with Section 377, of the *Local Government Act 1993*.

Council is required to appoint delegates to Council Committees and other community organisations. Some of the Council appointments to the organisations are for the term of the Council, whilst others are reviewed on an annual basis. The committee structure and membership requires appointments of Council delegates to the Committees of Council and resolve the same.

Council appoints the below-mentioned Committees in accordance with Section 355, of the *Local Government Act 1993*. Attached to this report are Schedules A, B and C. These schedules have been prepared to include the existing Meeting Format, Committee Structure, the appointment of Committee membership and delegations.

Please note that there is no requirement for a Council delegate on the Upper Lachlan Local Emergency Management Committee (LEMC). This advice has been shared to the previously appointed Councillor in May 2025 following advice from the REMO that the LEMC was not a Committee of Council and therefore did not require a Councillor representative.

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

At 21 August 2025 Council meeting correspondence was tabled by Transport for NSW that Council would note that:-

- Local Transport Forum (LTF) replaces Local Traffic Committee.
- It is an advisory body to support council's function as roads authority for unclassified roads.
- Offers technical advice, coordination, and expertise.
- Not an approval body and does not make decisions.

SCHEDULE A - 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:

The Audit, Risk and Improvement Committee will act as an advisory Committee to provide independent assurance to Council. The primary roles of the Committee is to assist Council in the effective operation of its responsibilities by monitoring, reviewing and providing advice about Council's governance processes, compliance, risk management and control frameworks, internal audit, external audit, fraud and corruption control, and external accountability obligations and overall financial and operational performance. The Committee will work with Council's external auditor and internal auditor to facilitate achieving the organisational goals and efficient work practices.

Councillor Member Non-Voting Representation: Cllr Rob Cameron (4 year term)

Independent Committee Representation: Canberra Region Joint Organisation accredited committee members – Stephen Coates (Chair), Diana Hamono, Rachel Harris and Bryce McNair.

Staff Representation (non-voting): Chief Executive Officer, Director of Finance and Administration, Chief Financial Officer, Manager Governance and Manager IT (other Managers as requested).

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 as this provides a superior forum for constructive discussion and feedback.
- It is Council practice to enable Councillors not on the Performance Review Panel to provide feedback to the Mayor in the week prior to each performance review.

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

- 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 T Yallouris

Meets: Annually

Local Transport Forum (Previously Local Traffic Committee)

Functions of the Committee:

Primarily an advisory body to support council's function as roads authority for unclassified roads in the Upper Lachlan Shire Council area.

Note: Where Council decides to act contrary to the Local Transport Forum 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 S Peirce

Minute Secretary: Infrastructure Executive Assistant

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

Other Staff Involved: Director Infrastructure, Manager Assets, and Traffic and Road Safety Officer.

Meets: Quarterly

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: Clr G Harris, Clr J Searl and Clr V Flanagan

Minute Secretary: Infrastructure Executive Assistant

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

Meets: Quarterly

Chief Executive Officer**COMMITTEES OF COUNCIL STRUCTURE cont'd****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 Environment and Planning (as alternate representative).

Community Representation: Scott Keyworth and Paul Hewitt

Wind Farm Representation: Ms Erin Fletcher (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 S Reynolds alternative Cllr G Harris

Staff Representation: Director Infrastructure (as required).

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: Cllr A Meggitt alternative Cllr G Harris

Staff Representation: Director Infrastructure (as required).

Meets: Quarterly or 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.

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Council Delegate: Clr J Searl alternative Clr S Peirce

Staff Representation: Director 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 alternative Clr S Peirce

Staff Representation: Director 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.

Council Delegate: Mayor

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

Community Representation: James McKay and Jacqueline Menhart

Wind Farm Representation: Melinda Loew, RATCH-Australia Corporation Pty Ltd

Meets: Annually

Crookwell and District Art Gallery Committee

Functions of the Committee:

The care, control, management and organisation of the Crookwell & District Art 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 V Flanagan alternative Clr T Yalouris

Meets: Fourth Thursday of each month.

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Crookwell and 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: Cllr V Flanagan, alternative Cllr G Harris

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

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

Community Representation: Katrina Nixon and Paul Seary

Wind Farm Representation: Kirsty Levings, Global Power Generation Australia

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, Plan of Management, Council policies and within the funds voted by Council annually.

Council Delegate: Cllr T Yallouris alternative Cllr V Flanagan

Staff Representation: - Manager Library Services.

Meets: Every two months (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 Environment and Planning (as alternate representative).

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Community Representation: Michael Coley and Matthew Streat

Landowner Representation: Rachael Foley

Wind Farm Representation: Elsbeth Pickerin, EDL Energy

Meets: Annually

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 Environment and Planning (as alternate representative).

Community Representation: Margaret McPherson and Christine McLean

Goulburn Mulwaree Representation: Cllr Liz McKeon (Goulburn Mulwaree Council)

Wind Farm Representation: Ms Erin Fletcher, BJCE

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: Cllr S Peirce

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: Cllr S Peirce

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

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

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

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 Environment and Planning (as alternate representative).

Community Representation: Rodney Barnes and Daryl Johnson

Wind Farm Representation: Federica Frew (Company Rep - 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 A Meggitt and Clr T Yallouris (alternative Clr P Culhane)

Staff Representation: Director Environment and Planning and Coordinator Parks and Biosecurity.

Meets: Quarterly or as required.

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 G Harris

Meets: As required as per Upper Lachlan Shire Council Section 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

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

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

Community Representation: Craig Croker and Brian Corby

Wind Farm Representation: Jackie Stojanoski, PacificBlue

Meets: Annually

Tourism and 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. 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 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 R Cameron, Clr S Reynolds and Clr G Harris

Community Representation: Russ Plummer, Peter Cottrell and Dianna Nixon.

Meets: Quarterly

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 A Meggitt

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 Award and Young Sportsperson of the Year Award.
- b) The Council will: be responsible for any administrative assistance (Executive Assistant) to the Committee and be responsible for expenditure of funding as per the Operational Plan for the current year.

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Council Delegates: Mayor, Clr J Searl, Clr G Harris, Clr T Yallouris and Clr S Reynolds

Staff Representation: Director 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, Elizabeth Newcombe, Katherine Johnson, Carmel Hills and Norm Fountain.

Meets: Annually

SCHEDULE C - COUNCIL DELEGATES / REPRESENTATIONS (OTHER THAN COUNCIL COMMITTEES)

Biala Wind Farm Community Consultative Committee

Council Delegate: Clr R Cameron

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 and Wagga Wagga City Council.

Council Delegate: Mayor

Staff Representation: Chief Executive Officer

Meets: Quarterly

Collector Community Association

Council Delegate: Clr J Searl alternative Clr S Peirce

Meets: Monthly

Collector Wind Farm Community Consultative Committee

Council Delegate: Mayor

Meets: As required

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Country University Centre Committee

Council Delegate: Clr S Reynolds and Clr G Harris

Meets: Monthly

Crookwell II and III Wind Farm Community Consultative Committee

Council Delegate: Clr S Reynolds alternative Clr V Flanagan

Meets: As required

Gullen Range Wind Farm Community Consultative Committee

Council Delegate: Clr S Reynolds

Meets: As required

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 S Peirce (alternative Clr J Searl)

Meets: As required

Gunning Wind Farm Community Enhancement Program Advisory Group

Council Delegate: Clr S Peirce

Staff Representation: Chief Executive Officer.

Meets: As required

Kiamma Creek Landcare Group

Council Delegate: Clr S Reynolds

Meets: Quarterly

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Local Government NSW (LGNSW)

Objective:

To promote the interests of NSW local government councils at a divisional level. LGNSW is the peak body representing local government council members and associate members, including county councils and joint organisations. LGNSW role is to support, promote, advocate for, and represent the local government sector so members are in the best position to serve communities

Membership: All Councils in NSW.

Council Delegate: Mayor, alternate is Deputy Mayor

Staff Representation: Chief Executive Officer

Meets: Annually and 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 Infrastructure

Meets: Quarterly

Southern Tablelands Bush Fire Management Committee

Council Delegate: Clr R Cameron alternative Clr S Peirce

Meets: Quarterly

Staff Representation: Director Infrastructure

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

Southern Tablelands Regional Arts (STARTS) Sub-committee

Council Delegates: Clr V Flanagan

Meets: Quarterly

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Southern Tablelands (Rural Fire Services) Zone Liaison Committee

Council Delegate: Cllr R Cameron alternative Cllr S Peirce

Staff Representation: Director Infrastructure

Meets: Quarterly

Taralga and District Historical Society

Functions of the Committee:

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

Council Delegate: Cllr G Harris

Meets: As required

Upper Lachlan Joint Regional Planning Panel

Function:

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

Council Delegate: Mayor and Cllr S Reynolds

Staff Delegate: Director Environment and Planning

Meets: As required

Upper Lachlan Landcare Group

Council Delegate: Cllr 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 to attend.

Bigga Progress Association

Council Delegates: Cllr P Culhane

Meets: on invitation from Association / Committee

Binda Progress Association

Council Delegates: Cllr A Meggitt

Meets: on invitation from Association / Committee

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Crookwell Progress Association

Council Delegates: \ Cllr S Reynolds

Meets: on invitation from Association / Committee

Dalton Community and District Association

Council Delegates: Cllr J Searl

Meets: on invitation from Association / Committee

Golspie Progress Association

Council Delegates: Cllr G Harris

Meets: on invitation from Association / Committee

Grabben Gullen Community Progress Association Inc.

Council Delegates: Cllr J Searl

Meets: on invitation from Association / Committee

Gunning District Association

Council Delegates: Cllr S Peirce

Meets: on invitation from Association / Committee

Laggan & District Progress Association

Council Delegates: Cllr S Reynolds

Meets: on invitation from Association / Committee

Middle Arm Progress Association

Council Delegates: Cllr V Flanagan

Meets: on invitation from Association / Committee

Roslyn Progress Association

Council Delegates: Cllr V Flanagan

Meets: on invitation from Association / Committee

Taralga & District Progress Association

Council Delegates: Cllr G Harris

Chief Executive Officer

COMMITTEES OF COUNCIL STRUCTURE cont'd

Meets: on invitation from Association / Committee

Tuena Progress Association

Council Delegates: Clr A Meggitt

Meets: on invitation from Association / Committee

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Nil

RECOMMENDATION That –

1. Council determines and approves Schedule A and Schedule B for the Committee of Council structures, committee memberships and appointment of Councillors and staff delegates to committees in accordance with Section 355, of the *Local Government Act 1993*.

ATTACHMENTS

Nil

Chief Executive Officer - 18 September 2025

ITEM 14.4 Local Government NSW Annual Conference 2025 - Nomination of Voting Delegate

FILE REFERENCE I25/235

AUTHOR Chief Executive Officer

ISSUE

Detailing the process for Council to nominate a voting delegate at the Annual Conference of Local Government NSW.

RECOMMENDATION That -

1. The Mayor, Deputy Mayor and Chief Executive Officer, may attend and represent Council, at the Annual Conference of Local Government NSW, on 23—25 November 2025.
2. The Mayor is nominated as the Council's voting delegate at the Annual Conference of Local Government NSW. The Chief Executive Officer is the nominated Council's observer.
3. In the event the Mayor cannot attend the Annual Conference of Local Government NSW, the Deputy Mayor is delegated to take the Mayor's place as the voting delegate of Council.

BACKGROUND

This report is advising Council's representation and the program for, the Annual Conference of Local Government NSW (LGNSW). The LGNSW Annual Conference is being held at Penrith on 23 – 25 November 2025.

Local Government NSW is the peak body representing NSW local council members and associate members, including county councils and joint organisations.

LGNSW role is to support, promote, advocate for, and represent the local government sector so members are in the best position to serve NSW communities.

REPORT

LGNSW is seeking the names of each Council's nominated voting delegate for the LGNSW Annual Conference where the local government sector will debate and vote on council-submitted motions that help set the LGNSW advocacy priorities for 2025/2026

LGNSW require notification of the name(s) of nominated voting delegates. Nominations of voting delegates received after the closing date/time cannot be accepted.

Voting delegates must be either an elected member of a council, county council, the Lord Howe Island Board, Norfolk Island Regional Council or Related Local

Chief Executive Officer

LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2025 - NOMINATION OF VOTING DELEGATE cont'd

Government Body or an Administrator appointed in accordance with the *Local Government Act 1993*.

Upper Lachlan Shire Council is entitled to nominate one (1) voting delegate. In accordance with Council's exiting practice, the Mayor and Deputy Mayor may attend the conference as the Council's representatives (with the Mayor registered as the voting delegate) and the Chief Executive Officer (CEO) as the Council's observer.

POLICY IMPACT

Nil

OPTIONS

Nil

FINANCIAL IMPACT OF RECOMMENDATIONS

Total annual conference attendance fees per person are \$3,010 (Accommodation, conference registration fee, dinners and travel expenses). The expenses for the Mayor, Deputy Mayor and CEO attending the LGNSW Annual Conference are annually included in the Council's Operational Plan.

RECOMMENDATION That -

1. The Mayor, Deputy Mayor and Chief Executive Officer, may attend and represent Council, at the Annual Conference of Local Government NSW, on 23—25 November 2025.
2. The Mayor is nominated as the Council's voting delegate at the Annual Conference of Local Government NSW. The Chief Executive Officer is the nominated Council's observer.
3. In the event the Mayor cannot attend the Annual Conference of Local Government NSW, the Deputy Mayor is delegated to take the Mayor's place as the voting delegate of Council.

ATTACHMENTS

Nil

16 REPORTS FROM OTHER COMMITTEES, SECTION 355 COMMITTEES AND DELEGATES

The following item is submitted for consideration -

16.1	Reports from Committees for the months of August and September	220
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Reports from Other Committees, Section 355 Committees and Delegates - 18 September 2025

ITEM 16.1

Reports from Committees for the months of August and September

RECOMMENDATION:

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

1. Audit Risk and Improvement Committee – Minutes from 1 July 2025
2. Collector Oval, Section 355 Committee – Minutes from meeting held 6 August 2025.
3. Tuena Hall & Recreation Area, Section 355 Committee – Minutes from meeting held 6 August 2025.
4. Crookwell Historical Society, Section 355 Committee – Minutes from meeting held 14 August 2025.
5. Crookwell Historical Society, Section 355 Committee – AGM Minutes from meeting held 14 August 2025.
6. Breadalbane Hall, Section 355 Committee – Minutes from meeting held 24 August 2025.
7. Access Committee, Section 355 Committee – Minutes from meeting held 27 August 2025.

ATTACHMENTS

1. ↓	Canberra Region Joint Organisation (CRJO) - UNENDORSED - ARIC Meeting Minutes - ULSC - 1 July 2025	Attachment
2. ↓	Collector Oval Section 355 committee meeting minutes - 6 August 2025	Attachment
3. ↓	Tuena Hall & Recreation Area Committee - Minutes from meeting held 6 August 2025	Attachment
4. ↓	Crookwell Historical Society Section 355 Committee - Meeting held 14 August 2025	Attachment
5. ↓	Crookwell Historical Society S355 Committee - AGM - 14 August 2025	Attachment
6. ↓	Breadalbane Hall S355 Committee Meeting Minutes - 24 August 2025	Attachment
7. ↓	Access Committee Section 355 - Minutes from meeting held 27 August 2025	Attachment



AUDIT RISK & IMPROVEMENT COMMITTEE MEETING MINUTES

Tuesday, 1 July 2025
8:30am – 11:30am
Microsoft Office Teams

Upper Lachlan Shire Council


Upper Lachlan Shire Council ARIC Meeting Minutes

Tuesday, 1 July 2025,

8:30am – 11:30am

Microsoft Office Teams

Voting Members	
Independent Member	Stephen Coates (Chair)
Independent Member	Diana Hamono
Independent Member	Rachel Harris
Independent Member	Bryce McNair
Non-Voting Members	
Upper Lachlan Shire Council	Cr Rob Cameron, Deputy Mayor
Upper Lachlan Shire Council Representatives	
Upper Lachlan Shire Council	Alex Waldron, Chief Executive Officer
Upper Lachlan Shire Council	Andrew Croke, Director Finance and Administration
Upper Lachlan Shire Council	John Abakah, Manager Governance
Upper Lachlan Shire Council	Ashan Hewage, Chief Financial Officer
Upper Lachlan Shire Council	Jason Dinsmore, Information and Communications Technology Manager
Audit Office NSW Representatives	
Audit Office NSW	Reiky Jiang, Director Financial Audit Services
Ernst & Young	Irene Tzavaras, Partner
Ernst & Young	Lee Hartwig, Director
Canberra Region Joint Organisation	
Canberra Region Joint Organisation	Sharon Houlihan, Executive Officer (CRJO shared arrangements officer)
Canberra Region Joint Organisation	Hayley Chapman, Coordinator Corporate Services (Minutes Secretary)

**Upper Lachlan Shire Council ARIC Meeting Minutes**

Tuesday, 1 July 2025,

8:30am – 11:30am

Microsoft Office Teams

1. Opening Meeting

The chairperson, Stephen Coates opened the meeting at 8:30am.

2. Welcome & Acknowledgement of Country

The chairperson welcomed members and guests and made an acknowledgment of country.

3. Attendance and Apologies

The chairperson called for any apologies.

The following apologies were received:

- Bryce McNair, ARIC voting member
- Cr Rob Cameron, ARIC non-voting member
- Alex Waldron, Chief Executive Officer, Upper Lachlan Shire Council
- Ashan Hewage, Chief Financial Officer, Upper Lachlan Shire Council
- Hayley Chapman, Minutes Secretary (minutes taken by Sharon Houlihan)

4. Disclosure of Interest

With reference to Chapter 14 Local Government Act 1993 and CRJO's Code of Conduct, attendees are required to declare any conflicts of interest in the matters under consideration by the audit, risk and improvement committee at this meeting.

No conflicts of interest were declared.

5. Confirmation of Minutes**5.1 Confirmation of Previous Minutes****RESOLUTION ULSC 07/25 - 01**

That the minutes of the audit, risk and improvement committee meeting held 1 April 2025 be accepted and signed as a true and correct record of the meeting.

AGREED BY CONSENSUS


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5.2 Outstanding Actions Register
RESOLUTION ULSC 04/25 - 02

That the audit, risk and improvement committee notes the status of progress against outstanding actions, that completed actions be removed, and outstanding actions followed up and completed for the next meeting.

CARRIED

Committee reviewed progress of outstanding actions from previous meetings and asked to remove completed or ongoing actions, as follows:

Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
12/12/23	Prepare updated ULSC internal audit plan for ARIC approval	Internal Audit Manager	March 2024 meeting June 2024 meeting Sep 2024 meeting	17/9/24: Partially complete – draft 4-year internal audit plan went to September ARIC meeting, however ULSC input was yet to be provided, meaning the plan not complete 27/11/24: suggestion of Water Billing and Recovery made by ULSC – Paul to include in IA plan and finalise in conjunction with council 1/4/25: IA plan for ULSC provided to 1 April ARIC meeting, no internal audits for 2025/26 have been nominated by management. Management to follow through with IA Manager asap. 1/7/25: Council will pursue external supplier model for future internal audits. Payroll and Asset Management identified by management for 2025/2026 IA Plan and to be included in handover to new external IA provider. Complete, remove from actions list
12/3/24	Determine annual calendar of ARIC meeting agenda items, four-year calendar to ensure compliance with Risk	Chair Stephen	Out of session	Partially complete – chair attended ULSC meeting to deliver end of term and year report on 15/8/24 Annual and four-year calendars to come
27/6/24				
17/9/24				
27/11/24				


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Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
1/4/25 1/7/25	Management and Internal Audit Guidelines December 2022 including council reports and meeting attendance dates by chair			<p>27/11/24: Chair to provide out of session</p> <p>1/4/25: Calendar template in shared drive, to be populated and finalised for ULSC</p> <p>1/7/25: Draft four-year strategic work plan and annual work plan developed, on agenda. Management to review and finalise with chair, then schedule for council adoption</p>
27/6/24 17/9/24 27/11/24 1/4/25 1/7/25	Report to be presented to cover penetration testing, assessment of compliance with Cyber NSW's cyber security recommendations and assessment against NSW Audit Office's cyber security report 2022-23 recommendations	ULSC Manager Information and Communications Technology	September 2024 ARIC meeting	<p>27/11/24: Report was to be provided to November 2024 meeting however Manager IT was not able to provide a report due to urgency of data breach response to IPC</p> <p>1/4/25: Update provided. However, additional information is required</p> <p>1/7/25: Penetration testing performed by Cyber NSW of council's systems externally has been provisionally booked for first week in August. Report to be provided to next ARIC meeting (within IT report)</p>
17/9/24 27/11/24 1/4/25 1/7/25	Internal Audit Update Report to include independent assurance from Internal Audit Manager that external audit actions have actually been completed and how reviewed	Internal Audit Manager	From November 2024 meeting onwards	<p>27/11/24: to be provided to March ARIC meeting or out of session</p> <p>1/4/25: No verification of completion of corrective actions from external audit reported – defer to next meeting</p> <p>1/7/25: Council to pursue external supplier model for future internal audits. Requirement for independent assurance of completion of external audit actions, to the extent needed depending on existing assurance activities, to be included in brief for new external IA provider. Complete, remove from actions list</p>
17/9/24 27/11/24 1/4/25	Advise management-desired inclusions, based on risk, in 4-year Internal Audit Plan for	ULSC CEO	Out of session	<p>27/11/24: suggestion of Water Billing and Recovery made by ULSC – Paul to include in IA plan and finalise in conjunction with council</p> <p>1/4/25: IA plan for ULSC provided for 1 April ARIC meeting</p>


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Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
1/7/25	2025 and 2026, both for delivery by CRJO-employed Internal Audit Manager and by external internal auditor.			1/7/25: Payroll and Asset Management identified by management for 2025/2026 IA Plan and to be included in handover to new external IA provider. Complete, remove from actions list
17/9/24 27/11/24 1/4/25 1/7/25	Service review improvement status report to be provided to ARIC 6 monthly (Secretariat to add to agenda)	Secretariat Stephen	From 2025 ARIC meetings onwards	1/7/25 ULSC provided report to June 2025 ARIC meeting noting that a consultant is preparing a service review status report linked to AEC Group report recommendations implementation. Status report to come to next ARIC meeting
17/9/24 27/11/24 1/4/25 1/7/25	Client feedback survey to be undertaken after every internal audit and results included in Internal Audit Update Report at every quarterly ARIC meeting	Internal Audit Manager	From November 2024 ARIC meeting onwards	27/11/24: Client feedback surveys to be commenced with payroll internal audit. Additional survey, on ULSC risk management framework, to be provided to 1 April 2025 ARIC meeting 1/4/25: client feedback survey for risk management framework review not reported – defer to next meeting 1/7/25: client feedback survey included with latest internal audit report, requirement for client feedback after each internal audit to be included in brief for new external IA provider. Complete, remove from actions list
17/9/24 27/11/24 1/4/25 1/7/25	Provide council reports for capital works program delivery against budget to ARIC meetings.	ULSC Director Finance and Administration	From November 2024 ARIC meeting onwards	27/11/24: Council report 21/11/24: Works in Progress- Construction & Maintenance provided to ARIC, to be provided as a standard inclusion in ARIC reports each meeting 1/4/25: No report provided - defer to next meeting 1/7/25: Report provided to 1 July ARIC meeting. Complete, remove from actions list


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Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
27/11/24 1/4/25 1/7/25	Outcome of the long-term financial review is to be presented at a 2025 ARIC meeting	ULSC CFO	June 2025 ARIC meeting	1/7/25: LTFP completed and approved by Council for 2025-2034. Tabled at 1 July 2025 ARIC Meeting. Complete, remove from actions list
27/11/24 1/4/25 1/7/25	Include information on testing of incident response plan for cyber-attack in IT report to next ARIC meeting	ULSC IT Manager	March 2025 ARIC meeting	1/4/25: No report provided - defer to next meeting 1/7/25: ULSC does not have an incident response plan for Cyber Attack specifically, the business continuity plan would be document to follow at present. Report to be provided to next ARIC meeting covering how the risk of cyber-attack is being managed, beyond the business continuity plan (within IT report)
27/11/24 1/4/25 1/7/25	Include update on work underway regarding 'Essential 8' compliance plan including compliance risk minimisation actions to next ARIC meeting	ULSC IT Manager	March 2025 ARIC meeting	1/4/25: No report provided - defer to next meeting 1/7/25: Council is still in the planning phase of working towards Essential 8 Level 1 compliance, approximately 50% requirements met, remaining 50% more difficult as require both process change and behaviour change, council is considering this KPI to decide if aiming for Essential 8 compliance or only up to level 2 compliance and not level 3. Report to be provided to next ARIC meeting (within IT report)
1/4/25 1/7/25	Advise whether it is a legislative requirement for councils and/or ARICs to review draft financial statements and whether this review must be prior to referral for external audit/completing of external audit	NSW AO	out of session	3/4/25: NSW AO advised as follows: <i>"In relation to the timing of council passing resolutions and signing the financial statements, due to the ambiguity of the wording in the Local Government Act and Regulations, different councils have adopted different practices. Some councils pass resolutions and sign the financial statements before providing them for audit, whilst others pass a resolution and sign the financial statements after the audit is cleared. Our office has accepted both practices...."</i> and


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Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
				<p><i>"Regarding ARIC's review of financial statements, there is no specific provisions in the LG Act or Regulations outlining the timing of that review. The only reference to the timeframe for ARIC's review of the financial statements is in the <u>OLG Guidelines for Risk Management and Internal Audit</u> (page 93, the model terms of reference for ARIC, under 'Financial management' section) which states that ARIC 'reviews and advises the accuracy of the council's annual financial statements prior to external audit'.... if a council has included such a term in the terms of reference resolved by the council and does not subsequently comply, then this would be considered a non-compliance with the LG Regulations under clause 216K(5)"</i></p> <p>1/7/25: Complete, remove from actions list</p>
1/4/25 1/7/25	Subject to NSW AO advice, schedule ARIC review of financial statements and whether out of session, via ordinary meeting or extraordinary meeting	Chair / Secretariat Stephen and Sharon	June ARIC meeting	<p>3/4/25: Agreed ARIC to review GPFS prior to council referral to external audit. No need for extraordinary meeting due to September ARIC meeting aligning with council's dates under audit plan. Complete, remove from actions list</p>
1/4/25 1/7/25	Add disaster recovery plan relating to recovery from business disruption and ICT disruption to governance frameworks report (currently only has disaster recovery as in emergency management)	ULSC Manager governance	June ARIC meeting	<p>1/7/25: included in the Governance Compliance Framework and report tabled at 1 July 2025 ARIC meeting. Complete, remove from actions list</p>


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Meeting Date	Description	Responsible Person	Target Date	Completion Date / Status Update
1/4/25 1/7/25	Provide copy of Cyber NSW report from open-source intelligence testing (OSINT) to committee for next meeting	ULSC ICT Manager	June ARIC meeting	1/7/25: OSINT Report provided as an attachment to Manager IT report tabled at 1 July 2025 ARIC meeting. Complete, remove from actions list
1/4/25 1/7/25	Jason Dinsmore, ULSC ICT Manager, requested to attend next meeting of ARIC to provide fulsome ICT report, overview of current IT security footprint, vulnerabilities and what is being done to address them	ULSC ICT Manager	June ARIC meeting	1/7/25: Manager IT report tabled at 1 July 2025 ARIC meeting and Manager IT attended the ARIC meeting. Complete, remove from actions list
1/4/25 1/7/25	Remove internal audit recommendations section of the internal audit update report to ARIC, rather internal auditor's verification comments to be included within the council's corrective actions tracker	Internal Audit Manager (remove from IA report) and ULSC Director Finance and Administration (add to tracker)	June ARIC meeting	1/7/25: internal audit recommendations status section now removed from internal audit report and included in corrective actions tracker. Complete, remove from actions list
1/4/25 1/7/25	Minutes of the first quarter ARIC meeting to be reported to council	ULSC Director Finance and Administration	Out of session	1/7/25: ARIC meeting minutes tabled and accepted at 15 May 2025 Upper Lachlan Shire Council Ordinary meeting. All ARIC quarterly meeting minutes go to council. Complete, remove from actions list

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6. Chief Executive Officer Report**RESOLUTION ULSC 07/25 - 03**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council CEO operations overview report update.

AGREED BY CONSENSUS**Discussed:**

- Andrew Croke provided update on behalf of CEO, speaking to written report
- Highlighted that senior management recruitment is progressing well although still vacancies at manager level and Crookwell Visitor Information Centre project coming to conclusion
- Advised that integrated planning and reporting documents adopted at 19 June 2025 council meeting, no submissions received
- Member Rachel: what are improvements sought from the cultural improvement program? Response: break down current 'silos' between departments and between outdoor and indoor staff, health and wellbeing initiatives
- Chair Stephen: any matters referred to oversight bodies in the quarter? Response: No
- Requested a change to 2026 schedule of ARIC meetings to have April-June quarterly meeting prior to mid-June.

Action: CRJO Secretariat to schedule 2026 April to June quarter meeting prior to mid-June 2026 and annually

7. Financial Management (including external audit update)**7.1 Council 2024/2025 3rd Quarter Budget Review Statements****7.2 Operational Plan 2025/26****7.3 Long Term Financial Plan (LTFP)****7.4 Internal Audit Findings and Tracker****7.5 External Audit Findings and Tracker****7.6 Position Paper – Revenue Recognition and Revenue Recognition Position Paper- Gunning Showground New Sports Amenities Block, Drain Clearance and Repair, Gunning and Inclusive Access to Gunning Courtroom****7.7 External Audit Update**

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That the audit, risk and improvement committee receives and notes the information in the report from Upper Lachlan Shire Council Director Finance and Administration and Chief Financial Officer.

AGREED BY CONSENSUS**RESOLUTION ULSC 07/25 – 05**

That the audit, risk and improvement committee notes the verbal report from NSW Audit Office and Ernst & Young external auditor.

AGREED BY CONSENSUS**Discussed:**

- Andrew Croke provided update, speaking to written report
- Chair Stephen: with RFS assets vesting and Rural Fires Act changes regarding red fleet assets, is there any additional risk for council? Response: No, less risk for council. EY commented that the value wasn't material and therefore unqualified audit was issued last year. NSW Audit Office advised that the legislation change has not yet occurred however the recommendation to change has been made. It is likely that the NSW Audit Office's view will be same this year as last year.
- Member Rachel: noting \$2m deficit and previous meetings' discussion regarding decreasing expenditure, how is this affecting council in terms of service cuts / reduction in service levels? Response: service cuts / reduction in service levels decided and commenced during last council term, does not consider break even position will be achieved in the next ten years, council is focussed on improving unrestricted cash position
- Member Rachel: noting \$16m expended of \$26m capital program as at end March, what is expenditure percentage of capital program now (as at end June)? Response: approximately 80% expended
- Member Rachel: queried capital projects' overspends Response: these related to plant replacements projects

Long-term Financial Plan

- Chair Stephen: queried council's views on long term deficits and the need for hard decisions to address Response: financial sustainability challenges are a problem for all NSW regional and rural councils and are the reason for advocacy regarding financial assistance grants and new revenue sources such as community benefits-sharing payments by energy developers. Confirmed that council's base financial model clearly shows financial challenges even after cost cutting.
- ARIC discussion that, while good financial stewardship says that council should be aiming for break-even operating results in the long-term, ARIC recognises that council has made significant in-roads into reducing expenditure and that community has rejected proposal for a special rate variation meaning that council has exhausted option in its control
- Member Diana: in the operational plan it is difficult to determine what is ongoing work versus current year work Response: clarified \$2.9m deficit around half of which is due to

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timing of multi-year grant-funded projects. Council has adopted the maximum rates increase annually but this increase is not covering increases in expenditure as per mandatory wage increases, costs of construction and so on

Corrective Actions Tracker Review – internal and external audit items

- Regarding internal audit corrective actions tracker – accounts payable internal audit recommendations: ARIC noted that an Authority (business system) upgrade is required to achieve recommendation of automated accounts payable process and aged creditors reporting and that, meanwhile, a manual monthly aged creditors report is being done as a workaround. Clarification provided that there was no non-compliance found with the manual processes, rather the recommendations are to automate the process. The internal audit was considered not detailed enough / too broad.
- Regarding internal audit corrective actions tracker – procurement internal audit recommendations: ARIC noted that council has introduced additional support for procurers and has addressed the issue of procurers being able to approve own purchase orders
- ARIC requested that new internal audit external provider routinely undertake assurance that internal audit corrective actions have been implemented
- Regarding external audit corrective actions tracker:
 - ARIC noted asset remediation provision recommendations progress and need to review next meeting
 - ARIC queried infrastructure, property, plant and equipment (IPPE) data validation progress Response: new Manager Assets commenced mid-June and is working with Finance to get up to speed and expect completion date for this recommendation to more realistically be end 2025/26 financial year, ARIC noted need to review next meeting
- Council advised no need for extraordinary meeting for ARIC to review general purpose financial statements prior to council's referral for external audit as review at the September ordinary meeting corresponds well with timing for preparation of financial statements and audit engagement plan

Revenue Recognition Position Paper

- Regarding revenue recognition position paper, ARIC commended council's work on this and noted inclusion of an example of material grants accounting treatment

External Audit:

- Andrew advised that no management letter to be issued for interim external audit as no new items identified
- EY thanked council officers for work on interim external audit, advised will be meeting new CFO as part of preparation underway for year end, commended council on grants position paper and that its application will be included as a focus in external audit this year
- Reiky Jiang advised of two reports recently tabled by the NSW Audit Office:
 - Cyber Security Insights Report which mostly relates to state agencies but provides some relevant insights for local government

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- Related to revenue recognition, report regarding local small commitments allocation funding program
- NSW Audit Office confirmed that last year's audit included a note that council lacks an incident response plan

Action: Reiky Jiang, NSW Audit Office to distribute Cyber Security Insights Reports and report into local small commitments allocation funding program to committee and council via Chair/Secretariat

8. Governance**8.1 Governance Report****8.2 Compliance Framework Summary Table****8.3 Insurance Claims****RESOLUTION ULSC 07/25 – 05**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council governance report.

AGREED BY CONSENSUS**Discussed:**

- Member Diana: asked if risk appetite statement that has been approved by the executive (MANEX) has been to or is to go to council for approval? Response: not proposed to go to council as largely an operational requirement
- ARIC discussion regarding risk appetite statement: ARIC usually would look for alignment between management practices and council's risk appetite, if risk appetite statement does not go to council, how will it be known if the statement and management practice aligns to council's risk appetite? Councils tend to have a higher tolerance for risk compared with management and therefore best for both council and MANEX to review so as to get a balanced risk appetite statement and also to achieve sensible investment in risk mitigation.
- Member Rachel: How does council decide which risks are priorities for mitigation action? Respond: many risk mitigation actions happening currently, developing a risk register which will include prioritisation of risks for mitigation action. Risk prioritisation not done as yet.
- Member Rachel: queried whether all requirements on Office for Local Government compliance calendar have been met Response: some requirements not yet due, all are on track to meet. Code of conduct and code of meeting practice are due to be reviewed and adopted by new council within twelve months of election, have been waiting for minister's review of both before completing however given delays, looks like these will be put up as is for adoption and then update once minister's review outcomes provided
- ARIC discussed insurance claims progress with emphasis on older claims
- Compliance Framework Summary Table does not currently include IT disaster recovery plan

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Action: Manager Governance to add new item, IT Disaster Recovery Plan, to Compliance Framework Summary Table and reword current item, Disaster Recovery Plan, to Natural Disaster Recovery Plan

9. Infrastructure Update – Capital Projects**RESOLUTION ULSC 07/25 - 06**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council infrastructure update – capital works report.

AGREED BY CONSENSUS**Discussed:**

- Andrew Croke provided update, speaking to written report
- Highlighted: coming to end of timber bridges replacement program, progress of roads program delivery and explained that council signed a tripartite agreement with state government for upfront provision of 50% of natural disaster recovery projects funding which was a difficult process partially due to key position vacancies and delayed payment

Action: In future infrastructure project status reports include identification of projects at risk of non-/late/over budget delivery

10. Human Resources**RESOLUTION ULSC 07/25 - 07**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council human resources report.

AGREED BY CONSENSUS**Discussed:**

- Andrew Croke provided update, speaking to written report
- Highlighted: significant trouble recruiting to HR Manager position, currently filled via an eleven-month contractor who is focussing on HR policies and culture improvement initiatives, 14.6FTE current vacancies in various stages of recruitment, previously reported unfair dismissal claim finalised with a deed of separation signed and 2019 dispute with union ongoing conciliation
- Member Rachel: queried if unfair dismissal claim and union dispute related to 2024 costs cutting Response: No

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11. Information Communications & Technology**11.1 Essential 8 Update****11.2 Open Source Intelligence (OSINT) Report Cyber NSW****RESOLUTION ULSC 07/25 - 08**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council information and communications technology report.

AGREED BY CONSENSUS**Discussed:**

- Jason Dinsmore provided update, speaking to written report
- Chair Stephen: what are the ICT risks ARIC needs to be aware of? Response: resourcing shortages in small ICT team
- Member Diana: noted high level risk items actioned and risk accepted for others, noted that item 3 high severity risk in OSINT not yet closed, queried if the OSINT report is done free of charge for councils Response: Yes, by Cyber Security NSW, OSINT usually done first followed by penetration testing which is scheduled for late August

Action: Manager ICT to add column to Essential 8 report re progress and include prioritisation of actions from next meeting

12. Workplace Health & Safety**RESOLUTION ULSC 07/25 – 09**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council work health & safety report.

AGREED BY CONSENSUS**Discussed:**

- Member Diana: difficult to interpret graphs, for example personal safety threats is a high number but not sure why nor whether increasing or decreasing, requested to reconsider how data is presented to provide relevant information
- Chair Stephen: any new work health and safety incidents since report prepared? Response: No

Action: In future work health and safety reports, include trend data for incidents and claims from next meeting

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13. Internal Audit**13.1 Internal Audit Update****13.2 Four Year Internal Audit Plan****13.3 Internal Audit- Water, Rates & Billing Collection****13.4 Internal Audit- Enterprise Risk Management****RESOLUTION ULSC 07/25 – 10**

That the audit, risk and improvement committee receives and notes the Upper Lachlan Shire Council internal audit update.

AGREED BY CONSENSUS**Discussed**

- Sharon Houlihan, CRJO provided update, speaking to written reports prepared by Paul Fitzsimons, CRJO Internal Audit Manager

Transition from in-house to outsourced shared internal audit function

- Paul Fitzsimons finished up as internal audit coordinator under shared arrangement, as approved by CEOs/general managers and directors in the shared arrangement after consultation with ARIC chair
- CRJO is preparing for procurement of external provider after decision by CEOs/general managers and directors of councils in shared arrangement to transition to from in-house to outsourced internal audit function
- Current four-year internal audit work plan to be finalised, just needs management to nominate which aspect of risk management framework it would like reviewed in 2025/26
- CRJO to undertake contractor engagement and contract management on behalf of councils in the shared arrangement, which is part of the internal audit coordinator role and therefore able to be performed by a joint organisation or council for other councils as part of a shared arrangement, brief for external provider was to include provision of remainder of internal audit coordinator responsibilities however research needed as to whether this can be outsourced

Water Rates Billing and Debt Recovery Internal Audit Report

- Member Diana: noted this internal audit report is a little more detailed than previous reports and asked council to report on audit findings Response: high level findings but insights okay, debt recovery written procedures and current practice differ, nothing identified in audit report that management was unaware of and management recognises the challenges
- Member Rachel: queried if implementation dates for recommendations are achievable Response: Yes

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Actions:

CRJO to finalise current four-year internal audit work plan in preparation for engagement of external provider for internal audits including management's nomination of aspect of risk management framework for review in 2025/26

CRJO to include, in brief for external provider, requirement for feedback surveys after each internal audit and annual report to ARIC as to overall satisfaction by councils of external provider (collation of individual surveys)

14. Audit Risk and Improvement Committee Matters

Chair discussed with the ARIC any other matters related to the good administration of the committee, including:

- Update on GM Attestation – 2024/25 attestation required to be prepared by CEO and provided to ARIC chair for review / comment then included in council's annual report, if ARIC chair does not agree with CEO's attestation, chair to work with CEO to achieve agreement or, failing to achieve agreement, must write to Office for Local Government with dissenting report
- Update on ARIC Report Calendar / Workplan – Chair/Secretariat Stephen has drafted annual report calendar (ARIC work plan) for inclusion in ARIC four year-strategic work plan
- Draft ARIC 4 Year Strategic Plan – Chair/Secretariat Stephen has drafted ARIC strategic four-year plan and provided for council comments/finalisation

Actions:

CEO to prepare ARIC, internal audit and risk management compliance attestation and provide to ARIC for review by next meeting

Director Finance and Administration to review and finalise ARIC strategic four-year plan and annual work plan for council adoption

Sharon Houlihan, CRJO tabled report covering ARIC business matters as follows:

- The following documents are due to for review and re-adoption by council:
 - Audit, Risk and Improvement Committee Terms of Reference – must be reviewed by committee annually and by council every four years, will need to update towards end of this year due to current terms of reference naming committee chair and members and these member terms being up at 31 December.
 - Internal Audit Charter – including to reflect the new outsourced model for delivery of statutory internal audit coordinator role and delivery internal audit function

Action:

ARIC to review its terms of reference next meeting

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Director Finance and Administration to schedule report for council adoption of ARIC terms of reference removing named ARIC chair and members before December ARIC meeting

Director Finance and Administration to schedule report for council adoption of CRJO-updated internal audit charter before September ARIC meeting

- ARIC and internal audit shared arrangements agreement to be updated to reflect new outsourced model for delivery of internal audit function.

Action: CRJO to provide updated agreements for member councils' GMs/Directors consideration and signing.

- Conflict of interest declarations are due to be completed by audit, risk and improvement committee members for 2024/25.

Action: CRJO to provide conflict of interest declarations for ARIC members to complete on 30 June 2025 for all entities in the ARIC shared arrangement. CRJO to save copies of updated declarations in the shared external drive for all entities.

- Extraordinary meetings for review of general-purpose financial statements before referring to external audit financial to be scheduled for Goulburn Mulwaree Council, Upper Lachlan Shire Council and Yass Valley Council, if needed.
- Appointment / re-appointment of independent chair and members process to be completed by end of 2025 prior to current members' terms ending. Current chair and committee members to advise interest in being considered for re-appointment for a further term. Terms to be staggered to ensure appropriate changeover of committee members.

Actions:

Current chair and committee members to advise CRJO of interest in being considered for re-appointment for a further ARIC term or part term

CRJO to lead review and involve member councils in the ARIC shared arrangement (Goulburn Mulwaree Council, Upper Lachlan Shire Council and Yass Valley Council) in the appointment process.

Member councils to put up reports for council appointment of ARIC independent chair and members.

- Request for quotation (RFQ) for delivery of internal audit function

Actions:

CRJO to lead RFQ process on behalf of member councils, prepare request for quotation brief and provide to member councils for review prior to undertaking RFQ via Local Government Procurement NSW

CRJO to manage contract under shared arrangement (as permitted under the NSW Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023

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15. Meeting Recap

ARIC has the following items to report to council in the ARIC quarterly report in addition to provision of a copy of the ARIC meeting minutes:

- Formal resolutions of the audit, risk and improvement committee: As per minutes
- Committee's assessment of audits conducted, including breaches or deficiencies in controls: as per minutes
- Progress on the implementation of corrective actions: as per minutes
- Opportunities for longer-term improvement: as per minutes
- Key opinions or takeaways from the committee's meeting: ARIC observes that, while good financial stewardship says that council should be aiming for break-even operating results in the long-term, it recognises that council has made significant in-roads into reducing expenditure and that the community has rejected proposal for a special rate variation meaning that council has exhausted option in its control to fully address financial unsustainability

Action: GM/Director Finance and Administration to schedule quarterly ARIC report to council to include ARIC's identified items and provision of ARIC meeting minutes

16. Next Meeting

The next meeting is scheduled to be held 29 September 2025 at Upper Lachlan Shire Council council chamber.

17. Confidential Closed Session

The ARIC is required to move into closed session to deal with any items under s10 of the *Local Government Act 1993*.

No closed session was held.

18. Close

The chairperson closed the meeting at 11:30am.

COLLECTOR OVAL COMMITTEE
GENERAL MEETING MINUTES 06/08/25

Date: 06/08/2025		Meeting Time: 5:30pm	Venue: Memorial Hall
Type of meeting	General Meeting		
Chairperson	Keith Fincham		
Secretary	Holly Fincham		
Treasurer	Charlie Reardon		
Returning Officer	John Searl		
Attendees	Keith Fincham, Holly Fincham, John Searl		
Apologies	Andrew Chiswell, Charlie Reardon		

Presidents Report

- We were successful in our Funding Request for the Hydrology Report on Oval.
- Unsuccessful in our Playground Upgrade Request. Serenity will continue refining our submission.
- Unsuccessful in our Funding Request to approach consultant for rPPP.
- Continue pushing for our Plan of Management. Discuss during Agenda Item 1.
- Council has requested Financial Review for 1 July 2023 to 30 June 2024 and 1 July 2024 to 30 June 2025. For Charlies attention.
- The Collector Tennis Club has officially been formed. To work in collaboration with the club in construction of the new tennis courts.

Treasurer Report

Treasurer unable to make the meeting.

President advised:

- Marianne Laws requires clear audit completed before the AGM for the Oval Committee in Oct or Nov.
- Accounts need to be squared away
- Provide bank statements for:
 - 1 July 2023 to 30 June 2024
 - 1 July 2024 to 30 June 2025
- Hydrology Report money received – approx. \$15,000

COLLECTOR OVAL COMMITTEE
GENERAL MEETING MINUTES 06/08/25

Read Previous Minutes

Read minutes – Taken as read.

Agenda Item 1: - Plan of Management request to ULSC

Update			
Discussion	<ul style="list-style-type: none"> Initial draft is almost complete. For internal review upon completion. Council aiming for late August on completion. 		
Conclusions			
Resolution –	<u>Person Responsible</u>	<u>Deadline</u>	
Waiting for Council to complete in late August	Council		

Agenda Item 2: - Hydrology Report

Update			
Discussion	<ul style="list-style-type: none"> We need to send the survey from PHL to Lyall & Associates. Andrew – do you have access to this survey? 		
Conclusions	Andrew not in the meeting – need to follow up to get the report.		
Resolution –	<u>Person Responsible</u>	<u>Deadline</u>	
Chase up Andrew Chiswell to get the report to send to Lyle and associates as soon as possible	Keith Fincham		

Agenda Item 3: - Funding Sources

Update			
Discussion	<ul style="list-style-type: none"> Strategy to identify funding sources. 		
Conclusions	Councils grant person is Renae Brownlee – we can contact her and she can advise the s355 grants that our committee will be eligible for.		

COLLECTOR OVAL COMMITTEE
GENERAL MEETING MINUTES 06/08/25

Resolution –	<u>Person Responsible</u>	Deadline
Email Council and ask Renae to make contact re: grant funding opportunities in Upper Lachlan	Keith Fincham	

Agenda Item 4: - Oval Redevelopment Project – Temporary Works		
Update		
Discussion	<ul style="list-style-type: none"> • Any updates from Andrew? • Temporary oval reseeding works over Spring? • Do we have current funds available to 	
Conclusions	<p>Oval should get reseeded over Spring to make it ready for Community Soccer and Australia Day cricket.</p> <p>We need an acceptable playing surface.</p> <p>Interim fix – Charlie to cost what is available with local people and how much it would cost.</p>	
Resolution –	<u>Person Responsible</u>	Deadline
Costing of reseeding	Charlie Reardon	

Agenda Item 5: - Building Maintenance / Scope of surrounding ground maintenance		
Update		
Discussion	<ul style="list-style-type: none"> • Referred to a different department within ULSC. • John – will the Plan of Management include details around scope of maintenance work on grounds / mowing, etc? 	
Conclusions	Simon from Council sent an email advising he sent a person to look at the building – email was dated 5/8/25. Simon requested an update from this person.	
Resolution –	<u>Person Responsible</u>	Deadline
Wait for update from Simon on maintenance options		

COLLECTOR OVAL COMMITTEE
GENERAL MEETING MINUTES 06/08/25

Agenda Item 6: - New Lock Box Code – Securing the Pavilion		
Update		
Discussion	<ul style="list-style-type: none"> • New Lock Box Code need a champion. • Have the knobs been changed? 	
Conclusions	Knobs have not been changed – follow up with Charlie	
Resolution –	<u>Person Responsible</u>	Deadline
Ask Charlie to Change Locks	Charlie	
Google how to change the lock box code	Holly	

Agenda Item 7: - BBQ Key		
Update		
Discussion	<ul style="list-style-type: none"> • Simon Arkinstal has requested a staff member to engage a locksmith to have the barrel and keying system changed. 	
Conclusions	Email received on 5/8/25 – wait for BBQ barrel to be fixed	
Resolution –	<u>Person Responsible</u>	Deadline
NFA		

Agenda Item 8: - Security Lights		
Update		
Discussion	<ul style="list-style-type: none"> • Do we have funds available to do the works ourselves? 	
Conclusions	Movement activated light needed Need to investigate Quotes for lights	
Resolution –	<u>Person Responsible</u>	Deadline
Quotes for lights – bunnings	Holly Fincham	

Agenda Item 9 - Other		
Update		
Discussion	NFA	

COLLECTOR OVAL COMMITTEE**GENERAL MEETING MINUTES 06/08/25**

Conclusions		
Resolution –	<u>Person Responsible</u>	Deadline

Date for Next Meeting

Date: Wednesday 15 October 2025 at 5:30pm

Meeting closed: 6:00pm

Tuena Hall & Recreation Area Committee

Bathurst Street, Tuena NSW 2583 PH. 48345267

A section 355 committee of Upper Lachlan Shire Council

Minutes of General Meeting

6th August 2025

Meeting opened: 2.02 pm.

Present:

Vince Lonergan, June Lonergan, Jill Cowey, Gabrielle Saville, Rae Ford, Bev Hall, Jenelle Parsons, Bronwyn Mawbey, Robyn Cartwright, Lesley Hall, Alex Meggit

Apologies: Robyn Hall, Barb Blankenbee, Dave McTaggart

As our president, Robyn Hall, was unable to attend the meeting was chaired by Rae Ford.

Condolences: Rae addressed the meeting passing on our sincere condolences to Robyn & Tony Hall who tragically lost their daughter, Kate, recently, and to Jill & Bob Cowery for the recent loss of Jill's sister Bridget who lost her hard fought battle with cancer. Both women were known well to us all and they will be missed.

Minutes from the previous General Meeting were tabled.

Resolved: Jenelle & Jill..... Unanimously accepted.

Treasures Report was tabled for acceptance:

Resolved: June & Bev..... Unanimously accepted.

It was noted that our electricity account for the peak winter period was not yet due and payable but it will be HIGHER,

Electricity remains our largest outgoing expense

When our roof is replaced, we will seek advice and assistance from Council with the hope of installing Solar to mitigate some of this expense.

Correspondence: incoming & Outgoing

All correspondence was tabled and discussed.

All correspondence is available on request.

Business arising from previous Minutes:

1. The power board in the showers has been replaced
2. New power points have been installed to some of the permanent vans site. To complete all of these some trenches are needed to bring all power outlets up to best practise and eliminate the use of above ground extension cords.
3. The taps have been replaced in the public toilets off the carpark.
4. Our Yellow ride on mower has been fixed and returned, account for repairs still pending.
5. Resurfacing of the shower floor will be carried out as soon as the weather improves. Surface will be a 2 part epoxy concrete non slip paint with rubber coving around all floor/wall edges. Cost: Under \$1000, Dave and Brad to install.

6. Volunteer workers: Graham has WITHDRAWN from this Government Scheme due to deteriorating health and will notify Centrelink. Craig has returned and a meeting will be arranged ASAP.

7. Although Council were contacted prior to this meeting regarding our **insurance claim** we had not received a response. Alex Meggit will approach Council for an update.

NB. Adam Moorby contacted me after the meeting. Our claim has been approved, we had a meeting at the Hall. plans are in place and work has commenced on the office with the roof scheduled for Sept Oct depending on contractor.

New Business:

1. The Police Residence. After much discussion it was decided to write a letter to the relevant people requesting Senior Constable Edwin Robinson be allowed to move into the newly renovated premise and reside in Tuena for many reasons all of which will benefit our community.
2. Jenelle Parsons. Jenelle is “moving on” and we all support her decision at this time in her life. However, as she has been our treasurer for many years she is leaving a void that will be hard to fill. We need prepare for this change NOW to make the transition easier and workable.
 - Web site development for Campground
 - QR Code for easy payment options
 - Possible Coded locks for power
 - Add all info to social media
 - Investigate all options for best practise solutions.
3. Graham McLaughlin (Volunteer worker scheme) has resigned from the Scheme. Graham emptied the rubbish bins every week and Dave McTaggart has agreed to be his replacement. Dave is NOT required to participate in this scheme and should now be compensated if he takes on this task on a permanent basis. This discussion led to:
4. Reset: With Jenelle leaving and the business becoming web based it was decided that a COMPLETE Reset occur with any and all arrangements (financial and quid pro quo) we have with our residents take place and we begin again. Format a letter and a new Policy document regarding these changes and distribute.
5. Cleaning Payment from Council: we receive \$65 per week from Council for cleaning. This has not changed for over 20 years. We clean and maintain:
 - Top toilets x 2, uni sex disability friendly plus 2 hand basins
 - Bottom toilets x 2 plus 1 male urinal plus 2 hand basins
 - Hall toilets x 5 plus 1 male urinal plus 1 showers plus 3 hand basins
 - Showers x 4 plus 2 sinks with benches
 - Dump Ezy Point

Result of discussion: Write to Council asking for this payment to be adjusted.

6. Creek Crossing from campground: There have been several incidents at this crossing where vehicles have been stuck in the creek or cannot pass one another at access or egress points. Discussion resulted in seeking a consultation with A J Parsons earthmoving for an assessment of a solution then approach Council.
7. Swinging Bridge: Is rusting and deteriorating, Snap send solves have been sent to Council . Request Council engineers carry out a safety assessment as this bridge is the only means of crossing the creek when the creek is flooded.

Meeting Closed 3.38

Historical Society Meeting 14th August 2025

Present: Ray Croker (President), Marion Brace, Jenny Painter, Ann Turner, Glen Millar, Edith Medway, Paul Seery, Ian Laverty and Councillor Flanagan.

Held in the Library.

Apologies: Joy Collins and Christine Marks

Minutes of the June Meeting were read and accepted by Ann, seconded Marion

Treasurers Report

Balance: \$3920 in our working account

Cr Flanagan has donated items from her uncle including documents and photos from St Marys church and a souvenir booklet of Queen Elizabeth 1st.

Thankyou Cr Flanagan

In November during the Garden Festival, there will be an Arts, cultural and Heritage display, which we have been asked to contribute toward.

Work Health and Safety

As you possibly are aware we work in a small office. Our concerns are the lack of smoke alarms in the office. Regarding the lighting in the Archives Room, the light switch is out of reach and the actual lighting is inadequate. We would like these matters addressed please.

Also, we would like to ask if Council could consider not throwing out items of historical interest. We request that the Historical Society is informed before items are discarded.

With no further business the meeting closed at 3.15pm and afternoon tea was served

Historical Society AGM 2025

14th August 2025

Held in the Library

Meeting started at 2.10

Present: Ray Croker, Jeanette Painter, Marion Brace, Ann Turner, Edith Medway, Councillor Vivienne Flanagan, Paul Seery, Glen Millar and Ian Laverty

Apologies: Christine Marks, Joy Collins

Minutes of the 2024 meeting were read and accepted by Ann seconded Marion

Ray welcomed everyone to the meeting, and read his report

Jeanette gave her yearly report, thanking everyone for their support and help.

Glen presented the treasurers report.

We have \$3920.80 in our everyday acc.

Term deposit: \$13809.00 interest \$635

Matured 10.08.25

Balance \$14,444.00 deposited at 3.5%

Glen moved the report be accepted seconded Ray

Cr Flanagan took the chair for the elections

President: Ray Croker

Nominated by Jenny seconded Glen

Vice President: Ian Laverty

Nominated by Jenny seconded Ray

Secretary/Office Manager: Jeanette Painter

Nominated by Ian seconded Marion

Treasurer: Glen Millar

Nominated by Ann seconded Edith

Researcher and Newsletter Compiler: Marion Brace

Nominated by Ian seconded Jenny

Proofreader and Cataloguer: Christine Marks

Nominated by Ann seconded Marion

Office Assistant: Ann Turner

Nominated by Marion seconded Jenny

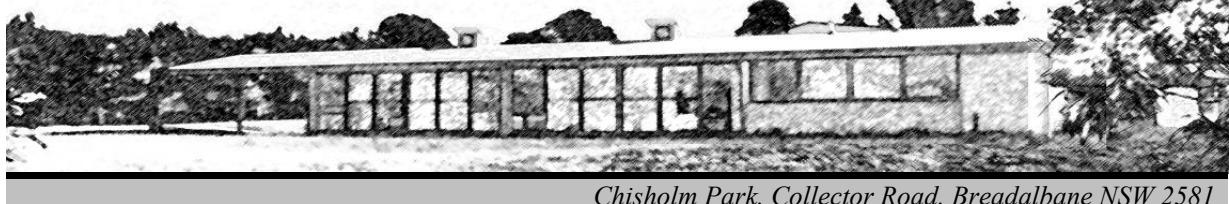
Researcher: Joy Collins

Nominated by Jenny seconded Glen

Ray took the chair

We continued with our monthly meeting

Breadalbane Community Hall



Chisholm Park, Collector Road, Breadalbane NSW 2581

BREADALBANE HALL GENERAL MEETING Minutes of Meeting Sunday, 24th August, 2025 at 3.00 pm

PRESENT: John Searl, Sally Hoskins, Rachel Robarts, Matthew Streat, Chrissie McLean,

APOLOGIES: Sylvie Hayles, Sally McLean, Vanessa Edwards,

MINUTES FROM LAST MEETING:

- Minutes from General meeting Sunday, 15th June, 2025 received and endorsed unanimously

TREASURER'S REPORT :

- Chrissie McLean reported :

Rewards Savers Account 200638492	\$ 50.22
Investment Account 200809838	6,000.00
Everyday Account 200051579	\$ 2,310.36
LESS EXPENSES:	
Progressive Lunch	368.52
(Vanessa:\$115.39, Chrissie:\$145.13, Sally H: \$108.00)	
Payment to fireshed	400.50
Payment to school	400.50
Payment to church	400.50
TOTAL EVERYDAY A/C	\$740.34

PROGRESSIVE LUNCH FIGURES:

47 adults @ \$30	\$1,410.00
6 children @ \$10	60.00
Raffle	500.50
	\$1 970.50
Less : Costs (as per above)	368.52
PROFIT FROM LUNCH	\$1601.98

Note : each venue received \$400.50

Chrissie reported \$6,000 invested will be due out in October. It was agreed that in October we will discuss how much to be reinvested.

Committee thanked Chrissie for new presentation of report and the effort involved in doing the finances from progressive lunch.

.../2

Chair: Matthew Streat ph: 0415726859

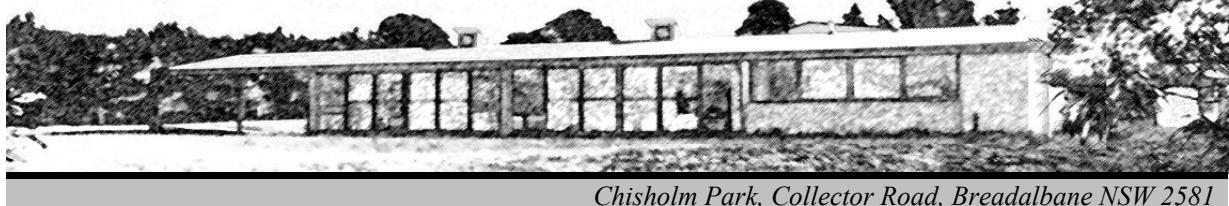
Treasurer: Christine McLean p: 0407266736

Hall Manager: Karen Ralley p: 0410468595

Deputy Chair: Rachel Robarts 0414424740

Secretary: Sally Hoskins p: 0418 480109

Breadalbane Community Hall



Chisholm Park, Collector Road, Breadalbane NSW 2581

- 2 -

CORRESPONDENCE: No correspondence.

GENERAL BUSINESS :

1. Progressive Lunch Review

Matthew congratulated everyone on a very successful lunch. A great team effort. It was agreed lunch worked better than a dinner.

Sally H suggested that a combined community function could be held each year on first weekend of spring or similar as first weekend in spring is father's day.

2. Lawn Mower New Shed

Matthew reported will wait for grants coming out early 2026.

4. Hall Hire Agreement

Rachel reported Council made a couple of changes and that agreement looking good. She will now work on an online fillable form for hires.

5. Christmas Party

Agreed date to be 7th December, 2025 @ 6.00 pm and that hall to provide a ham and everyone bring a plate. Raffle of Christmas hamper to be 1 tkt \$5 - 3 tkts \$10.

6. Pump Problem Update

Chrissie reported Council working on problem.

OTHER BUSINESS :

- Breadalbane Recipe Book : Suggested we look into organising a community recipe book and maybe presenting it at community event next year.

- Community Newsletter: next newsletter 1st November

- Matthew reported Landcare have a grant to provide a guest speaker next year. Ideas to be suggested for guest speaker to target when they come. It was suggested dung beetles.

DATES - NEXT MEETING & DATES TO REMEMBER:

Annual General Meeting 9th November @ 4.00 pm

Christmas Party 7th December

Chair: Matthew Streat ph: 0415726859

Treasurer: Christine McLean p: 0407266736

Hall Manager: Karen Ralley p: 0410468595

Deputy Chair: Rachel Robarts 0414424740

Secretary: Sally Hoskins p: 0418 480109

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 27 AUGUST 2025

PRESENT: Mr D George, Ms S Chan Cr J Searl (Chairperson), Cr V Flanagan, Cr G Harris,

NON VOTING: Mr K Mahmud (Director of Infrastructure) and Ms S Knight (ULSC) and Ms S Towsey (Minutes Secretary)

**THE CHAIRPERSON DECLARED THE MEETING OPEN AT
3.14PM**

SECTION 1: APOLOGIES & LEAVE OF ABSENCE

Apologies were received from Alex Waldron (ULSC CEO) and Andrew Croke (Acting ULSC CEO) and Mr D Johnson.

RESOLVED by Cr Harris and Cr Flanagan that the apologies be received and a leave of absence granted.

- CARRIED

SECTION 2: DECLARATIONS OF INTEREST

Nil

SECTION 3: CONFIRMATION OF MINUTES

ITEM 5.1 **RESOLVED** by Cr Flanagan and Mr George

That the minutes of the Access Committee Meeting held on 28 May 2025 be adopted.

- CARRIED

SECTION 4: REPORTS

Nil

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 27 AUGUST 2025

SECTION 5: ITEMS FOR DISCUSSION

ITEM 5.1 ACCESS COMMITTEE - NEW MEMBER APPLICATIONS

RESOLVED by Mr George and Cr Harris

PROPOSED CONCLUSION:

Access Committee to endorse the one application received by the closing date to be tabled at the next Council meeting in September 2025 for resolution.

- CARRIED

ITEM 5.2 PREVIOUS ITEMS ACTION LIST

RESOLVED by Cr Flanagan and Mr George

PROPOSED CONCLUSION:

That the Access Committee members note the progression of the previous action items and the due dates.

- CARRIED

GENERAL BUSINESS

- It was raised by Sharon Chan that a Grants update for any projects related to accessibility for council buildings and properties be provided at the next meeting of the Access Committee.
- Cr Flanagan would like a report back in relation to the MLAK changes to facilities in the Shire amenities blocks of the next meeting of the Access Committee.

**This is page Two of the Minutes of the MEETING OF THE ACCESS COMMITTEE ULSC
Held on 27 AUGUST 2025 Confirmed on 26 NOVEMBER 2025**

UPPER LACHLAN SHIRE COUNCIL
MINUTES OF THE
MEETING OF THE ACCESS COMMITTEE ULSC
HELD IN THE COUNCIL CHAMBERS
ON 27 AUGUST 2025

THE MEETING CLOSED AT 3.33pm

Minutes confirmed 26 NOVEMBER 2025

.....
Chairperson

This is page Three of the Minutes of the MEETING OF THE ACCESS COMMITTEE ULSC
Held on 27 AUGUST 2025 Confirmed on 26 NOVEMBER 2025

17 NOTICES OF MOTION

The following item is submitted for consideration -

17.1	Notice of Motion - Review of Section 355 Committees	256
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Notices of Motion - 18 September 2025

ITEM 17.1

Notice of Motion - Review of Section 355 Committees

I, Councillor John Searl hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

1. That Council undertake a review of Section 355 Committees to ascertain the scope and relevance of each committee's function in regard to exercising the functions of Council, and governance in relation to the Code of Meeting Practice, reporting to Council and any areas for improvement in compliance and operation.

BACKGROUND

Section 355(b) of the Local Government Act allows for Council to exercise its functions by a Committee of Council - these committees are referred to as Section 355 Committees.

Section 355 Committees provide a useful means for community involvement. Appointment to a Section 355 Committee is by a resolution of Council and committee members are deemed to be Council Officials and are required to comply with both the Code of Conduct and Code of Meeting Practice.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are currently 22 Section 355 Committees operating on behalf of Council. The membership of each committee comprises at least one elected councillor and in some cases a Council staff member.

The activities of these committees are governed by the Code of Practice for Section 355 Committees, Section 355 Committee Policy, and the committee's constitution or charter. Section 355 Committees operate with significant amount of autonomy and limited supervision from Council.

Notwithstanding the limited supervision, Council receives and reviews the annual reports including annual financial compliance statements and where applicable the quarterly reports of the Section 355 Committees.

Management acknowledge that a review of Section 355 Committees would help to reassess their scope, relevance, and compliance with Council's policies and code of meeting practice. It will also enable Council to determine if existing charters require amendments, as well as assist Council to determine the level of support and supervision required by each committee. However, current staffing capability limitations will delay the commencement and completion of such a review.

ATTACHMENTS

Nil

18 QUESTIONS WITH NOTICE

The following item is submitted for consideration -

18.1 Question with Notice - Update of Development Control Plan 258

Questions With Notice - 18 September 2025

ITEM 18.1	Question with Notice - Update of Development Control Plan
AUTHOR	Councillor Rob Cameron

BACKGROUND

At the July 2025 Council meeting it was resolved that a review of the DCP would occur, an update would be appreciated.

From Clr Rob Cameron

I, Clr Rob Cameron ask;

1. Can the CEO provide an update on the process steps and associated timeframes for the review of Council's Development Control Plan (DCP) which was resolved to commence at our meeting in July (Resolution 107/25 refers)?
2. Further, can the CEO detail the opportunities that ratepayers will have to comment on the DCP including on topical issues such as proposals for industrial wind turbines and other renewable energy projects?

Response from Council CEO

Council's Environment and Planning Team have been working on the Development Control Plan (DCP) and will present this to Council at the 16 October 2025 meeting.

Under the legislative requirements the DCP will be placed on public exhibition following the DRAFT adoption at the October meeting for minimum 28 Days with a view to come back to the 18 December 2025 Ordinary Council meeting.

Within this exhibition period, ratepayers and the community will have time to submit written submissions and address and concerns, comments for consideration before it's formal adoption.

ATTACHMENTS

Nil

Chief Executive Officer's Statement

Confidentiality

Councillors and staff are reminded of their obligations in respect to the need for confidentiality and not disclose or otherwise misuse the information which is about to be discussed, failure to do so could result in a reference to the Pecuniary Interest and Disciplinary Tribunal and/or result in a prosecution in accordance with Sec. 664 of the Act for which the maximum penalty is \$5,500.

CONFIDENTIAL SESSION

Section 10A(2) of the Local Government Act, 1993 provides that Council may, by resolution, close to the public so much of its meeting as comprises the receipt or discussion of matters as listed in that section, or for any matter that arises during the course of business during the meeting that should be treated as confidential in accordance with Section 10(2) of the Act.

Council's Agenda for this meeting contains reports that meet the criteria specified in Section 10A(2) of the Act. To consider these reports in confidential session, Council can adopt the following recommendation:

RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Item19.1 in confidential session for the reasons indicated:

Item 19.1 Council Section 355 Access Committee - Selection of Community Representative Application

This report is considered to be confidential in accordance with Section 10A(2a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

19 CONFIDENTIAL SESSION

The following item is submitted for consideration -

- 19.1 Council Section 355 Access Committee - Selection of Community Representative Application